

RESOLUTION CC 2020-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING THE CITY OF COVINA CONFLICT OF INTEREST CODE AND RESCINDING RESOLUTION CC 18-119

WHEREAS, the Covina City Council previously adopted Resolution CC 18-119, adopting by reference the model Conflict of Interest Code set for in Section 18730 of the California Code of Regulations; and

WHEREAS, the City Council desires to add positions that must be designated; revise the titles of existing positions; revise the disclosure categories of existing positions; and delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Any resolutions in conflict with this resolution are hereby rescinded and repealed.

SECTION 2. The Political Reform Act, Government Code Section §1000, 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. Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference 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. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments thereto duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Exhibit A in which public officials and employees are designated and Exhibit B in which disclosure categories are set forth, constitute the Conflict of Interest Code of the City of Covina, which is considered the “agency” within the purview of this code.

SECTION 3. Designated employees and officials who manage public investments shall file their statements with the Chief Deputy City Clerk, who shall be and perform the duties of filing officer for the City of Covina. Statements will be available for inspection and reproduction pursuant to Government Code Section 81008. Statements for all designated employees and officials who manage public investments will be retained by the Chief Deputy City Clerk.

SECTION 4. Exhibit A (Listing Government Code Section 87200 et seq. [Regs §18730(b)(3)] Article II Filers, Officials Who Manage Public Investments and Designated Employees and their disclosure categories) attached hereto amends and supersedes all previous versions of this attachment to the City’s Conflict of Interest Code.

SECTION 5. Exhibit B (Explanation of disclosure categories) amends and supersedes all previous versions of this attachment to the City’s Conflict of Interest Code.

SECTION 6. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

SECTION 7. The City Clerk is hereby directed to forward a copy of this resolution to the Human Resources Manager of the City.


APPROVED and PASSED this 15th day of September, 2020

City of Covina, California

BY: 

VICTOR LINARES, Mayor

ATTEST:


GEORGIANNA NICOLE ALVAREZ
Chief Deputy City Clerk

CERTIFICATION

I, Georgianna Nicole Alvarez, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution CC 2020-84 was duly adopted by the City Council of the City of Covina at a regular meeting held on the 15th day of September, 2020, by the following vote:

AYES: COUNCIL MEMBERS: ALLEN, CORTEZ, KING, MARQUEZ, LINARES
NOES: COUNCIL MEMBERS: NONE
ABSTAIN: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE

Dated: September 16, 2020

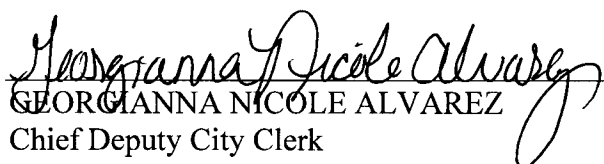

GEORGIANNA NICOLE ALVAREZ
Chief Deputy City Clerk

EXHIBIT A

DESIGNATED EMPLOYEES

The positions listed below are designated positions and the individual occupying each position is deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest of that individual. The individuals occupying the designated positions shall disclose their economic interests in accordance with the corresponding disclosure categories, defined in Exhibit B.*

DEPARTMENT	POSITION	DISCLOSURE CATEGORIES
Administration		
	Assistant City Manager	1, 2
	Assistant to the City Manager	1, 2
	City Attorney (not filing under GC 87200)	1, 2
	Information Technology Coordinator	5
	Information Technology Services Manager	5
	Senior Information Technology Coordinator	5
Administrative Services (Finance and Human Resources/Risk Management)		
	Accounting Supervisor	1, 4, 6
	Director of Administrative Services	1, 2, 4, 6
	Finance Director	1, 2, 4, 6
	Finance Manager	1, 4, 6
	Management Analyst	1, 4, 6
	Human Resources Analyst	5
	Human Resources Director	5
	Human Resources Manager	5
	Risk Manager	5
	Senior Human Resources Analyst	5
Community Development		
	Assistant Planner	2, 3, 6
	Associate Planner	1, 2, 3
	Building Official	3, 5, 6
	City Planner	1, 2, 3
	Construction Inspector I/II	3, 6
	Deputy Building Official	3, 5, 6
	Director of Community Development	1, 2, 3
	General Building Inspector I/II	3, 6
	Plan Checker	3, 6
	Senior Building Inspector	3, 5, 6
	Senior Housing/CDBG Development Manager	2, 3, 5
	Senior Planner	1, 2, 3
Parks & Recreation/Library		
	Director of Parks & Recreation and Library Services	1

*This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions of the position.

DEPARTMENT	POSITION	DISCLOSURE CATEGORIES
Parks & Recreation/Library continued		
	Library Services Supervisor	5
	Literacy Program Coordinator	5
	Management Analyst	1
	Parks and Recreation Manager	1
	Parks and Recreation Supervisor	5
	Recreation Coordinator	5
Police		
	Police Captain	5
	Police Chief	5
	Police Lieutenant	5
Public Works		
	Assistant Civil Engineer	5, 6
	Assistant Public Works Director	2, 3, 5
	Associate Civil Engineer	2, 3, 5, 6
	City Engineer	1, 2
	Environmental Services Analyst	5
	Environmental Services Manager	5
	Environmental Services & Transportation Manager	5
	Equipment Maintenance Supervisor	5
	Management Analyst	5
	Parks Maintenance Supervisor	5
	Public Works Director	1, 2
	Public Works Manager	5
	Senior Equipment Mechanic	5
	Senior Maintenance Foreman	5
	Senior Management Analyst	5
	Water Distribution Supervisor	5
	Water Utility Superintendent	5
	Water Systems Supervisor	5
Records Management		
	Chief Deputy City Clerk	5
	City Clerk	5
	Deputy City Clerk	5
Members of Board and Commissions		
	Finance Advisory Commission	1, 2
	Library Board of Trustees	1, 2
	Parks and Recreation Commission	1, 2
	Traffic and Parking Advisory Commission	1, 2

DEPARTMENT	POSITION	DISCLOSURE CATEGORIES
Other		
	Consultants and New Positions	*

*Consultants shall be defined as and disclose their economic interests in accordance with the corresponding disclosure categories as defined in Exhibit B.

ARTICLE II FILERS

Government Code Section 87200 et seq. [Regs. § 18700.3(b)]

The Mayor and City Councilmembers (also serve as the Successor Agency to the Covina Redevelopment Agency, Covina Public Financing Authority, and the Covina Housing Authority), Planning Commission, the City Manager, the City Attorney, and the City Treasurer, are NOT included as “designated positions” as the disclosure obligations for these positions are set forth by Government Code Section 87200, et seq. Listed below for reference are their disclosure categories.

POSITION	DISCLOSURE CATEGORY
Mayor and City Councilmembers	Reference GC 87200-87210
Planning Commissioners	Reference GC 87200-87210
City Manager	Reference GC 87200-87210
City Attorney	Reference GC 87200-87210
City Treasurer	Reference GC 87200-87210

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Government Code Section 87200 et seq. [Regs. § 18700.3(b)(1)]

It has been determined that the positions listed below are Other City Officials Who Manage Public Investments. Listed below for reference are their disclosure categories.

POSITION	DISCLOSURE CATEGORY
Finance Director	Reference GC 87200-87210
Financial Consultant	Reference GC 87200-87210

EXHIBIT B

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. * Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the City.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, 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, that are engaged in land development, construction, 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, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the City.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, 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, which are subject to the regulatory, permit, or licensing authority of the designated position's department, unit or division.

Consultants: Disclosure Requirements¹

Designated Consultants	Disclosure Requirements
Consultants who make (not just recommend) governmental decisions , such as whether to approve a rate, rule, or regulation, whether to issue, deny, suspend, or revoke any permit, license, application,	All reportable <u>interests in real property</u> in the jurisdiction; reportable <u>income and business positions</u> ; reportable <u>investments</u> ; and reportable <u>gifts</u> , unless the City Manager determines in writing that a particular

*This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)

¹ When the consultant is a corporation or partnership, only individuals who fit into one of the three categories of "Designated Consultants" must file disclosure statements.

<p>certificate or similar authorization, adopt or grant City approval to a plan, design, report, study, or adopt or grant City approval of policies, standards, or guidelines for the City or any subdivision thereof.</p>	<p>consultant 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 the section.²</p>
<p>Consultants who serve in a staff capacity with the City, and in that capacity <u>participate in making a governmental decision by providing information, an opinion, or a recommendation</u> for the purpose of affecting the decision without significant intervening substantive review.</p>	<p>Disclosure required at the same level as a comparable designated position in the same or similar City Department identified elsewhere in this Code.</p>
<p>Consultants who perform the same or substantially all the same duties for the City that would otherwise be performed by an individual holding a designated position in the City’s Conflict of Interest Code.</p>	<p>Disclosure required at the same level as the comparable designated position identified elsewhere in this Code.</p>

² If the City Manager determines in writing that a particular consultant is not required to fully comply with the requisite disclosure requirements, then 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.