



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: December 10, 2019

TO: Mayor and Councilmembers

FROM: City Clerk, Administrative Services Division

SUBJECT: Update Of The City's Conflict Of Interest Code Resolution

RECOMMENDATION:

That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting the Conflict of Interest Code of the City of Santa Barbara to Incorporate by Reference the Fair Political Practices Commission's Model Code and Rescinding Resolution 19-032.

DISCUSSION:

The State Political Reform Act requires that cities review their Conflict of Interest Code biennially and submit any changes to the City Council by December of even-numbered years. The Code lists the positions that have been designated to file the Statement of Economic Interest (Form 700) annually and upon assuming or leaving the position. Exhibit A of the recommended Resolution updates the list of designated positions. Attached is a summary of the changes that includes the renaming of positions, positions in which disclosure categories were changed, the addition of new positions to the list, the deletion of previously designated positions, the transfer of an Advisory Group from one department to another, and the addition of a new Advisory Group.

The City Council should be aware that consultants who participate in the making of decisions on behalf of the City must be included in the list of designated employees and must disclose pursuant to the broadest disclosure category in the code. However, the code allows the City Administrator to 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. The City Administrator'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.

The proposed Resolution will become effective January 1, 2020.

ATTACHMENT: Summary of Changes

PREPARED BY: Norma Estrada, Deputy City Clerk

SUBMITTED BY: Paul Casey, City Administrator

APPROVED BY: City Administrator's Office

SUMMARY OF CHANGES TO EXHIBIT A

ADVISORY GROUP TRANSFERRED TO NEW DEPARTMENT

| Title | From Department | To Department |
|--|------------------------|-----------------------------|
| Community Events and Festivals Committee | Community Development | City Administrator’s Office |

NEW ADVISORY GROUP ADDED TO CONFLICT OF INTEREST CODE

| Title | Department | Disclosure Category |
|-------------------------------|-------------------|----------------------------|
| Citizens’ Oversight Committee | Finance | 1, 2 |

REVISED JOB TITLE

| New Title | Prior Title | Department |
|-----------------------------------|------------------------------------|-------------------------|
| Fire Business Manager | Administrative Services Manager | Fire |
| Administrative Supervisor | Administrative/Clerical Supervisor | Waterfront |
| Information Technology Supervisor | Information Systems Supervisor | Administrative Services |
| Information Technology Manager | Information Systems Manager | Administrative Services |

DELETED POSITIONS FROM PREVIOUS CODE

| Title | Department |
|--|-----------------------------|
| Airport Maintenance Superintendent | Airport |
| Assistant Airport Director | Airport |
| Senior Property Manager Specialist | Airport |
| Employee Relations Manager | City Administrator’s Office |
| Building Inspector Aide | Community Development |
| Community Development Programs Supervisor II | Community Development |
| Neighborhood & Outreach Svcs Supervisor I | Parks and Recreation |
| Deputy Police Chief | Police |
| Assistant Public Works Director | Public Works |

POSITIONS WITH CHANGES TO DISCLOSURE CATEGORIES

| Title/Department | Previous Category | New Category |
|---|--------------------------|---------------------|
| Creeks Supervisor/Parks and Recreation | 6 | 3, 4, 6 |
| Creeks Restoration/Clean Water Manager / Parks and Recreation | 6 | 3, 4, 6 |
| Police Information Technology Manager/Police | 6 | 3, 6 |
| Custodial Supervisor/Public Works | 6 | 5 |
| Facilities and Energy Manager/Public Works | 3, 6 | 3, 5 |
| Facilities Maintenance Supervisor/Public Works | 6 | 5 |
| Supervising Engineer/Public Works | 3, 4, 6 | 3, 4, 5 |
| Water Resources Specialist/Public Works | 6 | 4, 6 |

POSITIONS ADDED TO CONFLICT OF INTEREST CODE

| Title/Department | Disclosure Category |
|--|----------------------------|
| Human Resources Analyst I, II/Administrative Services | 1, 2 |
| Senior Human Resources Analyst/Administrative Services | 1, 2 |
| Administrative Analyst II/Administrative Services | 1, 2 |
| Property Management Specialist/Airport | 2, 3, 4, 6 |
| Airport Business Development Supervisor/Airport | 2, 3, 4, 6 |
| Airport Business Development Manager/Airport | 1, 2 |
| Airport Facilities Manager/Airport | 3, 6 |
| Airport Maintenance Coordinator/Airport | 3, 6 |
| Senior Engineering Technician/Airport | 3, 4, 6 |
| Building Permit Technician/Community Development | 1, 2 |
| Administrative Analyst II/Community Development | 1, 2 |
| Housing and Human Services Manager/Community Development | 1, 2 |
| Housing Project Planner/Community Development | 1, 2 |
| Housing Programs Specialist/Community Development | 1, 2 |
| Senior Community Development Programs Specialist/Com Dev | 3, 4, 5 |
| Administrative/Clerical Supervisor / Community Development | 3, 4, 5 |

POSITIONS ADDED TO CONFLICT OF INTEREST CODE (CONT'D)

| | |
|--|---------|
| Accounting Supervisor/Finance | 1 |
| Administrative Analyst/Library | 3, 6 |
| Senior Librarian/Library | 3, 6 |
| Supervising Librarian/Library | 3, 6 |
| Parks & Recreation Business Manager/Parks and Recreation | 3, 6 |
| Project Planner/Parks and Recreation | 3, 4, 6 |
| Parks Superintendent/Parks and Recreation | 3, 6 |
| Administrative Assistant/Parks and Recreation | 3, 6 |
| Recreation Programs Manager/Parks and Recreation | 3, 6 |
| Parks Capital Project Supervisor/Parks and Recreation | 3, 4, 6 |
| Police Public Engagement Manager/Police | 3, 6 |
| Police Records Manager/Police | 3, 6 |
| Administrative Analyst II/III | 3, 6 |
| Downtown Plaza & Parking Manager/Public Works | 3, 4, 6 |
| Electronic/Communication Supervisor/Public Works | 5 |
| Principal Project Manager/Public Works | 1, 2 |
| Principal Traffic Engineer/Public Works | 1, 2 |
| Senior Planner I/Public Works | 4 |
| Streets Operation & Infrastructure Manager/Public Works | 1, 2 |
| Transportation Planning & Parking Manager/Public Works | 1, 2 |
| Water Conservation Supervisor/Public Works | 4, 6 |
| Billing Supervisor/Waterfront | 3, 6 |

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RESOLUTION NO. ____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ADOPTING THE CONFLICT OF INTEREST CODE OF THE CITY OF SANTA BARBARA TO INCORPORATE BY REFERENCE THE FAIR POLITICAL PRACTICES COMMISSION'S MODEL CODE AND RESCINDING RESOLUTION 19-032.

WHEREAS, the Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, Title 2, Division 6 of the California Code of Regulations, Section 18730, which contains the terms of a standard Conflict of Interest Code, which may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act, and which can be incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The terms of Title 2, Division 6 of the California Code of Regulations, Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, incorporated herein by reference, along with the attached "Exhibit A" in which members and employees are designated, and "Exhibit B" in which disclosure categories are set forth, constitute the Conflict of Interest Code of the City of Santa Barbara.

SECTION 2. The City Clerk is the filing official for the Mayor, Councilmembers, City Administrator, City Attorney, and Planning Commissioners. For the persons holding these positions, the City Clerk accepts the filing, retains a copy, and forwards the original to the Fair Political Practices Commission in Sacramento. For all other persons holding designated positions, the City Clerk is the filing officer and retains the statements. The City Clerk will make the statements available for public inspection and reproduction (Government Code Section 81008).

SECTION 3. This resolution shall take effect January 1, 2020, and rescinds Resolution 19-032.

EXHIBIT A

LIST OF DESIGNATED POSITIONS
CONFLICT OF INTEREST CODE

| <u>POSITION</u> <u>CATEGORY</u> | <u>DISCLOSURE</u> |
|---|--|
| Councilmembers | As required by State law |
| City Administrator/City Clerk/ City Treasurer | As required by State law |
| City Attorney | As required by State law |
| Planning Commission Members | As required by State law |
| Acting Positions | Subject to the same disclosure requirements as the positions in which the person is “acting.” |
| Consultant* | 1, 2 |
| It has been determined that the following positions manage public investments and will file the Form 700 Statement of Economic Interests with the City Clerk, who will retain the statements: | |
| Finance Director | As required by State law |

* Consultants who participate in the making of decisions on behalf of the City 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 limitation: The City Administrator 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 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 Administrator’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.

DEPARTMENT
CATEGORY

DISCLOSURE

Administrative Services

Staff Positions:

| | |
|-----------------------------------|------|
| Administrative Analyst II | 1, 2 |
| Administrative Services Director | 1, 2 |
| City Clerk Services Manager | 1, 2 |
| Human Resources Analyst I/II | 1, 2 |
| Human Resources Manager | 1, 2 |
| Information Technology Manager | 1, 2 |
| Information Technology Supervisor | 1, 2 |
| Senior Human Resources Analyst | 1, 2 |

Members of the following Advisory Group:

| | |
|--------------------------|------|
| Civil Service Commission | 1, 2 |
|--------------------------|------|

Airport

Staff Positions:

| | |
|---|------------|
| Airport Business Development Manager | 1, 2 |
| Airport Business Development Supervisor | 2, 3, 4, 6 |
| Airport Director | 1, 2 |
| Airport Facilities Manager | 3, 6 |
| Airport Maintenance Coordinator | 3, 6 |
| Airport Maintenance Supervisor | 6 |
| Airport Marketing Supervisor | 6 |
| Airport Operations Manager | 1, 2 |

**DEPARTMENT
CATEGORY**

DISCLOSURE

Airport (Continued)

| | |
|--------------------------------|------------|
| Airport Operations Supervisor | 1, 2 |
| Airport Patrol Supervisor | 6 |
| Custodial Supervisor | 6 |
| Project Planner | 3, 4, 6 |
| Property Management Specialist | 2, 3, 4, 6 |
| Senior Engineering Technician | 3, 4, 6 |

Members of the following Advisory Group:

| | |
|--------------------|------|
| Airport Commission | 1, 2 |
|--------------------|------|

City Administrator

Staff Positions:

| | |
|--|------|
| Administrative Analyst | 1, 2 |
| Assistant City Administrator | 1, 2 |
| Senior Assistant to the City Administrator | 1, 2 |

Members of the following Advisory Groups:

| | |
|--|------|
| Arts Advisory Committee | 1, 2 |
| Community Events and Festivals Committee | 1, 2 |

City Attorney

Staff Positions:

| | |
|-------------------------------------|------|
| Assistant City Attorney I/II/III/IV | 1, 2 |
| Deputy City Attorney | 1, 2 |

Community Development

Staff Positions:

| | |
|------------------------------------|---------|
| Administrative Analyst II | 1, 2 |
| Administrative/Clerical Supervisor | 3, 4, 5 |

DEPARTMENT
CATEGORY

DISCLOSURE

Community Development (Continued)

| | |
|--|---------|
| Assistant Planner | 3, 4, 6 |
| Associate Planner | 3, 4, 6 |
| Building Inspection/Plan Check Supervisory | 1, 2 |
| Building Inspector | 1, 2 |
| Building Permit Technician | 1, 2 |
| Chief Building Official | 1, 2 |
| City Planner | 1, 2 |
| Community Development Business Manager | 1, 2 |
| Community Development Director | 1, 2 |
| Community Development Programs Specialist | 3, 4, 5 |
| Housing and Human Services Manager | 1, 2 |
| Housing Programs Specialist | 1, 2 |
| Housing Project Planner | 1, 2 |
| Planning Technician I/II | 3, 4, 6 |
| Plans Examiner | 1, 2 |
| Principal Planner | 1, 2 |
| Project Planner | 1, 2 |
| Senior Building Inspector | 1, 2 |
| Senior Community Development Programs Specialist | 3, 4, 5 |
| Senior Plan Check Engineer | 1, 2 |
| Senior Planner I/II | 1, 2 |
| Senior Plans Examiner | 1, 2 |
| Senior Rental Housing Mediation Specialist | 2, 5 |

DEPARTMENT
CATEGORY

DISCLOSURE

Community Development (Continued)

Members of the following Advisory Groups:

| | |
|--|------|
| Architectural Board of Review | 1, 2 |
| Building and Fire Code Board of Appeals | 1, 2 |
| Community Development and Human Services Committee | 1, 2 |
| Historic Landmarks Commission | 1, 2 |
| Sign Committee | 1, 2 |
| Single Family Design Board | 1, 2 |

Finance

Staff Positions:

| | |
|--------------------------------|---|
| Accounting Manager | 1 |
| Accounting Supervisor | 1 |
| Billing Supervisor | 1 |
| Budget Manager | 1 |
| Buyer I/II | 1 |
| Environmental Services Manager | 1 |
| Finance & Treasury Manager | 1 |
| Finance Supervisor | 1 |
| General Services Manager | 1 |
| Payroll Supervisor | 1 |
| Purchasing Supervisor | 1 |
| Risk Manager | 1 |
| Treasury Manager | 1 |

Members of the following Advisory Groups:

| | |
|--------------------------------|------|
| Citizens' Oversight Committee | 1, 2 |
| Living Wage Advisory Committee | 1, 2 |

**DEPARTMENT
CATEGORY**

DISCLOSURE

Fire

Staff Positions:

| | |
|--------------------------------|------------|
| Emergency Services Manager | 1, 2, 5, 6 |
| Fire Battalion Chief | 2, 3, 6 |
| Fire Business Manager | 2, 3, 6 |
| Fire Chief | 1, 2 |
| Fire Inspector I/II/III | 2, 3, 6 |
| Fire Operations Division Chief | 1, 2 |
| Fire Prevention Division Chief | 1, 2 |

Library

Staff Positions:

| | |
|--------------------------|------|
| Administrative Analyst | 3, 6 |
| Library Director | 1, 2 |
| Library Services Manager | 1, 2 |
| Senior Librarian | 3, 6 |
| Supervising Librarian | 3, 6 |

Parks and Recreation

Staff Positions:

| | |
|---|---------|
| Administrative Analyst I/II | 3, 6 |
| Administrative Assistant | 3, 6 |
| Assistant Parks and Recreation Director | 1, 2 |
| Associate Planner | 3, 4, 6 |
| Creeks Restoration/Clean Water Manager | 3, 4, 6 |
| Creeks Supervisor | 3, 4, 6 |
| Parks and Recreation Business Manager | 3, 6 |
| Parks and Recreation Director | 1, 2 |

**DEPARTMENT
CATEGORY**

DISCLOSURE

Parks and Recreation (Continued)

| | |
|----------------------------------|---------|
| Parks Capital Project Supervisor | 3, 4, 6 |
| Parks Manager | 1, 2 |
| Parks Superintendent | 3, 6 |
| Project Planner | 3, 4, 6 |
| Recreation Programs Manager | 3, 6 |
| Senior Recreation Supervisor | 6 |
| Urban Forest Superintendent | 6 |
| Water Quality Research Analyst | 3, 6 |

Members of the following Advisory Groups:

| | |
|---------------------------------|------|
| Creeks Advisory Committee | 1, 2 |
| Parks and Recreation Commission | 1, 2 |

Police

| | |
|---------------------------------------|------|
| Police Lieutenant | 3, 6 |
| Police Captain | 3, 6 |
| Police Public Engagement Manager | 3, 6 |
| Police Chief | 1, 2 |
| Police Information Technology Manager | 3, 6 |
| Police Records Manager | 3, 6 |
| Police Business Manager | 3, 6 |

Members of the following Advisory Groups:

| | |
|----------------------------|------|
| Fire and Police Commission | 1, 2 |
|----------------------------|------|

Public Works

| | |
|----------------------------------|---------|
| Administrative Analyst I/II/III | 3, 6 |
| Associate Transportation Planner | 3, 4, 6 |
| City Engineer | 1, 2 |

DEPARTMENT
CATEGORY

DISCLOSURE

Public Works (Continued)

| | |
|---|---------|
| Custodial Supervisor | 5 |
| Downtown Plaza & Parking Manager | 3, 4, 6 |
| Electronic/Communication Supervisor | 5 |
| Facilities & Energy Manager | 3, 5 |
| Facilities Maintenance Supervisor | 6 |
| Maintenance Supervisor I/II | 6 |
| Principal Engineer | 1, 2 |
| Principal Project Manager | 1, 2 |
| Principal Traffic Engineer | 1, 2 |
| Project Engineer I/II | 3, 4, 6 |
| Project Planner | 1, 2 |
| Public Works Business Manager | 3, 4, 6 |
| Public Works Director | 1, 2 |
| Public Works Inspector II | 3, 4 |
| Senior Engineering Technician | 3, 4, 6 |
| Senior Planner I | 4 |
| Senior Public Works Inspector | 3, 4 |
| Senior Real Property Agent | 2, 4, 6 |
| Streets Operations & Infrastructure Manager | 1, 2 |
| Supervising Engineer | 3, 4, 5 |
| Supervising Transportation Engineer | 3, 4, 6 |
| Supervising Transportation Planner | 1, 2 |
| Transportation Planning & Parking Manager | 1, 2 |
| Water Resources Specialist – Unclassified | 6 |
| Water Conservation Supervisor | 4, 6 |

DEPARTMENT
CATEGORY

DISCLOSURE

Public Works (Continued)

| | |
|---|---------|
| Water Distribution Superintendent | 2, 4, 6 |
| Water Resources Manager | 2, 4, 6 |
| Water Resources Specialist | 4, 6 |
| Water System Manager | 2, 4, 6 |
| Water Treatment Superintendent | 2, 4, 6 |
| Wastewater Collection System Superintendent | 2, 4, 6 |
| Wastewater System Manager | 3, 6 |
| Wastewater Treatment Superintendent | 2, 4, 6 |

Members of the following Advisory Groups:

| | |
|--|------|
| Downtown Parking Committee | 1, 2 |
| Transportation and Circulation Committee | 1, 2 |
| Water Commission | 1, 2 |

Waterfront

| | |
|---------------------------------------|------------|
| Administrative Analyst I | 3, 6 |
| Administrative Supervisor | 3, 6 |
| Billing Supervisor | 3, 6 |
| Harbor Operations Manager | 3, 6 |
| Harbor Patrol Supervisor | 3, 6 |
| Maintenance Supervisor II | 3, 6 |
| Senior Property Management Specialist | 2, 3, 4, 6 |
| Waterfront Business Manager | 2, 3, 4, 6 |
| Waterfront Director/Harbormaster | 1, 2 |
| Waterfront Facilities Manager | 3, 6 |
| Waterfront Maintenance Superintendent | 3, 6 |

**DEPARTMENT
CATEGORY**

DISCLOSURE

Waterfront (Continued)

Waterfront Parking Supervisor 3, 6

Members of the following Advisory Groups:

Harbor Commission 1, 2

EXHIBIT B

CITY OF SANTA BARBARA **DISCLOSURE CATEGORIES**

General Provisions

When a designated employee or individual is required to disclose investments, business positions and sources of income, he or she need only disclose investments in business entities and sources of income which do business in the City, plan to do business in the City or have done business in the City within the past two (2) years. In addition to other activities, a business entity is doing business within the City if it owns real property within the City. When a designated employee or individual is required to disclose real property he or she need only disclose that which is located in whole or part within or not more than two (2) miles outside the boundaries of the City or within two (2) miles of any land owned or used by the City.

Designated employees or individuals shall disclose their financial interest pursuant to the appropriate disclosure categories as indicated in "Exhibit A".

Disclosure Categories

- Category 1: All investments, business positions and sources of income. See Schedules A-1, A-2, B, C, D, and E to the Statement of Economic Interests.
- Category 2: All interests in real property. See Schedule B.
- Category 3: All investments, business positions, interests in real property and sources of income subject to the regulatory, permit or licensing authority of the department. See Schedules A-1, A-2, B, C, D, and E.
- Category 4: Investments in business entities and sources of income which engage in land development, construction or the acquisition of real property. See Schedules A-1, A-2, B, C, D, and E.
- Category 5: Investments in business entities and sources of income of the type which contracts with the City to provide services, supplies, materials, machinery or equipment to any City department. See Schedules A-1, A-2, B, C, D, and E.
- Category 6: Investments in business entities and sources of income of the type which contracts with the City to provide to the designated employee's department services, supplies, materials, machinery or equipment. See Schedules A-1, A-2, B, C, D, and E.