

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 15,211

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD REPEALING RESOLUTION NO. 15,111 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 April 17, 2018 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 April 2, 2018 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. 15,111.

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.

PASSED AND ADOPTED THIS 2nd day of April, 2019, by the following vote:

AYES: Councilmembers Basua, Flynn, Lopez, Madrigal, Perello and Ramirez.

NOES: None.

ABSENT: Councilman MacDonald.

ABSTAIN: None.

 4/2/19

Tim Flynn, Mayor

ATTEST:



Michelle Ascencion, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, City Attorney

Exhibit A

CITY OF

OXNARD



CALIFORNIA

**CITY OF OXNARD
CONFLICT OF INTEREST CODE**

April 2019

300 West Third Street
Oxnard, California 93030

CITY OF OXNARD CONFLICT OF INTEREST CODE

INCORPORATION PAGE

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

OFFICER AND EMPLOYEE DESIGNATIONS

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.¹ These positions are listed here for informational purposes only:

Chief Financial Officer

Assistant City Treasurer

Housing Financial Officer

¹ 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)

<u>DESIGNATED POSITIONS</u>	<u>DISCLOSURE CATEGORIES ASSIGNED</u>
<u>City Attorney's Office</u>	
Assistant City Attorney	1, 2
Deputy City Attorney	1, 2
Law Office Manager	5
<u>City Clerk's Office</u>	
City Clerk	5
Assistant City Clerk	5
<u>City Manager's Office</u>	
Assistant City Manager	1, 2
Communications and Marketing Manager	1, 2
Deputy City Manager	1, 2
Legislative Affairs Manager	1, 2
Management Analyst II/III	2, 3, 5
<u>City Treasurer's Office</u>	
Assistant City Treasurer	1, 2
<u>Community Development Department</u>	
Assistant Plan Check Engineer	3, 5, 6
Assistant Planner	2, 3, 5, 6
Associate Planner	2, 3, 5, 6

DESIGNATED POSITIONS**DISCLOSURE CATEGORIES****ASSIGNED**

Civil Engineer	3, 5, 6
Code Compliance Manager	5, 6
Deputy Building Inspector	3, 5, 6
Deputy Building Official	3, 5, 6
Development Services Director	1, 2
Development Services Manager	1, 2
Economic Development Manager	1, 2
Junior Civil Engineer	3, 5, 6
Junior Plan Check Engineer	3, 5, 6
Junior Planner	2, 3, 5, 6
Management Analyst II/III	2, 3
Permit Coordinator	2, 3, 5, 6
Plan Check Engineer	3, 5, 6
Planning and Environmental Services Manager	1, 2
Principal Planner	2, 3, 5, 6
Project Manager	2, 3, 5, 6
Supervising Building Inspector	3, 5, 6
Supervising Civil Engineer	3, 5, 6

Cultural and Community Services Department

City Librarian	1, 5
Community Services Manager	1, 2, 5, 6
Cultural & Community Services Director	1, 2

DESIGNATED POSITIONS

DISCLOSURE CATEGORIES

ASSIGNED

Cultural Arts Supervisor	5
Library Circulation Supervisor	5
Library Management Analyst I	5
Library Services Supervisor	5
Library Systems Analyst	5
Management Analyst I/II	5, 6
Performing Arts Center Manager	5
Recreation Supervisor	5, 6

Finance Department

Assistant Chief Financial Officer	4
Budget Manager	5
Buyer	4
Chief Financial Officer	1, 2
Controller	5
Purchasing Manager	4

Fire Department

Assistant Fire Chief	1, 2
Battalion Chief	5, 6
CUPA Coordinator	5, 6
EMS Coordinator	5
Emergency Services Manager	5

DESIGNATED POSITIONS**DISCLOSURE CATEGORIES
ASSIGNED**

Fire Chief 1, 2

Fire Environmental Specialist I/II 6

Housing Department

Accounting Manager 1

Compliance Services Manager 1, 2

Grants Coordinator 5

Homeless Assistance Program Coordinator 5, 6

Housing Contract Administrator 4

Housing Director 1, 2

Housing Engineer 3, 5

Housing Financial Officer 1, 2

Housing Inspector 1, 2

Housing Maintenance Supervisor 5

Housing Modernization Superintendent 5

Housing Program Manager 6

Housing Program Supervisor 6

Housing Rehabilitation Program Manager 2, 3

Management Analyst I/II/III 3

Human Resources Department

Assistant Director of Human Resources 5

Human Resources Director 1, 2

DESIGNATED POSITIONS

DISCLOSURE CATEGORIES

ASSIGNED

Human Resources Manager 5

Workers' Compensation Manager 5

Information Technology Department

Geographic Information Systems Coordinator 5

Information Technology Director 5

Information Technology Systems Administrator 5

Network Services Coordinator 5

Systems Administrator 5

Police Department

Assistant Police Chief 1, 2

Community Affairs Manager 5

Police Chief 1, 2

Police Commander 5, 6

Police Financial Manager 5

Police Records Manager 5

Public Safety Communications Manager 5

Public Works Department

Assistant Public Works Director 1, 2

City Engineer 1, 2

Chief Operator 5

Construction & Maintenance Engineer 1, 2

DESIGNATED POSITIONS**DISCLOSURE CATEGORIES****ASSIGNED**

Environmental Resources/MRF Manager	2, 5, 6
Environmental Resources Supervisor	5
Facilities Maintenance Supervisor	5
Fleet Manager	5
Fleet Services Mechanic Supervisor	5
Fleet Services Operations Manager	5
Maintenance Services Manager	2, 3, 5
Management Analyst II/III	5
Parks Maintenance Supervisor	5
Parks Manager	2, 3, 5
Project Manager	2, 3, 4
Public Works Director	1, 2
Recycling Manager	5
Special Districts Manager	1, 2, 3
Special Districts Project Manager	1, 2, 3
Streets Manager	5
Technical Services Manager/Water Quality Manager	6
Traffic Engineer	1, 2
Transportation Services Manager	1, 2
Water Programs Manager	5
Water Resources Manager	2, 5, 6

DESIGNATED POSITIONS**DISCLOSURE CATEGORIES****ASSIGNED**

Utilities Director	1, 2
Utilities Finance Officer	5
Wastewater Division Manager	2, 5, 6
Wastewater Maintenance Manager	5
Wastewater Operations Manager	5
Water Division Manager	2, 5, 6

Members of Boards, Committees & Commissioners

Downtown Design Review Committee Member	1, 2
Finance Authority Board Member	1, 2
Housing Authority Commissioner	1, 2
Las Cortes Housing Development Corporation Member	1, 2
Measure "O" Citizen Oversight Committee Member	1, 2
Mobilehome Park Rent Review Board Member	2, 6
Oxnard Convention & Visitors Bureau Member	1, 2
Performing Arts Center Corporation Board of Directors Member	5, 6

DESIGNATED POSITIONS

**DISCLOSURE CATEGORIES
ASSIGNED**

Miscellaneous

Consultants and New Positions²

1, 2

Acting Positions

Subject to the same disclosure as position performed

Interim Positions

Subject to the same disclosure as position performed

² 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.)

DISCLOSURE CATEGORIES

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.³

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.

³ 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)