

RESOLUTION NO. 2020-057

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA UPDATING DESIGNATED EMPLOYEES, OFFICERS, AND DISCLOSURE CATEGORY LIST FOR FAIR POLITICAL PRACTICES ACT REQUIREMENTS (CONFLICT OF INTEREST) AND RESCINDING RESOLUTION NO. 2018- 062

WHEREAS, the Political Reform Act, Government Code §87300, et seq. requires every state and local government agency to adopt and promulgate a Conflict of Interest Code; and,

WHEREAS, the Fair Political Practices Commission (FPPC) has adopted a regulation which contains terms of a standard model Conflict of Interest Code (Title 2 California Code of Regulations §18730), which is incorporated by reference ("Code"), and will be amended to make certain cost of living adjustments after public notice and hearing conducted by the FPPC pursuant to the Administrative Procedure Act, Government Code Sections 11370, et seq.; and,

WHEREAS, a designated employee is anyone within the City of San Buenaventura who is an officer, employee, board, commission, committee member, or consultant who is designated in the Code because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest (Government Code §82019) including "Acting" and "Interim" position designations; and,

WHEREAS, the term "designated employee" does not include public officials specified in Government Code §87200, e.g. City Councilmembers, Planning Commissioners, City Manager, City Attorney, City Treasurer, etc., who are already required by law to file Statements of Economic Interests, nor does it include a position which is solely clerical, ministerial, or manual; and,

WHEREAS, the City Council has previously designated employees, officers and disclosure categories in Resolution No. 2018-062 which now needs to be rescinded. The City Council determines the attached Appendices A-C accurately set forth those updated positions that should be designated and categories of financial interest which should be made reportable.

NOW, THEREFORE, the City Council of the City of San Buenaventura does hereby resolve, find, determine, and order as follows:

Section 1. The model Conflict of Interest Code as it presently exists and as the same may be amended by action of the FPPC in Title 2 California Code of Regulations 18730 is hereby adopted by reference as the Conflict of Interest code for the City of San Buenaventura with the addition of Appendices A-C in which officials and employees are designated and disclosure categories are set forth.

Section 2. Persons holding designated positions shall file Statements of Economic Interests pursuant to the City's Conflict of Interest Code. The City Clerk shall carry out the duties of Filing Officer for the City Council, who is the Code Reviewing Body. FPPC approved the City's eDisclosure system, provided the City with a SAN number (111600152-STH-0152) thus allowing for the electronic submission of Form 700s. For all 87200 filers, the City Clerk accepts the electronic filing and forwards a digital original to the FPPC. For all other designated filers, the City Clerk is the Filing Officer and retains the statements in digital format in SouthTech Systems. The City Clerk will make the statements available for public inspection and reproduction (G.C. §81008).

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Section 3. Upon the effective date of this Resolution, City Council Resolution No. 2018-062 is hereby repealed and superseded by this Resolution, and the attached Appendices A-C in which officials and employees are designated and disclosure categories are set forth.

PASSED AND ADOPTED THIS 9th day of November, 2020.



Matt LaVere, Mayor

ATTEST:



Antoinette M. Mann, MMC, CRM
City Clerk

APPROVED AS TO FORM

Gregory G. Diaz

City Attorney



Andrew Heglund
Senior Assistant City Attorney

10/21/2020

Date

**APPENDIX A
FILER LISTING**

DEPARTMENT	POSITION TITLES	DISCLOSURE CATEGORY
City Attorney	Assistant City Attorney I/II	1
	Paralegal	2
	Senior Assistant City Attorney-Litigation	1
	Senior Assistant City Attorney-Transactions	1
City Council	Successor Agency to Redevelopment Agency	1
	Public Facilities Financing Authority	1
City Manager	Assistant City Clerk	1
	Assistant City Manager	1
	City Clerk	1
	Communications Manager	1
	Community Outreach Specialist	3
	Deputy City Clerk	3
	Deputy City Manager	1
	Economic Development Manager	1
	Emergency Services Manager	1
	Management Analyst II	3
	Safe and Clean Program Manager	1
	Senior Management Analyst	3
Community Development	Assistant Community Development Director	1
	Assistant Planner	2
	Associate Planner	2
	Building Inspector	2
	Building Inspection Supervisor	2
	Chief Building Official	1
	Civil Engineer	1
	Code Enforcement Manager	1
	Code Enforcement Supervisor	2
	Code/Fire Inspector	2
	Community Development Director	1
	Construction Permits Supervisor	2
	Construction Services Technician I/II	2
	Electrical Inspector	2
	Management Analyst I/II	2
	Planning Manager	1
	Plans Examiner	2
	Preservation Services Technician	2
	Principal Planner	2
	Senior Building Inspector	2
	Senior Civil Engineer	2
	Senior Code/Fire Inspector	2
	Senior Construction Inspector	2
	Senior Construction Services Technician	2
	Senior Planner	2
	Senior Plans Examiner	2

DEPARTMENT	POSITION TITLES	DISCLOSURE CATEGORY
Finance & Technology	Accountant I/II	3
	Accounting Manager	1
	Assistant Finance Director/Treasurer	1
	Digital Publishing Supervisor	3
	Enterprise Applications Analyst	3
	Enterprise Systems Development Supervisor	1
	Finance and Technology Director	1
	Financial Services Manager	1
	GIS Coordinator	3
	Information Technology Manager	1
	Management Analyst I/II	3
	Network Administrator	1
	Purchasing Supervisor	1
	Senior Accountant	1
	Senior Accounting Assistant (Purchasing)	3
	Senior Buyer	1
	Senior Financial Analyst	1
	Systems Analyst I/II	3
	Systems Specialist	3
	Systems Support Analyst I/II	3
	Telecommunications Specialist	3
	Treasury Manager	1
Treasury Supervisor	1	
Fire	Assistant Fire Chief	1
	Emergency Medical Services Coordinator	3
	Fire Battalion Chief	1
	Fire Chief	1
	Fire Marshal	1
	Fire Prevention Specialist	3
	Fire Prevention Supervisor	3
	Fire Prevention Technician	3
	Hazardous Materials Specialist	3
	Management Analyst I/II	3
	Preservation Services Assistant	3
	Preservation Services Technician	3
	Project Manager	3
	Senior Code/Fire Inspector	3
Human Resources	Assistant Human Resources Director	1
	Human Resources Director	1
	Human Resources Technician I/II (Risk Management Division)	3
	Principal Human Resources Analyst	3
	Risk Manager	1
Parks and Recreation	Aquatics Supervisor	3
	Graphics Supervisor	3
	Management Analyst I/II	3
	Recreation Coordinator	3
	Parks and Recreation Director	1

DEPARTMENT	POSITION TITLES	DISCLOSURE CATEGORY
	Recreation Manager	1
	Recreation Supervisor	3
	Parks Manager	1
	Parks Supervisor	3
	Senior Landscape Inspector	3
Police	Assistant Police Chief	1
	Business Services Officer	3
	Civic Engagement Specialist	3
	Crime Analyst	3
	Police Chief	1
	Police Commander	1
	Police Records Manager	3
	Police Records Supervisor	3
Public Works	Assistant Engineer	2
	Associate Engineer	2
	Civil Engineer	1
	Deputy Public Works Director	1
	Environmental Services Manager	1
	Environmental Services Supervisor	3
	Facilities Maintenance Supervisor	3
	Fleet and Facilities Manager	1
	Fleet and Facilities Project Supervisor	2
	Fleet Services Supervisor	3
	Management Analyst I/II	3
	Principal Civil Engineer	1
	Principal Engineer	1
	Property Management Specialist	2
	Public Works Director	1
	Public Works Supervisor	2
	Senior Civil Engineer	1
	Senior Construction Inspector	2
	Senior Environmental Compliance Inspector	2
	Senior Management Analyst	3
	Surveyor	2
	Traffic Operations Supervisor	2
Ventura Water	Assistant General Manager - Operations	1
	Assistant General Manager - Water Resources	1
	Associate Engineer	2
	Environmental Compliance Supervisor	3
	Laboratory Supervisor	3
	Management Analyst I/II	3
	Principal Civil Engineer	1
	Program Director	1
	SCADA Instrumentation and Systems Supervisor	3
	Senior Civil Engineer	1
	Senior Environmental Compliance Inspector	3
	Senior Management Analyst	3
	Utility Billing Supervisor	3

DEPARTMENT		POSITION TITLES	DISCLOSURE CATEGORY
		Ventura Water General Manager	1
		Wastewater Maintenance Supervisor	3
		Wastewater Plant Supervisor	3
		Wastewater Utility Manager	1
		Water Distribution Supervisor	3
		Water Treatment/Production Supervisor	3
		Water Utility Manager	1
Council Advisory Groups			
	P&R	Arts & Culture Commission	4
	CD	Design Review Committee	4
	PW	Downtown Parking Advisory Committee	4
	CD	Historic Preservation Committee	4
	CD	Housing Authority Board	4
	P&R	Library Advisory Commission	4
	CD	Local (Construction) Appeals Board	4
	F&T	Measure O Citizens Oversight Committee	4
	F&T	Mobile Home Rent Review Board	4
	P&R	Parks and Recreation Commission	4
	P&R	Tree Advisory Committee	4
	VW	Ventura Water Commission	4
Consultants		Consultants that will make or participate in making governmental decisions on behalf of the CITY	*

APPENDIX B
DISCLOSURE CATEGORIES

GENERAL PROVISIONS

Designated employees or individuals shall disclose their financial interest pursuant to the appropriate disclosure category as indicated. Disclosure categories pertain to investments, real property, business positions and sources of income, including loans, gifts and travel payments from sources located in or doing business within the jurisdiction of the City San Buenaventura (City of Ventura) (City).

DEFINITIONS

1. "CITY" shall mean the City of San Buenaventura (City of Ventura).
2. "DEPARTMENT" shall mean one of the following to which the designated employee is assigned: City Attorney's Office, City Manager's Office, Community Development Department, Parks and Recreation Department, Finance and Technology Department, Fire Department, Human Resources Department, Police Department, Public Works Department, or Ventura Water Department.
3. "DIVISION" shall mean one of the functional program areas of the Department to which the designated employee is assigned, except Division shall mean the same as Department for designated employees of the Fire Department.

DISCLOSURE CATEGORIES

Category 1:

A designated employee in this category must report all interests in real property as well as investments, business positions, sources of income, and gifts from any source in, or doing business in, the jurisdiction of the CITY, and all other interests, which are subject to the regulation or supervision of the City.

DISCLOSURE CATEGORIES (continued)

Category 2:

A designated employee in this category must report all interests in real property located within the CITY. Investments, business positions in business entities and income, gifts, loans and travel payments, from sources in, or doing business within the CITY which:

1. Engages in the appraisal, acquisition, disposal, development of real property, or rehabilitation or construction of improvements on real property including architects, contractors, and subcontractors.
2. Provides services, supplies, materials, machinery, or equipment of any type utilized by the CITY DEPARTMENT to which the employee is assigned.
3. Are of the type which is subject to the regulation or supervision of the CITY.

Category 3:

A designated employee in this category must report all interests in real property located within the CITY. Investments, business positions in business entities and income, gifts, loans and travel payments from sources in, or doing business within the CITY which:

1. Provide services, supplies, materials, machinery or equipment of any type utilized by designated filers in department and/or division.
2. Are of the type which is subject to the regulation or supervision of the CITY.

Category 4:

Committee members in this category must report all interests in real property located within the CITY. Investments, business positions in business entities, income, and gifts from sources in, or doing business within the CITY, and all other interests which are subject to the regulation or supervision of the BOARD/COMMISSION/COMMITTEE.

APPENDIX C
CONSULTANT DESCRIPTION

Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.

**§ 18700.3. Consultant, Public Official Who Manages Public Investments:
Definitions.**

(a) For purposes of Sections 82019 and 82048, "consultant" means an individual who, pursuant to a contract with a state or local government agency:

- (1) Makes a governmental decision whether to:
 - (A) Approve a rate, rule, or regulation;
 - (B) Adopt or enforce a law;
 - (C) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
 - (D) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
 - (E) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;
 - (F) Grant agency approval to a plan, design, report, study, or similar item;
 - (G) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or
- (2) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in Regulation 18704(a) and (b) or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code under Section 87302.

(b) For purposes of Section 87200, the following definitions apply:

- (1) "Other public officials who manage public investments" means:
 - (A) Members of boards and commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;
 - (B) High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and
 - (C) Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions that would otherwise be performed by the public officials described in subdivision (b)(1)(B).

(c) "Public investments" means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.

(d) "Public moneys" means all moneys belonging to, received by, or held by, the state, or any city, county, town, district, or public agency therein, or by an officer thereof acting in his or her official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement systems, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a party.

(e) "Management of public investments" means the following nonministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS.
CITY OF SAN BUENAVENTURA)

I, ANTOINETTE M. MANN, City Clerk of the City of San Buenaventura, DO HEREBY CERTIFY that the foregoing is a full, true, and correct copy of Resolution No. 2020-057 which was duly and regularly passed and adopted by said City Council at a regular meeting held November 9, 2020, by the following vote:

AYES: Councilmembers Nasarenko, Brown, Friedman, Weir, Heitmann, Deputy Mayor Rubalcava and Mayor LaVere

NOES: None

ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Buenaventura, California.



Antoinette M. Mann, City Clerk
City of San Buenaventura, California



Date Attested

