

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 14,898

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD REPEALING RESOLUTION NO. 14,456 AND ADOPTING AN AMENDED CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the City of Oxnard ("City" and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the City Council adopted a Conflict of Interest Code (the "Code"), which was amended on February 11, 2014, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the City have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the City's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief, which could result in the City being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the City Council on February 23, 2016, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

SECTION 1. The City Council hereby repeals Resolution No. 14,456.

SECTION 2. The City Council hereby adopts the proposed amended Conflict of Interest Code, attached hereto as Exhibit A.

SECTION 3. The amended Conflict of Interest Code shall be on file with the City Clerk and available to the public for inspection and copying.

SECTION 4. On or before March 1 of each year the City Clerk shall make copies of the amended Conflict of Interest Code, together with copies of applicable forms and instructions, and shall transmit them to all persons known or expected to be required to file Annual Statements of Economic Interests (Form 700). The City Clerk shall make reasonable efforts to encourage such persons to file such statements by the April 1 deadline and to prepare such statements in proper form. The City Clerk shall make other types of forms and information available as needed for statements other than the Annual Statements of Economic Interests.

SECTION 5. No later than July 1, 2018, the City Attorney in consultation with the City Manager shall review the amended Conflict of Interest Code adopted pursuant to this Resolution and if a change in the Code is necessitated by changed circumstances submit an amended Conflict of Interest Code in accordance with subdivision (a) of Section 87306 and Section 87303 of the Act to the City Council for review and possible adoption.

SECTION 6. The amended Conflict of Interest Code shall take effect March 1, 2016.

PASSED AND ADOPTED THIS 23rd day of February, 2016, by the following vote:

AYES: Councilmembers Flynn, Ramirez, MacDonald, Padilla and Perello.

NOES: None.

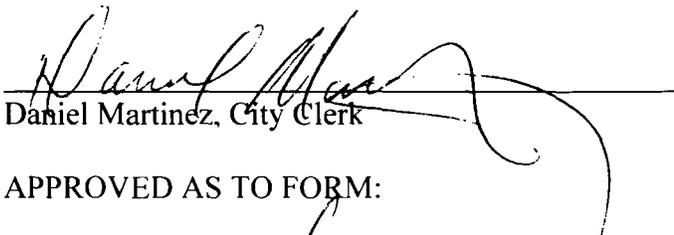
ABSENT: None.

ABSTAIN: None.



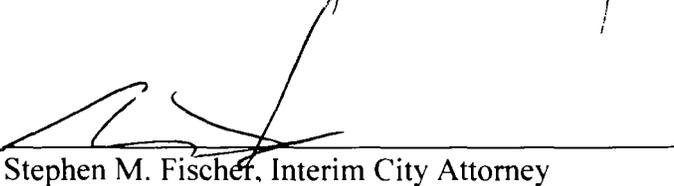
Tim Flynn, Mayor

ATTEST:



Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

Exhibit A



**CITY OF OXNARD  
CONFLICT OF INTEREST CODE**

FEBRUARY 2016

300 West Third Street  
Oxnard, California 93030

# CITY OF OXNARD CONFLICT OF INTEREST CODE

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## INCORPORATION PAGE

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The Political Reform Act (Gov. Code, §§ 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (Cal. Code Regs., tit. 2, § 18730) (“**Section 18730**”) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, the Fair Political Practices Commission may amend Section 18730 to conform to amendments in the Political Reform Act. Therefore, the terms of Section 18730 and any amendments to Section 18730 that the Fair Political Practices Commission adopts are hereby incorporated by reference. This incorporation page, Section 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the City of Oxnard (the “**City**”) Conflict of Interest Code.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **City Clerk** as the City’s Filing Officer. The **City Clerk** shall make and retain a copy of all statements filed by the Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney and the City Treasurer, and forward the originals of such statements to the Fair Political Practices Commission. The **City Clerk** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code, § 81008.)

# **APPENDIX**

## **CITY OF OXNARD CONFLICT OF INTEREST CODE**

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### **OFFICER AND EMPLOYEE DESIGNATIONS**

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The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and all Other City Officials who manage public investments, as defined in section 18700.3(b) of title 2 of the California Code of Regulations, are **not** subject to the City of Oxnard Conflict of Interest Code but must file disclosure statements under Government Code section 87200 et seq. (Cal. Code Regs., tit. 2, § 18730, subd. (b)(3).)

### **OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

The City has determined that the positions listed below are Other City Officials who manage public investments.<sup>1</sup> These positions are listed here for informational purposes only:

Chief Financial Officer

Financial Services Manager

Assistant City Treasurer

Housing Financial Officer

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<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code section 87200.

**DESIGNATED POSITIONS**

**(GOVERNED BY THE CITY OF OXNARD CONFLICT OF INTEREST CODE)**

**DESIGNATED POSITIONS**

**DISCLOSURE CATEGORIES**  
**ASSIGNED**

City Attorney's Office

Assistant City Attorney	1, 2
Deputy City Attorney	1, 2
Law Office Manager	5

City Clerk's Office

City Clerk	5
Assistant City Clerk	5

City Manager's Office

Assistant City Manager	1, 2
Deputy City Manager	1, 2
Facilities Maintenance Supervisor	5
Fleet Services Operations Manager	5
Fleet Services Mechanic Supervisor	5
Geographic Information Systems Coordinator	5
Information Technology Director	5
Legislative Affairs Manager	1, 2

**DESIGNATED POSITIONS**

**DISCLOSURE CATEGORIES  
ASSIGNED**

City Manager's Office

Maintenance Services Manager	2, 3, 5
Management Analyst III	4
Network Services Coordinator	5
Parks Maintenance Supervisor	5
Parks Manager	2, 3, 5
Project Manager	2, 3, 4
Public Relations & Community Affairs Manager	1, 2
System Administrator	5

Community Development Department

Economic Development Director	1, 2
Management Analyst II	2, 3

Development Services Department

Development Services Director	1, 2
Development Services Manager	1, 2
Planning and Environmental Services Manager	1, 2
Management Analyst II	5
Plan Check Engineer	3, 5, 6
Supervising Civil Engineer	3, 5, 6
Junior Civil Engineer	3, 5, 6
Supervising Building Inspector	3, 5, 6

**DESIGNATED POSITIONS**

**DISCLOSURE CATEGORIES  
ASSIGNED**

Development Services Department

Deputy Building Official	3, 5, 6
Principal Planner	2, 3, 5, 6
Associate Planner	2, 3, 5, 6
Assistant Planner	2, 3, 5, 6
Junior Planner	2, 3, 5, 6
Project Manager	2, 3, 5, 6

Finance Department

Budget Manager	5
Accounting Manager (Purchasing)	4
Assistant Chief Financial Officer	4
Buyer	4
Controller	5

Fire Department

Fire Chief	1, 2
Assistant Fire Chief	1, 2
Battalion Chief	5, 6
CUPA Coordinator	5, 6
EMS Coordinator	5
Disaster Preparedness Coordinator	5

**DESIGNATED POSITIONS**

**DISCLOSURE CATEGORIES  
ASSIGNED**

Housing Department

Housing Director	1, 2
Accounting Manager	1
Grants Coordinator	5
Housing Contract Administrator	4
Housing Program Manager	6
Housing Program Supervisor	6
Housing Maintenance Supervisor	5
Housing Modernization Superintendent	5
Housing Rehabilitation Program Manager	2, 3
Housing Engineer	3, 5
Homeless Assistance Program Coordinator	5, 6
Compliance Services Manager	1, 2
Management Analyst I/II/III	3

Human Resources Department

Human Resources Director	1, 2
Assistant Director of Human Resources	5
Human Resources Manager	5
Workers` Compensation Manager	5

Library Department

Cultural & Community Services Director	1, 2
Library Director	1

**DESIGNATED POSITIONS**

**DISCLOSURE CATEGORIES  
ASSIGNED**

Library Department

Library Services Supervisor	5
Library Circulation Supervisor	5
Library System Analyst	5
Management Analyst I	5

Recreation and Community Services Department

Leisure & Recreation Superintendent	1, 2
Management Analyst III	5, 6
Recreation Supervisor	5, 6
Community Services Manager	5, 6
Management Analyst I/II	5, 6

Police Department

Police Chief	1, 2
Assistant Police Chief	1, 2
Police Commander	5, 6
Police Financial Manager	5
Code Compliance Manager	5, 6
Community Affairs Manager	5
Police Records Manager	5
Public Safety Information Technology Manager	5
Public Safety Communications Manager	5

**DESIGNATED POSITIONS**

**DISCLOSURE CATEGORIES  
ASSIGNED**

Public Works Department

Public Works Director	1, 2
Design and Construction Services Manager	1, 2
Traffic Engineer	1, 2
Management Analyst II/II	5
Water Programs Manager	5
Water Resources Manager	2, 5, 6
Environmental Resources/MRF Manager	2, 5, 6
Environmental Resources Supervisor – Supervisor Maintenance	5
Environmental Resources Supervisor – Health & Safety	5
Environmental Resources Supervisor – Zero Waste/Recycling	5
Environmental Resources Supervisor - Collections	5
Construction & Maintenance Engineer	1, 2
Recycling Manager	5
Streets Manager	5
Chief Operator	5
Wastewater Operations Manager	5
Wastewater Maintenance Manager	5
Technical Services Manager / Water Quality Manager	6
Utilities Director	1, 2

**DESIGNATED POSITIONS**

**DISCLOSURE CATEGORIES  
ASSIGNED**

Public Works Department

Utilities Finance Officer	5
Water Division Manager	2, 5, 6
Wastewater Division Manager	2, 5, 6

Members of Boards, Committees & Commissions

Downtown Design Review Committee Member	1, 2
Finance Authority Board Member	1, 2
Housing Authority Commissioner	1, 2
Mobilehome Park Rent Review Board Member	2, 6
Performing Arts Center Corporation Board of Directors Member	5, 6

Members of Boards, Committees & Commissions

Measure "O" Citizen Oversight Committee Member	1, 2
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Miscellaneous

Performing Arts Center Manager	5
Consultants and New Positions <sup>2</sup>	1, 2
Acting Positions	Subject to same disclosure requirements as position performed

<sup>2</sup> Individuals providing services as a "consultant," as that term is defined in section 18700.3 of title 2 of the California Code of Regulations, or in a new position created since this Conflict of Interest Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The City Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code, § 82019; Cal Code Regs., tit. 2, §§ 18219, 18734.) 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, § 81008.)

**DESIGNATED POSITIONS**

**DISCLOSURE CATEGORIES  
ASSIGNED**

Miscellaneous

Interim Positions

Subject to same disclosure requirements as position performed

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**DISCLOSURE CATEGORIES**

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The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup>

**Category 1:** All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, from business entities that are located in, do business in, or own real property within the jurisdiction of the City.

**Category 2:** All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the City.

**Category 3:** All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, from business entities that are engaged in development, construction, appraisal, or the acquisition or sale of real property within the jurisdiction of the City.

**Category 4:** All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, from business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type utilized by the City.

**Category 5:** All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, from business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit, or division.

**Category 6:** All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, from business entities that are subject to the regulatory, permit, or licensing authority of the designated position's department, unit, or division.

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<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside the City's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Cal. Code Regs., tit. 2, § 18730.1)