

RESOLUTION NO. 2010-185

A RESOLUTION OF THE LODI CITY COUNCIL
REPEALING RESOLUTION NO. 2008-210
THEREBY AMENDING CITY OF LODI CONFLICT
OF INTEREST CODE

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The Political Reform Act of 1974 (Government Code section 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 (2 Cal. Code of Regs. 18730), which contains the terms of a standard conflict of interest code. After public notice and a hearing it may be amended by the Fair Political Practices Commission to conform to amendments to the Political Reform Act. Therefore, the terms of 2 California Code of Regulations 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached appendices designating officials and employees and establishing disclosure categories shall constitute the conflict of interest code of the City of Lodi.

Designated officials and employees shall file their statements with the City Clerk of the City of Lodi and such statements shall be open for public inspection and reproduction pursuant to Government Code Section 81008. Statements for all designated officials and employees will be retained by the City of Lodi.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Resolution No. 2008-210 is hereby repealed in its entirety.
2. The terms of 2 California Code of Regulations Section 18730 and any amendments duly adopted by the Fair Political Practices Commission along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the City of Lodi.
3. Persons holding designated positions shall file statements of economic interest pursuant to the provisions of this code.
4. All designated officials and employees shall file their statements of economic interests with the City Clerk of the City of Lodi to whom the City Council hereby delegates the authority to carry out the duties of filing officer.
5. Failure to file the required statement in a timely fashion may result in the imposition of administrative, criminal, and civil sanctions as provided in Government Code sections 81000-91014.
6. The effective date of this Resolution shall be November 3, 2010.

Dated: November 3, 2010

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I hereby certify that Resolution No. 2010-185 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 3, 2010, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce,
and Mayor Katzakian

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



Randi Johl
City Clerk

APPENDIX A

DESIGNATED OFFICIALS AND EMPLOYEES

The following is a listing of those persons who are required to submit Statements of Economic Interests pursuant to the Political Reform Act of 1974, as amended:

List of designated positions required to file Form 700:

Department:	Position:	Disclosure Category:
City Manager	City Manager Deputy City Manager/Internal Services Director Management Analyst/Communications Specialist Management Analyst/Risk Manager Senior Programmer/Analyst	* 1 1 1 2, 3, 4
City Attorney	City Attorney Deputy City Attorney	* 1
City Clerk	City Clerk Assistant City Clerk	1 1
Community Center	Community Center Director Youth Commission Coordinator Stage Technician Art & Events Manager Building Services/Event Coordinator	1 2,5 2,5 2,5 2,5
Community Development	Community Development Director Planning Manager Junior Assistant/Associate Planner Building Official Building Inspector Neighborhood Services Manager	1 1 1 1 2,3,5,7 1
Electric Utility	Electric Utility Director Assistant Electric Utility Director Utility Operations Supervisor Manager, Customer Services & Programs Distribution Planning Supervisor Senior Power Engineer Electric Utility Rate Analyst Senior Storekeeper Buyer	1 1 5 1 5 2,3,5 2,3,5 2, 3, 4 2, 3, 4
Fire	Fire Chief Fire Division Chief \ Operations Fire Battalion Chief \ Training Fire Battalion Chief Fire Marshall Fire Inspector	1 1 5 5 1 1

Internal Services/Human Resources	Human Resources Manager Management Analyst	1 2,8
Internal Services/Financial Services & Budget	Financial Services Manager Accountant Supervising Accountant Budget Manager Management Analyst Purchasing Technician	2,3,4,8 2,3,4 2,3,4 2,3,4,8 2,3,4,8 4
Internal Services/Information Systems	Information Systems Manager information Systems Coordinator Network Administrator Senior Programmer/Analyst	1 2,3,4 5 2,3,4
Library	Library Services Director Supervising Librarian	1 5
Parks and Recreation	Parks and Recreation Director Parks Superintendent Parks Project Coordinator Recreation Superintendent Recreation Manager	1 1 2,3,5 2,3,5 2,3,5
Police	Police Chief Police Captains Management Analyst Community Improvement Officer Supervising Community Improvement Officer Animal Services Supervisor	1 1 2,3,4 2,3,5,7 2,3,5,7 2, 5
Public Works	Public Works Director City Engineer/Deputy Public Works Dir. Senior Civil Engineer Fleet & Facilities Manager Water/Wastewater Superintendent Transportation Manager Transportation Planner Fleet Services Supervisor Management Analyst Construction Project Manager Deputy Public Works Director – Utilities Streets and Drainage Superintendent Wastewater Treatment Superintendent	1 1 2,3,5,7 2,3,5,7 2,3,5,7 2,3,5,7 2,3,5,7 2,3,5,7 2,3,5,7 2,3,5,7 1 2,3,5,7 2,3,5,7

Boards and Commissions	Members of the Planning Commission	2,3,4,6,7,8
	Members of the Recreation Commission	2,3,4,6,7,8
	Members of the Site Plan and Architectural Review Committee	2,3,4,6,7,8
	Members of the Library Board of Trustees	2,3,4,6,7,8
	Members of the Lodi Improvement Committee	2,3,4,6,7,8
	Members of the Lodi Arts Commission	2,3,4,6,7,8
	Members of the Lodi Budget/Finance Committee	2,3,4,6,7,8
	Members of the Lodi Animal Advisory Committee	2,3,4,6,7,8
	Members of the Lodi Senior Citizens Commission	2,3,4,6,7,8
Consultants		
Community Development	CDBG Program Administration (Contract Consultant – PMC)	2,3,4
	Interwest Consulting Group (Contract Plan Check Services)	2,3,4
	Bureau Veritas (Contract Plan Check Services)	2,3,4
	Dyett & Bhatia	1
Internal Services/Human Resources	York Insurance Service Group	2,3,4,8
	DB Claims Services Group, Inc.	2,3,4,8
Public Works	West Yost & Associates	1
	Treadwell & Rollo	1

* Exempted from Political Reform Act of 1974, but required to file a statement of economic interests pursuant to Government Code section 87200.

Designated Employees are those positions within the city who may exercise independent judgment and make or participate in the making of governmental decisions which may foreseeably have a material effect on any financial interest.

Consultant means an individual who, pursuant to a -contract with a state or local governmental agency:

- A. Makes governmental decisions whether to
 1. approve a rate, rule or regulation;
 2. adopt or enforce a law;
 3. issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order or similar authorization or entitlement;
 4. authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
 5. grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
 6. grant agency approval to a plan, design, report, study or similar item;
 7. adopt, or grant agency approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or
- B. Serves in a staff capacity with the agency and in that capacity performs the same or substantially the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agencies Conflict of Interest Code.

The City Manager or his designee may determine in writing that a particular consultant, although a “designated position” is hired to perform a range of duties that are 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 the description, a statement of the extent of the disclosure requirements. The City Manager or his designee’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.

Public Officials Who Manage Public Investments (Specified in Government Code Section 87200):

The positions listed below manage public investments and shall file a statement of economic interests pursuant to Government Code Section 87200. These positions are listed for informational purposes only.

1. Members of the Lodi City Council
2. City Manager
3. City Attorney
4. Finance Director
5. Members of the Lodi Planning Commission

An individual 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.

APPENDIX B

DISCLOSURE CATEGORIES

Individuals holding designated positions must report their interests according to their assigned disclosure category(ies).

DISCLOSURE CATEGORIES

1. All investments and business positions in business entities, sources of income, including loans, gifts, and travel payments, from all sources wherever located; and interests in real property located within the jurisdiction of the City of Lodi or within two (2) miles of the boundaries of the City of Lodi or within two (2) miles of any land owned or used by the City of Lodi.
2. Investments and business positions in business entities, and all sources of income, including loans, gifts, and travel payments, from all sources.
3. Interests in real property located within the jurisdiction of the City of Lodi or within two (2) miles of the boundaries of the City of Lodi or within two (2) miles of any land owned or used by the City of Lodi.
4. Investments and business positions in business entities, and income from entities, including loans, gifts, and travel payments, from sources providing supplies, services, materials, equipment or machinery of the type used by the City of Lodi.
5. Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources providing supplies, services, materials, equipment or machinery of the type used by the designated position's division or department.
6. Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that filed a claim against the City of Lodi during the previous two (2) years, or have a claim pending with the City of Lodi.
7. Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources of the type to request an entitlement to use agency property or facilities, including, but not limited to: licenses, utility permits, and vendor permits.
8. Investments and business positions in and income from Union Pension funds that may be affected by the outcome of negotiations involving monetary settlements of employer-employee memorandums involving the City of Lodi.