

RESOLUTION NO. 20-0010

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL ADOPTING THE 2020 CONFLICT OF INTEREST CODE OF THE CITY OF MANHATTAN BEACH

THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES:

SECTION 1. The City of Manhattan Beach City Council hereby adopts the 2020 Conflict of Interest Code attached hereto and incorporated herein by this reference.

SECTION 2. Adoption of this Resolution and the 2020 Conflict of Interest Code for the City supersedes all the previously approved Conflict of Interest Codes for the City.

SECTION 3. The City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED March 3, 2020.

Ayes:
Noes:
Abstain:
Absent:

RICHARD MONTGOMERY
Mayor

ATTEST:

LIZA TAMURA
City Clerk

2020
CONFLICT OF INTEREST
OF THE
CITY OF MANHATTAN BEACH, CALIFORNIA
INCORPORATION

The Political Reform Act of 1974 (PRA) requires state and local government agencies to adopt and promulgate conflict of interest codes to help government employees avoid financial conflicts. See California Government Code sections 81000 *et seq.*

The Fair Political Practices Commission (FPPC) has adopted a regulation that contains the terms of a standard conflict of interest code, can be incorporated by reference, and may be amended by the FPPC to conform to amendments to the PRA after public notice and hearings. The City of Manhattan Beach (City) hereby adopts this conflict of interest code and incorporates by reference that regulation (2 California Code of Regulations section 18730); the Attached Schedule A, which identifies each position in the agency that is charged with making or participating in making a government decision which may foreseeably have a material effect on a financial interest; and the attached Schedule B, which identifies the economic interests that the individuals in those designated positions must disclose.

City officials (individuals holding, elected to, or appointed to a position in Schedule A must periodically submit statements of economic interests that disclose the economic interests in Schedule B that they held during the reporting period. The statements must be submitted to the Clerk's Office, which makes the statements available for public inspection and reproduction (see California Government Code section 81008).

SCHEDULE A

COMMUNITY DEVELOPMENT DEPARTMENT:

Community Development Director	1
Building Official	1
Senior Building Inspector	4
Planning Manager	1
Senior Planner	4
Senior Plan Check Engineer	4
Senior Management Analyst	3, 7
Associate Planner	4
Assistant Planner	4
Principal Building Inspector	4
Building Inspector	4
Code Enforcement Officer	4
Environmental Programs Manager	3, 6, 7
Traffic Engineer	3, 6, 7

FINANCE DEPARTMENT:

Finance Director	1
Finance Subcommittee Members	1
Controller	1
Revenue Services Manager	1
Senior Financial Analyst	1
Purchasing Manager	1
General Services Coordinator	2
Management Analyst	1

FIRE DEPARTMENT:

Fire Chief	1
Fire Battalion Chief	3, 4, 6
Fire Captain/Paramedic	3, 4, 6
Fire Marshal/Captain	4
Fire Inspector	1
Senior Management Analyst	1

HUMAN RESOURCES DEPARTMENT:

Human Resources Director	1
Risk Manager	1
Human Resources Manager	1

INFORMATION TECHNOLOGY DEPARTMENT:

Information Technology Director	1
Information Technology Manager	1
Geographic Information Systems Analyst	3, 5
Senior Management Analyst	2, 5, 6

MANAGEMENT SERVICES:

City Clerk	1
Senior Deputy City Clerk	1
Senior Management Analyst	1
Management Analyst	1
Deputy City Clerk	1

PARKS AND RECREATION DEPARTMENT:

Parks and Recreation Director	1
Senior Recreation Manager	3, 6
Recreation Manager	3, 6
Recreation Programs Supervisor	3, 6
Recreation Supervisor	3, 6
Management Analyst	3, 6
Cultural Arts Manager	3, 6

POLICE DEPARTMENT:

Police Chief	1
Police Captain	1
Senior Management Analyst	3, 6, 7

PUBLIC WORKS DEPARTMENT:

Public Works Director	1
Utilities Manager	1
City Engineer	1
Principal Civil Engineer	1
Water Supervisor	2, 4
Facilities Supervisor	2, 4
Maintenance Supervisor	2, 4
Maintenance Manager	2, 4
Equipment Maintenance Supervisor	3
Senior Management Analyst	1
Management Analyst	3, 6
Senior Civil Engineer	1
Public Works Inspector	4

COMMISSIONS:

Cultural Arts Commissioner	1
Parking and Public Improvements Commissioner	1
Parks and Recreation Commissioner	1
Library Commissioner	1

CONSULTANTS/NEW POSITIONS:

Consultants and new positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The City Manager may determine in writing if a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s or new position’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 conflict of interest code. (Government Code section 81008)

NOTE: City Council, City Manager, City Attorney, City Treasurer, and Planning Commissioners are required to submit disclosure statements pursuant to state law (California Government Code Sections 87200, *et. seq.*).

SCHEDULE B

An individual whose position is identified in the Designated Positions Section (Schedule A) of this conflict of interest code is a filer and must disclose each economic interest identified below for the disclosure category associated with the individual's position. Disclosure must be made by filing the California Form 700 on specified schedules.

The definition for investments, business positions, sources of income, interests in real property, doing business, gifts, and other terms may be found in the California Political Reform Act, its associated regulations, and the instructions for the California Form 700.

Economic interests must be disclosed for the applicable reporting period. In general, the following types of Form 700 filings have the following reporting periods:

Annual: January 1 through December 31 of the previous calendar year.

Assuming Office: The date the filer assumes office for investments, business positions, and interests in real property; for income, the 12 months immediately preceding the date the filer assumes office.

Leaving Office: The last date covered by the filer's most recent filing through the date the filer left the designated position.

Reporting periods may vary in individual circumstances and should be verified with the Clerk's Office.

Category 1. (Broad/Indefinable Decisions)

Any investment, business position, source of income (including receipt of gifts, loans, and travel payments, or interest in real property).

Category 2. (Procurement Decisions – Agency-Wide Authority)

Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) if the business entity or source provides leased facilities, products, equipment vehicles, machinery or services (including training or consulting services) of the type utilized by the City.

Category 3. (Procurement Decisions – Limited Authority)

Investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) if the business entity or source provides leased facilities, products, equipment, vehicles, machinery or services (including training or consulting services) of the type utilized by the position's Department.

Category 4. (Regulatory Decisions)

Designated positions in this category must report investments, business positions in business entities, and income, including receipt of gifts, loans and travel payments, from sources subject to the department's regulatory, permit, or licensing authority.

Category 5. (IT Decisions)

Designated positions in this category must report investments, business positions in business entities, and income, including receipt of gifts, loans, and travel payments, from sources that provide information technology and telecommunications goods, products or services, including but not limited to, computer hardware or software companies, computer consultant services, training, data processing firms, and media services.

Category 6. (Grant Funding Decisions)

Investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) if the business entity or source is of the type to receive grants or other funding from or through the City.

Category 7. (Legislative/Regulatory Decisions)

Investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) if the business entity or source is, or was registered as a "lobbyist."