

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA REPEALING RESOLUTION NO. 5875 AND ADOPTING THE CONFLICT OF INTEREST CODE FOR THE CITY OF LA HABRA PURSUANT TO GOVERNMENT CODE SECTION 81000, ET SEQ., AS REQUIRED BY STATE LAW

THE CITY COUNCIL OF THE CITY OF LA HABRA DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. The Political Reform Act (Government Code Sections 81000, et seq.) requires state and local government agencies to adopt and promulgate Conflict of Interest Codes.

SECTION 2. The Fair Political Practices Commission has adopted a regulation (Title 2, Division 6 California Code of Regulations Section 18730) that contains the terms of a standard Conflict of Interest Code and may be incorporated by reference in an agency's code, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings.

SECTION 3. The Political Reform Act, Government Code Section 87306, requires state and local government agencies to amend its Conflict of Interest Code when change is necessitated by changed circumstances, including the creation of new positions and job titles which must be designated pursuant to Section 87302 (a) and relevant changes in the duties assigned to existing positions.

SECTION 4. The terms of Title 2 California Code of Regulations Section 18730 and any subsequent amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix A and B designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the City of La Habra.

SECTION 5. Persons holding designated positions listed in the Appendix shall file Statements of Economic Interests with the City Clerk. The City Clerk shall serve as filing officer for the City Council/Code Reviewing Body. The City Clerk shall make the statements available for public inspection and reproduction, pursuant to Government Code Section 81008.

PASSED, APPROVED AND ADOPTED this 17th day of August, 2020.

Tom Beamish, Mayor

Attest:

Laurie Swindell, CMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS.
CITY OF LA HABRA)

I, Laurie Swindell, City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. _____ introduced and adopted at a Regular Meeting of the City Council of the City of La Habra held on the 17th day of August, 2020 by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Witness my hand and the official seal of the City of La Habra this 17th day of August, 2020.

Laurie Swindell, CMC
City Clerk

CITY OF LA HABRA CONFLICT OF INTEREST CODE

**APPENDIX A TO RESOLUTION NO. _____
DESIGNATED EMPLOYEE POSITIONS**

<u>POSITIONS</u>	<u>FILING CATEGORY</u>
<u>Administration:</u>	
Assistant City Attorney	1
Deputy City Attorney	1
Assistant City Manager	1
Assistant to the City Manager	1
City Clerk/Office Manager	1
Assistant City Clerk	1
Deputy City Clerk/Records Manager	1
<u>Department of Finance and Administrative Services:</u>	
Finance Manager	1
Deputy Director of Information Technology	1
<u>Department of Human Resources:</u>	
Director of Human Resources	1
Human Resources Manager	1
<u>Department of Community Development:</u>	
Director of Community and Economic Development	1
Deputy Dir. of Community Development	1
Economic Development and Housing Manager	3
Planning Manager	3
Senior Planner	3
Code Enforcement Manager	3
Chief Building Official	3
<u>Department of Community Services:</u>	
Director of Community Services	1
Community Services Manager	2
Child Development Manager	2
Center Manager of Employment & Training	2
Recreation Manager	2
Children's Museum Manager	2
Building Maintenance Supervisor	2

**APPENDIX A TO RESOLUTION NO. _____ (continued)
DESIGNATED EMPLOYEE POSITIONS**

CITY OF LA HABRA CONFLICT OF INTEREST CODE

<u>POSITIONS</u>	<u>FILING CATEGORY</u>
<u>Department of Public Works:</u>	
Director of Public Works	1
Water Sewer Manager	1
Operations Manager	1
City Engineer	1
Principal Engineer	2
Senior Civil Engineer	2
Traffic Manager	2
 <u>Police Department:</u>	
Police Chief	1
Police Captain	1
 <u>Consultant:</u>	
	1
 <u>Board Member(s):</u>	
California Domestic Water Company Board Member(s)	1

Consultants shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitation:

The City Manager may determine in writing that a particular consultant although a “designated position” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties, and based upon that description, a statement of the extent of disclosure requirements. The City Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code (Gov. Code Sec. 81008).

CITY OF LA HABRA CONFLICT OF INTEREST CODE

APPENDIX B TO RESOLUTION NO. _____

DISCLOSURE CATEGORIES

GENERAL: Financial interests are reportable only if located in the jurisdiction, or if the business entity is doing business or planning to do business in the jurisdiction or has done business in the jurisdiction at any time during the two years prior to the filing of the statement. Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Appendix A.

CATEGORY 1. Designated Employees in Category 1 must report:

All investments, sources of income, as well as business positions in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management. Interests in real property located in the jurisdiction, including property within a two-mile radius of any property owned or used by the City of La Habra.

CATEGORY 2. Designated Employees in Category 2 must report:

- a. All investments in, income from, or his or her status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity that has contracted with the City of La Habra within the last two years to provide services, supplies, materials, machinery, instrumentation, or equipment to or for the City of La Habra.
- b. All investments in, income from, or his or her status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity which the employee knows or has reason to know is a supplier of services or goods to or for the City of La Habra or to any entity possessing a contract with the City of La Habra.

CATEGORY 3. Designated Employees in Category 3 must report:

- a. All investments in, income from, or his or her status as a director, officer, partner, trustee, employee, or holder of a position of management in any business subject to the regulatory, permit or licensing authority of the City of La Habra, and/or which engages in land development, construction or the acquisition or sale of real property.
- b. Interests in real property located within two miles of any land owned or used by the City of La Habra.

Please note no disclosure is required by this Conflict of Interest Code for employees and officials (City Council, Planning Commissioner, City Manager, City Attorney, and Director of Finance/City Treasurer) who are regulated by and file Statements of Economic Interests pursuant to Government Code Sections 87200 - 87210.