

RESOLUTION NO: 2016-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUCAIPA, ADOPTING AN AMENDED CONFLICT OF INTEREST CODE AND RESCINDING RESOLUTION NO 2014-64.

WHEREAS, the City of Yucaipa City Council previously adopted Resolution No. 2014-64 adopting the model Conflict of Interest Code set forth in Section 18730 of the California Code of Regulations; and

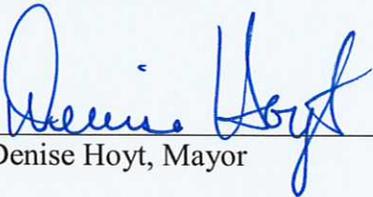
WHEREAS, by this Resolution, the City is adopting a new updated Conflict of Interest Code; and

WHEREAS, the City Council desires to designate persons holding positions listed in Appendix A as bodies that are subject to this code.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Yucaipa does hereby find, determine and declare as follows:

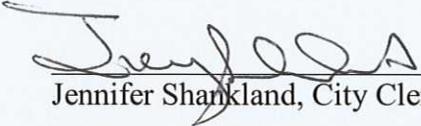
1. Resolution No. 2014-64 is hereby rescinded.
2. The Political Reform Act, Government Code Section 81000, et seq., requires State and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contain the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearing to conform to amendments in the Political Reform Act. Therefore, the term of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A and B, which members and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code for the City of Yucaipa, which is considered the "agency" within the purview of this code.
3. Designated employees shall file their statements with the City Clerk of the City of Yucaipa. Statements for all designated employees will be retained by the City and will be available for inspection and reproduction pursuant to Government Code Section 81008.
4. Pursuant to the Political Reform Act, a person holding a designated position listed in this Conflict of Interest Code that violates any provisions of this Code is subject to administrative, criminal and civil sanctions provided in the Political Reform Act. In addition, if a person who holds a designated position makes, participates in making or otherwise attempts to use his or her official position to influence a decision of the Agency in which he or she has a financial interest, he or she may also be subject to additional administrative, criminal and civil sanctions and the decision may be set aside and voided pursuant to Government Code Section 91003.

PASSED, APPROVED AND ADOPTED on this 9th day of May 2016.



Denise Hoyt, Mayor

ATTEST:



Jennifer Shankland, City Clerk

APPENDIX A

DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

POSITIONS	DISCLOSURE CATEGORIES
Accounting Manager	1
Assistant Planner	1
Associate Engineer	3,5
Building Official	1
Code Enforcement Officer	3,4,5
Construction Manager	3,4,5
Consultants	6
City Engineer	1
Deputy City Manager/City Clerk	1
Director of Community Development	1
Director of Community Services	3,4,5
Director of Development Services	1
Director of Public Works	1
Information Systems Administrator	3,4,5
Mobilehome Rent Review Commission	1
Senior Code Enforcement Officer	3,4,5
Special Projects & Maintenance Engineer	3,5

The Mayor, Members of the City Council and Planning Commission, the City Manager, City Attorney, Assistant City Manager and all other City Officials who manage public investments as defined by 2 Cal. Code of Regs. §18701 (b) are not subject to the City's Code but are subject to the disclosure requirements of the Act. (Government Code Section 87200 et. Seq.). [Regs. § 18730(b)(3)]

APPENDIX B DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property, which the designated positions must disclose for each disclosure category to which he or she is assigned.

1. Full Disclosure – Interests in real property located within the City or within two miles of the boundaries of the City or within two miles of any land owned or used by the City, as well as investments, business positions and sources of income, including gifts, loans and travel payments.
2. Reportable interests in real property in the jurisdiction. (Form 700, Schedule B)
3. Reportable income and business positions. (Form 700, Schedule C)
4. Reportable investments. (Form 700, Schedules A-1 and A-2)
5. Reportable gifts and travel gifts. (Form 700, Schedules D and E.)
6. For consultants who serve in a staff capacity with the City, the consultant shall disclose based on the disclosure categories assigned elsewhere in this Code for that staff position.

The following disclosure categories shall be used for consultants who do not serve in a staff capacity:

Persons required to disclose in this category shall disclose pursuant to categories 2, 3, 4 and 5 above unless the City Manager determines in writing that a particular 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 in categories 2, 3, 4 and 5. 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 code.