

CITY OF SOLANA BEACH CONFLICT OF INTEREST CODE

The Political Reform Act of 1974 (Government Code Sections 81000— 91015) requires 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) that contains the terms of a standard conflict of interest code and may be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform act.

Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating positions and establishing disclosure requirements shall constitute the Conflict of Interest Code for the City of Solana Beach.

Individuals holding designated positions shall file their statements with the City Clerk's Office, which will retain the statements and make the statements available for public inspection and reproduction. (Gov. Code Section 81008.)

APPENDIX

Disclosure Categories

Individuals holding designated positions must report their interests according to the following disclosure category(ies) to which their position has been assigned.

Category 1: All Sources

Interests in real property (not including primary residence) located within the City or within two miles of the City; and investments and business positions in business entities, and income, including loans, gifts, and travel payments *from all sources*.

Category 2: Agency Specific

Interests in real property (not including primary residence) located within the City or within two miles of the City; investments and business positions in business entities doing business with the City and/or located in San Diego County; and income, including but not limited to loans, gifts, and travel payments, from sources in San Diego County, and/or from sources outside the County whose economic position may be affected by decisions or recommendations made *by the agency at all levels*.

Category 3: Department Specific

Interests in real property (not including primary residence) located within the City or within two miles of the City; investments and business positions in business entities located in San Diego County; and income, including loans, gifts, and travel payments from sources whose economic position may be affected by the decisions or recommendations made *by the department to which the filer is assigned duties*.

Category 4: Property/Facilities Entitlement

Interests in real property (not including primary residence) located within the City or within two miles of the City; investments and business positions in business entities located in San Diego County; and income, including loans, gifts, and travel payments from sources *that are of the type to request an entitlement to use agency property or facilities*, including, but not limited to: a license; a facilities use permit; or a vendor permit.

Category 5: Commission/Consultant Specific

Interests in real property (not including primary residence) located within the City or within two miles of the City; investments and business positions in business entities doing business with the City and/or located in San Diego County; and income, including but not limited to loans, gifts, and travel payments, from sources in San Diego County, and/or from sources outside the County whose economic position may be affected by the decisions or recommendations *of the designated commission or consultant*.

Designated Positions

Disclosure Categories

Legislative Bodies other than City Council:

Redevelopment Agency Officers/Members..... 1
Public Financing Authority Officers/Members 1

City Staff:

Deputy City Manager/Dir. Of Admin Services2
Assistant to City Manager2
Deputy City Attorney(s)2
Management Analyst3
Confidential Human Resources Specialist3
City Clerk (also acts as Secretary of RDA) 1
Deputy City Clerk3
Network Systems Engineer3
Recreation Supervisor.....3, 4
Community Services Coordinator3
Finance Manager2
Community Development Director2
Principal Planner3
Assistant Planner3
Associate Planner3
Junior Planner3
Senior Planner3
City Engineer/Public Works Director2
Principal Civil Engineer3
Associate Civil Engineer3
Public Works Operations Manager3
Building Inspector.....3
Public Works Inspector3
Environmental Programs Manager3
Building Officials.....3
Code Compliance Officer3, 4
Parking Control Officer.....3
Code Enforcement Specialist.....3
Deputy Fire Chief/Fire Marshal3, 4
Fire Chief/Public Safety Director2
Marine Safety Captain.....2
Marine Safety Lieutenant3

Non-City Employees:

Budget and Finance Commission Members2
Parks and Recreation Commission Members5
Public Arts Advisory Commission Members.....5
Public Safety Commission Members5
View Assessment Commission Members5
* Consultants.....5

- * I. Consultants shall be included in the list of designated positions and shall disclose in accordance with the disclosure requirements in this code if the consultant, pursuant to a contract either (Reg.18701(a)(2)(B)):
1. Makes a governmental decision whether to:
 - Approve a rate, rule or regulation;
 - Adopt or enforce a law;
 - Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement;
 - Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
 - Grant agency approval to a contract which requires agency approval and in which the agency is a party to the specifications for such a contract;
 - Grant agency approval to a plan, design, report study, or similar item;
 - Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision of the agency; or
 2. Serves in a staff capacity and in that capacity participates in making governmental decisions; or performs substantially the same functions as a position specified in the agency's Conflict of interest Code.
- II. The Department Head of the department for which the consultant provides primary services, with the approval of the City Attorney, may determine in writing that a particular consultant, although a "designated position," 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 this paragraph. The 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 written determination is a public record and shall be retained for public inspection in the office of the City Clerk.

Non-designated Positions

The following positions are not covered by this conflict of interest code because those individuals holding these positions must file under Government Code Section 87200. These positions are listed for informational purposes only:

- Mayor
- City Council Members
- City Manager
- City Attorney
- City Treasurer
- Consultants involved in the investment of public funds