

RESOLUTION NO. 2010-67

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON,
ADOPTING THE CITY OF PATTERSON'S CONFLICT OF INTEREST CODE
AS IS CURRENTLY IN EFFECT WITHOUT AMENDMENTS**

WHEREAS, the State Political Reform Act requires that the City's Conflict of Interest Code be reviewed biennially to determine if it is accurate or alternatively if the code needs amending; and

WHEREAS, the City's current and in effect Conflict of Interest Code was last reviewed and adopted on July 15, 2008; and

WHEREAS, the City of Patterson has not had any new changes to its Code; to its designated positions and disclosure categories; and

WHEREAS, staff is recommending that City Council approve the City of Patterson's Conflict of Interest Code (attached) that is currently in effect with no changes/amendments; and

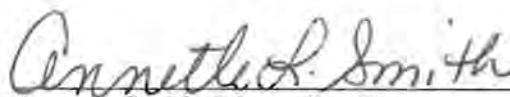
WHEREAS, the City Council has reviewed and hereby approves the City of Patterson's Conflict of Interest Code (attached) that is currently in effect with no changes/amendments.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Patterson as required by State Law does hereby adopt the City of Patterson's Conflict of Interest Code as is, currently in effect without amendments, a copy of which is attached hereto and by reference incorporated herein.

The foregoing resolution of the City Council of the City of Patterson was passed by the City Council at a regular meeting held on the 7th day of September 2010, by Councilmember Farinha, who moved its adoption, which motion was duly seconded by Councilmember Cuellar, and the resolution adopted by the following vote:

AYES: Councilmembers Farinha, Cuellar, Shelton and Mayor Pro Tem Smith
NOES: None
EXCUSED: Mayor Campo

APPROVED:



Annette Smith, Mayor Pro Tem
City of Patterson

ATTEST:



Maricela L. Vela, City Clerk
City of Patterson

I hereby certify that the foregoing is a full, correct and true copy of a resolution passed by the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 7th day of September 2010, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED:

City Clerk of the City of Patterson

**CONFLICT OF INTEREST CODE FOR
THE CITY OF PATTERSON**

Section 1. Conflict of Interest Code - Adopted

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 (FPPC) has adopted a regulation, 2 Cal Code of Regs. Section 18730, which contains the terms of a standard Conflict of Interest Code. It can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal Code of Regs. Section 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference, and along with the attached appendix's in which members and employees are designated and disclosure categories are set forth, constitutes the Conflict of Interest Code of the City of Patterson, which is considered the agency within the purview of this code. **The Conflict of Interest Code of the City of Patterson so adopted amends and replaces any Conflict of Interest Code of the City of Patterson previously in effect to conform to this newly adopted code.**

Section 2. Conflict of Interest Code – Statements

Designated employees shall file statements of economic interest with the City Clerk, who shall be and perform the duties of filling officer for the City of Patterson.

Section 3. Savings Clause

Any change provided for in this conflict of interest code shall not affect or excuse any offense or act committed or done or omission or any penalty or forfeiture incurred or accruing under any other conflict of interest code; nor shall it affect any prosecution, suit, or proceedings pending or any judgment rendered in connection with any other conflict of interest code.

APPENDIX OF DESIGNATED POSITIONS

As of July 15, 2008

<u>Designated Positions</u>	<u>Assigned Disclosure Categories</u>
<u>City Staff</u>	
City Manager	1 through 25
Assistant City Manager	1 through 25
City Clerk	1 through 25
Planning Director Community Development Director	1 through 25
Public Works Director	1 through 25
Deputy Public Works Director	1 through 25

Parks & Recreation Director	1 through 25
Building Inspections (Contract Manager/Owner)	1 through 25
Building Official	1 through 25
Finance Director	1 through 25
Assistant Finance Director	1 through 25
Fire Chief	1 through 25
Police Chief	1 through 25
City Engineers	1 through 25
City Attorney	1 through 25
City Treasurer	1 through 25
Auditors (Contract Manager/Owner)	1 through 25
Information Technology (Contract Manager/Owner)	1 through 25
Consultants *	1 through 25

Consultants *

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

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 that 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 the conflict of interest code.

Council, Commissions, Committees and Boards

City Council Members	1 through 25
Planning Commission Members	1 through 25
Economic Strategic Commission Members	1 through 25
Parks & Recreation Commission Members	1 through 25
Beautification Committee Members	1 through 25

Senior Center Board of Directors Members 1 through 25

Turlock Mosquito Abatement District Member 1 through 25

APPENDIX OF DISCLOSURE CATEGORIES

List of Disclosure Categories Specification Sheet Reportable Investments, Interest in Real Property and Income

Disclosure Category

1. All investments and business positions in business entities, sources of income and interests in real property.
2. Investments and business positions in business entities, and all sources of income.
3. Interests in real property.
4. Investments and business positions in business entities, and sources of income from entities providing supplies, services, equipment or machinery of the type used by the designated employee's unit.
5. Investments and business positions in, and income from entities which are book outlets, vendors or providers of business services.
6. Investments and business positions in business entities and come from sources engaged in construction, building, or material supply.
7. Investments and business positions in business entities and income from sources which supply or manufacture solar energy systems.
8. Investments and business positions in business entities and income from sources engaged in construction or development.
9. Investments and business positions in business entities and income from sources which provide transportation services subject to the review or approval of the Public Works Department and all interest in real property.
10. Investments and business position in, and income from sources engaged in the construction of public works projects.
11. Investments and business positions in business entities and income from construction companies involved in progress payments.
12. Investments and business positions in, and income from construction firms involved in construction projects subject to acceptance by the City Council.
13. Investments and business positions in business entities and income from business entities of the type to provide bids, supplies, vehicles and equipment.

14. Investments and business position in, and income from entities which provide training, services or facilities of the type utilized by the City.
15. Investments and business positions in business entities and sources of income which provide services and supplies of the type used in emergency services coordination and training activities.
16. Investments and business positions in, and income from Union Pension Funds that may be affected by the outcome of negotiations involving monetary settlements and employer-employee memorandum.
17. Investments and business positions in, and income from entities providing medical services or facilities of the type used by the City.
18. Investments and business positions in, and income from business entities engaged in providing eye examinations and eye glasses, including but not limited to opticians, ophthalmologists, etc.
19. Investments and business positions in and income from business entities supplying or manufacturing electronic equipment, supplies or services of the type utilized by the employee's unit.
20. Investments and business positions in, and income from business entities providing supplies, services, equipment or machinery of the type used by the City or County.
21. Investments and business positions in, and income from employment agencies or entities which provide employment or pre-employment services. Services include, but are not limited to, testing, training, consulting, job classification studies and salary surveys.
22. Investments and business positions in, and income from, business entities which are of the type to provide any of the various types of employee insurance coverage and/or actuarial services.
23. Investments and business positions in business entities, and income from sources which supply and manufacture firefighting equipment and supplies.
24. Investments and business position in business entities and come from sources which provide, supply manufacture or service computer hardware or software of the type utilized by the City of County.
25. Investments and business position in business position in business entities, and come from sources which are of the type to have done business with County government in the previous two years; income from individuals who are County employees, as well as all interest in real property.

City Manager's Report
September 7, 2010 Council Meeting

Item #: 5.2

Subject: Approve Resolution No. 2010-67, A Resolution of the City Council of the City of Patterson, Adopting the City of Patterson's Conflict of Interest Code As Is Currently In Effect Without Amendments.

Discussion: The State Political Reform Act requires every local government agency review its Conflict of Interest Code biennially to determine if it is accurate or if the code needs amending. The City originally adopted the (attached) Conflict of Interest Code on July 15, 2008. As the City of Patterson has not had any new changes to its designated positions and disclosure categories, staff is recommending that City Council approve the Code as presented with no changes/amendments and as required by State Law.

Cost: None.

Budget Impact: None.

Recommendation: Approve Resolution No. 2010-67, A Resolution of the City Council of the City of Patterson, Adopting the City of Patterson's Conflict of Interest Code As Is Currently In Effect Without Amendments.



City Clerk



City Manager