

2016 Local Agency Biennial Notice

Name of Agency: City of Patterson

Mailing Address: PO Box 667, Patterson, California 95363

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Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

July 19, 2016

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2016**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

RESOLUTION NO. 2016-64

**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 WITH MINOR CHANGES/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 17, 2012; and

WHEREAS, the City of Patterson has had new minor 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 minor changes/amendments as stated; 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 minor changes/amendments as stated.

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 with minor changes/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 19th day of July 2016, by Councilmember Farinha, who moved its adoption, which motion was duly seconded by Mayor Molina, and the resolution adopted by the following roll call vote:

AYES: Councilmembers McCord, Novelli, Farinha, La Torre and Mayor Molina
NOES: None
EXCUSED: None

APPROVED:



Luis I. Molina, Mayor
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 19th day of July 2016, 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 filing 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 19, 2016

Designated Positions

Assigned Disclosure Categories

City Staff

City Manager 1 through 25

~~Assistant City Manager 1 through 25~~

- The Assistant City Manager position was eliminated.

~~Human Resources Manager/Assistant City Manager
Assistant to the City Manager 1 through 25~~

- The Human Resources Manager/Assistant City Manager Assistant to the City Manager position was eliminated.

Human Resources Director	1 through 25
• The Human Resources Director position has been added.	
City Clerk	1 through 25
Community Development Director	1 through 25
City Planner	1 through 25
• The City Planner position has been added.	
Public Works Director	1 through 25
Deputy Public Works Director	1 through 25
Public Works Capital Projects Manager	1 through 25
<u>Capital Projects Manager</u>	1 through 25
• The Public Works Capital Projects Manager position was re-named: Capital Projects Manager	
Parks & Recreation Director	1 through 25
<u>Recreation & Community Services Director</u>	1 through 25
• The Parks & Recreation Director position was re-named: Recreation & Community Services Director	
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 Engineer(s)	1 through 25
City Attorney	1 through 25
Special Counsel	1 through 25
• The Special Counsel position has been added.	
City Treasurer	1 through 25

Auditors (Contract Manager/Owner)	1 through 25
Information Technology (Contract Manager/Owner)	1 through 25
Grant Writers (Contract Manager/Owner or In-House)	1 through 25

- The City Grant Writers position has been added.

Consultants *	1 through 25
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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
<u>Parks, Recreation & Beautification Commission</u>	1 through 25

- The Parks & Recreation Commission and the Beautification Committee was combined as one Commission and re-named: Parks, Recreation & Beautification Commission

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 COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager 

BY: Maricela Vela, City Clerk

MEETING DATE: July 19, 2016

ITEM NO: 5.4

SUBJECT: Approve Resolution No. 2016-64, A Resolution of the City Council of the City of Patterson, Adopting the City of Patterson's Conflict of Interest Code As In Effect With Minor Changes/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 Conflict of Interest Code on July 17, 2012 with no amendments (as stated on the attached 2014 Local Agency Biennial Notice) As the City of Patterson has made minor changes/amendments to its designated positions and disclosure categories, staff is recommending that City Council approve the updated code as presented with the minor changes/amendments as stated and as required by State Law.

Cost: None.

Budget Impact: None.

Recommendation:

Approve Resolution No. 2016-64, A Resolution of the City Council of the City of Patterson, Adopting the City of Patterson's Conflict of Interest Code As In Effect With Minor Changes/Amendments.