

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MORGAN HILL AMENDING RESOLUTION NO. 6887
PERTAINING TO THE CITY'S CONFLICT OF INTEREST
CODE BY AMENDING EXHIBIT 1 (DESIGNATED POSITIONS)
TO REFLECT CURRENT CITY POSITION(S) AND
DISCLOSURE CATEGORIES**

WHEREAS, pursuant to Government Code 87300, Resolution No. 1827 was adopted on September 21, 1983, and subsequently amended by various resolutions; and

WHEREAS, the Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially or as deemed appropriate; and

WHEREAS, the Fair Political Practices Commission has adopted regulation 2 California Code of Regulations § 18370, which contains the terms of a standard model conflict of interest, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments to the Political Reform Act; and

WHEREAS, a review has been conducted and a determination has been reached that certain amendments are required to update the Code and maintain its accuracy as outlined in Exhibit 1 – Persons Subject to the Conflict of Interest Code; and

WHEREAS, the Mayor, Council Members, City Manager, City Attorney, City Treasurer, and Planning Commission are not listed in the City's Conflict of Interest Code as they are governed by § 87200 of the Government Code.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORGAN HILL adopts the attached Exhibit 1 – Persons Subject to the Conflict of Interest Code; and Exhibit 2 – Conflict of Interest Code for the City of Morgan Hill.

PASSED AND ADOPTED by the City Council of the of the City of Morgan Hill at a Regular Meeting held on the ____ day of _____ by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

ATTEST:

IRMA TORREZ
City Clerk

STEVE TATE, Mayor

I, Irma Torrez, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____, adopted by the City Council at the meeting held on _____.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

Irma Torrez, CITY CLERK

PERSONS SUBJECT TO THE CONFLICT OF INTEREST CODE

Listed below are the designated positions in the local agency that are required to file Disclosure Statements.

Category 1 is defined as:

A designated employee, board member and commissioner must report all interests in real property having a direct or indirect relationship to, and which may foreseeably be affected by, the official duties and responsibilities of each such designated position.

Category 2 is defined as:

A designated employee, board member and commissioner in this category must report all investments having a direct or indirect relationship to, and which may foreseeably be affected by, the official duties and responsibilities of each such designated position.

Category 3 is defined as:

A designated employee, board member and commissioner in this category must report income and business entities in which he or she is a director, officer, partner, trustee, and employee or holds any position of management having a direct or indirect relationship to, and which may foreseeably be affected by, the official duties and responsibilities of each such designated position.

<u>Persons Subject To The Conflict of Interest Code</u>	<u>Disclosure Category</u>
Police Department	
Chief of Police	1,2,3
Police Captain	1,2,3
Police Support Services Manager	1,2,3
City Attorney's Office	
Deputy City Attorney	1,2,3
City Clerk	1,2,3
City Manager's Office	
Communications & Engagement Manager	1,2,3
Community Development	
Assistant City Manager for Community Development	1,2,3
Community Development Director	1,2,3
Principal Planner/Economic Development Manager	1,2,3
Principal Planner	1,2,3
Housing Manager	1,2,3
Building Inspector II	1,2,3
Building Manager	1,2,3
Code Enforcement Officer	1,2,3
Senior Planner	1,2,3
Associate Planner	1,2,3
Public Works	
Public Works Director/City Engineer	1,2,3
Deputy Director for Utility Services	1,2,3
Associate Engineer	1,2,3
Senior Civil Engineer	1,2,3

Utilities Business Manager	1,2,3
Utility Systems Manager	1,2,3
Administrative Services	
<u>Assistant City Manager for</u> Administrative Services Director	1,2,3
Assistant Finance Director	1,2,3
Budget Manager	1,2,3
Information Services Manager	1,2,3
Human Resources Manager	1,2,3
Senior Human Resources Analyst	1,2,3
Council Services & Records Coordinator	1,2,3
Community Services	
Community Services Director	1,2,3
Program Administrator	1,2,3
Recreation Manager	1,2,3
Community Services Supervisor	1,2,3
<u>Older Adult Services Supervisor</u>	<u>1,2,3</u>
Maintenance Manager	1,2,3
Successor Agency to the Morgan Hill Redevelopment Agency Board Members	1,2,3
Morgan Hill Financing Authority Board Members	1,2,3
Morgan Hill Wastewater Facilities Financing Corporation Board Members	1,2,3
Corporation Yard Commissioners	1,2,3
Library, Culture & Arts Commissioners	1,2,3
Parks and Recreation Commissioners	1,2,3
Oversight Board Members	1,2,3
General Plan Update Committee	1,2,3
<u>Parking Authority of the City of Morgan Hill</u>	<u>1,2,3</u>
Consultants*	1,2,3

***Consultants** shall be included in the list of designated employees and shall disclose pursuant to Category 1, 2, and 3, based on the scope of work performed for the City of Morgan Hill, in consultation with the City Attorney.

**CONFLICT OF INTEREST CODE FOR
THE CITY OF MORGAN HILL**

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, Title 2, California Code of Regulations, Section 18730, which contains the terms of a standard Conflict of Interest Code which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of Title 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. These terms, along with the attached Appendix which designates officials and employees subject to the code and disclosure categories, constitute the Conflict of Interest Code of the City of Morgan Hill.

Pursuant to Section 4 of the Standard Code, designated employees, boards, and commissioners shall file statements of economic interests with the City of Morgan Hill - City Clerk. The City Clerk is to retain these statements. Upon receipt of the statements of the members of the City Council, City Manager, City Attorney; City Treasurer and members of the Planning Commission; the City Clerk of the City of Morgan Hill shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission.