

RESOLUTION NO. 12-7093

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA,
CALIFORNIA, APPROVING AND ADOPTING AN AMENDED
CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL
REFORM ACT OF 1974**

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000, et seq. (the "Act"), which contains provisions relating to conflicts of interest governing officers, employees and consultants of the City of Covina (the "City"), and which requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the City Council adopted a Conflict of Interest Code (the "Code") which was amended on December 7, 2010, in compliance with the Act; and

WHEREAS, changed circumstances within the City have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the City's Conflict of Interest Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are significant and may include criminal and civil liability, as well as equitable relief which could result in the City being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the City Council of, the proposed amended Code was provided to each affected designated employee and was publicly posted for review at the Office of the City Clerk; and

WHEREAS, a public meeting was held regarding the proposed amended Code at a regular meeting of the City Council on September 4, 2012, at which all persons present were given an opportunity to be heard on the proposed amended Code.

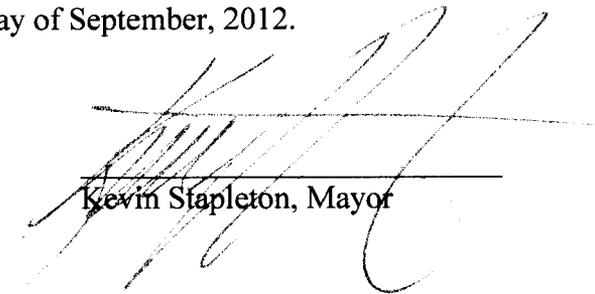
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Covina, California, as follows:

SECTION 1. The City Council does hereby approve and adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto as "Exhibit A" and which shall remain on file with the Senior Deputy City Clerk, and which shall be made available to the public for inspection and copying during regular business hours.

SECTION 2. The said amended Conflict of Interest Code shall become effective thirty (30) days after the date of its adoption and approval.

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

PASSED AND ADOPTED this 4th day of September, 2012.



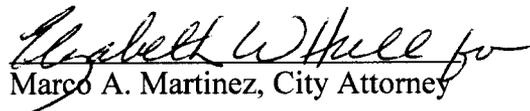
Kevin Stapleton, Mayor

ATTEST:



Kay Manning, City Clerk

APPROVED AS TO FORM;

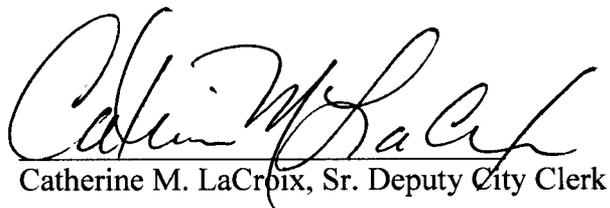


Elizabeth Whitt for
Marco A. Martinez, City Attorney

CERTIFICATION

I, Catherine M. LaCroix, Senior Deputy City Clerk of the City of Covina, California, do hereby certify that the forgoing Resolution No. 12-7093 was introduced and adopted by the Covina City Council at a regular meeting thereof held on the 4th of September, 2012, by the following vote of the Council:

AYES: ALLEN, DELACH, KING, LOW, STAPLETON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



Catherine M. LaCroix, Sr. Deputy City Clerk

LAW OFFICES OF
BEST BEST & KRIEGER LLP

Exhibit A to Resolution No. 12-7093

CONFLICT OF INTEREST CODE

FOR THE

CITY OF COVINA

CONFLICT OF INTEREST CODE OF THE CITY OF COVINA

(Amended September 4, 2012)

The Political Reform Act (Gov. Code § 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 (2 Cal. Code of Regs. § 18730) that contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 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 incorporation page, Regulation 18730, and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **City of Covina (the "City")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Senior Deputy City Clerk** as the City's Filing Officer. The **Senior Deputy City Clerk** shall make and retain a copy of all statements filed by the Mayor, Members of the City Council and Planning Commission, the City Treasurer, City Attorney, and City Manager, and forward the originals of such statements to the Fair Political Practices Commission. The **Senior Deputy City Clerk** shall retain the originals of the statements filed by all other officials and designated positions and will make all statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

APPENDIX

CONFLICT OF INTEREST CODE OF THE CITY OF COVINA

(Amended September 4, 2012)

EXHIBIT "A"

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and all Other City Officials who manage public investments as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the City's Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)]

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below are Other City Officials who manage public investments¹.

These positions are listed here for informational purposes only:

Finance Director

Financial Consultant

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Accounting Supervisor	4
Assistant City Manager	1, 2,
Assistant Community Development Director	1, 2
Assistant Planner	2,6
Assistant Director of Public Works	2, 3, 5
Assistant to the City Manager	1, 2
Associate Civil Engineer	2, 3, 5, 6
Associate Planner	1,2
Building Official	5, 6
Business License Technician	5, 6
Chief Deputy City Clerk	5
City Attorney (not filing under GC 87200)	1, 2
City Clerk	5
City Engineer	1, 2
City Planner	1,2
Director of Community Development/Deputy Director of CRA	1, 2
Community Relations Supervisor	5
Community Resources Coordinator	5
Community Resources Specialist	5
Community Services Supervisor	5
Senior IT Coordinator	5
Construction Inspector I/II	6
Deputy Building Official	5, 6
Deputy City Clerk (All)	5
Director of Library Services	5
Environmental Services Manager	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Equipment Maintenance Supervisor	5
Finance Manager	4
General Building Inspector I/II	6
Human Resources Analyst	5
Human Resources Director	5
Human Resources Manager	5
Information Technology Coordinator	5
Information Technology Services Manager	5
Library Circulation Supervisor	5
Literacy Program Coordinator	5
Management Analyst	4
Marketing Manager	1, 2
Parks & Recreation Director	2, 3, 5
Parks & Recreation Manager	5
Parks Foreman	5
Parks Maintenance Supervisor	5
Plan Checker	6
Police Captain	5
Police Chief	5
Police Lieutenant	5
Police Records Supervisor	5
Principal Librarian	5
Printing and Central Services Specialist	5
Public Information Supervisor	5
Public Safety Communications Supervisor	5
Public Works Director	1, 2
Public Works Manager	5
Public Works Superintendent	5
Recreation Services Coordinator	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Recreation Services Supervisor	5
Risk Manager	5
Senior Equipment Mechanic	5
Senior General Building Inspector	5, 6
Senior Human Resources Analyst	5
Senior Librarian	5
Senior Management Analyst	4
Senior Planner	1, 2
Street Maintenance Foreman	5
Water Maintenance Supervisor	5
Water Services Supervisor	5

MEMBERS OF BOARDS,
COMMITTEES AND COMMISSIONS

Cultural Arts Advisory Commission	5
Historic Preservation Board	1, 2
Housing & Community Development Advisory Commission	1, 2
Oversight Board to Successor Agency	1, 2
Parking Place Commission	1, 2
Public Library Board	1, 2
Successor Agency	1, 2

Consultants and New Positions²

² Individuals serving as a consultant as defined in FPPC Reg 18701 or in a new position must file the broadest disclosure category set forth in this Code subject to the following limitation:

The City Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to designate a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. 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.

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the City.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside the jurisdiction of the City.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction, or the acquisition or sale of real property within the jurisdiction of the City.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the City.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are subject to the regulatory, permit, or licensing authority of the designated position's department, unit or division.