

## CITY COUNCIL CONFLICT OF INTEREST CODE

## CHAPTER 2.02

<b>SUBJECT:</b> CONFLICT; INTEREST; COUNCIL; BOARD; COMMITTEE; COMMISSION	<b>NUMBER:</b> TITLE 2, CHAPTER 2.02
<b>ADOPTED DATE:</b> June 30, 1980	<b>RESOLUTION NUMBER:</b> 37, 414
<b>LAST AMENDED:</b> September 9, 2014	<b>RESOLUTION NUMBER:</b> 2014-09-09-1201
<b>COUNCIL POLICY CONTACT:</b> City Council, Chair, Legislative Committee	<b>CITY DEPARTMENT CONTACT:</b> City Clerk

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**POLICY**

- 1) Members of Stockton City Council are subject to the City's Conflict of Interest Code adopted and amended by City Resolution.
- 2) Members of Boards, Commissions and Committees of the City of Stockton are subject to the City's Conflict of Interest Code adopted and amended by City Resolution.
- 3) The City Clerk is authorized by Government Code section 91013 as the Filing Official for the City of Stockton.

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**RESPONSIBILITIES**

City Council Members and Members of Boards, Commissions, and Committees

Comply with the City's Conflict of Interest Code

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**RELEVANT AUTHORITY**

California Code of Regulations, Title 2, Section 18000, et seq. and Section 18730  
Political Reform Act, Government Code section 81000, et seq. and Section 91013  
City of Stockton, Resolution No. 2014-09-09-1201

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**RELATED ADMINISTRATIVE DIRECTIVE, CITY POLICY, CITY PROCEDURE**

Administrative Directive 11.02, 11.03

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**RELATED FORMS, DOCUMENTS, OR LINKS**

Statement of Economic Interest Form 700

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## FREQUENTLY ASKED QUESTIONS

Not applicable

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## UPDATE HISTORY

Conflict of Interest Code updated biannually as required by California Code of Regulations

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# CODE OF ETHICS FOR ELECTED OFFICIALS AND COMMISSIONERS

## CHAPTER 2.03

<b>SUBJECT:</b> ETHICS, TRAINING	<b>NUMBER:</b> TITLE 2, CHAPTER 2.03
<b>ADOPTED DATE:</b> 10/31/77	<b>RESOLUTION NUMBER:</b> 34,620
<b>LAST AMENDED:</b> 10/09/12	<b>RESOLUTION NUMBER:</b> 2012-10-09-1203
<b>COUNCIL POLICY CONTACT:</b> City Council, Chair, Legislative Committee	<b>CITY DEPARTMENT CONTACT:</b> City Clerk

### POLICY

- 1) State law (commonly known as AB 1234) requires mandatory ethical training on all elected local officials and those Commissions eligible to receive a stipend or reimbursement.
- 2) Each Commissioner to which this Article applies must receive two hours training in ethics within the first year of his/her appointment and, thereafter, must receive two hours of ethics training every two years.
- 3) The City will endeavor to provide this training live, and Commissioners are strongly encouraged to attend the live training in order to have interaction with, and to ask questions of, the presenter. The training may, however, also be taken online.
- 4) Failure to meet this training requirement within the applicable timeframe is cause for removal.

### RESPONSIBILITIES

#### Locally elected officials

Attend required ethics training or take training online

#### Commissioners eligible for a stipend

Attend required ethics training or take training online

### RELEVANT AUTHORITY

Assembly Bill No. 1234, [AB 1234](#)

### RELATED ADMINISTRATIVE DIRECTIVE, CITY POLICY, CITY PROCEDURE

None applicable

## RELATED FORMS, DOCUMENTS, OR LINKS

California Office of the Attorney General- Free online ethics training courses <http://oag.ca.gov/ethics>

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## FREQUENTLY ASKED QUESTIONS

None applicable

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## UPDATE HISTORY

10/31/77 - Adopted Resolution No. 34,620  
2/6/84 - Amended by Resolution No. 40-380  
8/25/86 - Amended by Resolution No.86-0549  
11/7/88 - Amended by Resolution No. 88-0696  
1/3/89 - Amended by Resolution No. 89-0017  
3/19/90 - Amended by Resolution No. 90-0174  
4/1/91 - Amended by Resolution No. 91-0211  
5/28/91 - Amended by Resolution No. 91-0390  
2/22/93 - Amended by Resolution No. 93-0070  
10/10/95 - Amended by Resolution No. 95-0490  
6/10/96 - Amended by Resolution No. 96-0303  
5/01/07 - Amended by Resolution No. 07-0172  
8/24/10 - Amended by Resolution No.10-0271  
6/28/11 - Amended by Resolution No.11-0175  
12/13/11 - Repealed and replaced by Resolution No. 11-0332  
10/09/12 - Amended by Resolution No. 2012-10-09-1203

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# CODE OF ETHICS FOR EMPLOYEES AND CITY OFFICIALS

## 11.02

<b>SUBJECT:</b> Code of Ethics for Employees and City Officials	<b>NUMBER:</b> 11.02
<b>RESPONSIBLE OFFICER:</b> City Manager	<b>EFFECTIVE DATE:</b> 11/02/2017
<b>DIRECTIVE OWNER:</b> City Manager	<b>LAST UPDATED:</b>
<b>DIRECTIVE CONTACT:</b> City Manager	<b>APPROVED:</b>  Kurt O. Wilson

### DIRECTIVE

The City of Stockton is committed to building public trust and confidence, communicating effectively with the public, and maintaining the people's respect. The City's Code of Ethics is intended to clearly set forth the agency's ethical principles. The City has established the following Code of Ethics, and all employees of the City must subscribe to this Code.

Per Article X of the City Charter, no officer or employee of the City shall receive any commission, money, or thing of value, or derive any profit, benefit, or advantage, directly or indirectly, from or by reason of any dealings with or service for the City by such officer or employee or others, except lawful compensation as such officer or employee.

An employee of the City:

- Shall, while at work, conduct themselves in a manner consistent with applicable agency regulations and policies, and the policies of the Department of Human Resources.
- Be committed to the highest standards of professional integrity and the stewardship of public resources.
- Disclose any instance of waste, fraud, abuse, or corruption to appropriate authorities.

In addition, all employees of the City are prohibited from personal business activity that could conflict with the conscientious performance of duty, or which could impair their ability to make impartial decisions, or which could give the appearance thereof. Furthermore, City employees are prohibited from undertaking personal investment transactions with any individual with whom business is conducted on behalf of the City. The State of California Fair Political Practices Commission Statement of Economic Interests, Form 700, shall be completed on an annual basis by all those designated by Council Resolution, as well as all public officials.

## **RELEVANT AUTHORITY**

Stockton City Charter, Article X Section 1000

Stockton Municipal Code 2.28.010 Solicitation of City employees or officers

Amendments to the Political Reform Act, Government Code section 81000, et seq.

The Fair Political Practices Commission, Section 1 8730 of Title 2, California Code of Regulations

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## **FREQUENTLY ASKED QUESTIONS**

N/A

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## **UPDATE HISTORY**

Adopted by Resolution No. 2013-07-30-1203 dated 7/30/2013

Amended by Resolution No. 2014-10-21-1202

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## Stockton Municipal Code, Charter, and Civil Service Rules

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[THE CHARTER OF THE CITY OF STOCKTON](#)  
[ARTICLE X OFFICERS AND EMPLOYEES](#)

**SECTION 1000. Restrictions.**

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\* See Historical Notes at end of Article.

A. No person elected or appointed to the City Council or to the office of Mayor shall be appointed to any City office, position or employment until one (1) year has passed following the expiration of his or her service as a member of the City Council or Mayor.

B. No officer or employee of the City shall receive any commission, money, or thing of value, or derive any profit, benefit, or advantage, directly or indirectly, from or by reason of any dealings with or service for the City by such officer or employee or others, except lawful compensation as such officer or employee.

C. The City Council may elect to void any contract or transaction made in violation of this section.

D. Any officer or employee who willfully violates this section shall forfeit such office or employment.

(Amended Election 11/4/14 effective 12/23/14; Amended Election 11/8/94 effective 5/22/95; Amended Election 10/11/49 effective 12/19/49)


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# CONFLICT OF INTEREST FOR EMPLOYEES AND CITY OFFICIALS

11.03

<b>SUBJECT:</b> Conflict of Interest Code	<b>NUMBER:</b> 11.03
<b>RESPONSIBLE OFFICER:</b> City Manager	<b>EFFECTIVE DATE:</b> 07/13/2016
<b>DIRECTIVE OWNER:</b> City Manager	<b>LAST UPDATED:</b> 9/9/14
<b>DIRECTIVE CONTACT:</b> City Clerk	<b>APPROVED:</b>  Kurt O. Wilson

## DIRECTIVE

In its role as steward of City resources, the City of Stockton is committed to considering and avoiding conflicts of interests in order to prevent individuals from participating in decisions or transactions that may garner a private benefit.

The City of Stockton shall adhere to the Conflict of Interest Code and filing requirements in Resolution No. 2014-09-09-1201. The code designates positions required to file Statements of Economic Interests (Form 700) as defined by Government Code 82019. The code must be approved by the City Council and must be updated as necessary to comply with the State of California Political Reform Act code 87306.

Public Officials are not part of the City's Conflict of Interest Code and are required to file a Statement of Economic Interests in accordance with Government Code section 87200.

The City Clerk, as the Filing Official, shall implement and enforce the Conflict of Interest Code per Government Code section 91013.

## RELEVANT AUTHORITY

Government Code section 81000, et seq.

Title 2, California Code of Regulations, section 1 8000, et seq.



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## FREQUENTLY ASKED QUESTIONS

Q: Where can I find Statement of Economic Interests and other Forms required to be completed in order to comply with the Conflict of Interest Code?

A: All forms, instructions, and frequently asked questions are available on the California Fair Political Practices Commission website at [www.fppc.ca.gov](http://www.fppc.ca.gov)

[Form 700](#) - Statement of Economic Interests (Government Code section 87200);

[Form 803](#) – Behested Payment Report (Government Code Section 82015(b)(2)(B)(iii));

[Form 804](#) – Agency Report of New Positions (Title 2 California Code of Regulations 18701-18702.4, 18734);

[Form 805](#) – Agency Report of Consultants (Government Code 87100.1)

Q: Who is considered a Public Official?

A: The Mayor, City Council Members, Planning Commissioners, City Manager, City Attorney, Director of Administrative Services/City Treasurer

Q: Who is a considered a Consultant and therefore required to file Form 805?

A: State and local government agencies may use this form to identify consultants that will make or participate in making governmental decisions on behalf of the agency. A consultant must file a Statement of Economic Interests (Form 700) within 30 days of assuming office.

Q: Where can I find my Disclosure Category?

A: Disclosure Categories are listed on Appendices A-C of Resolution 2014-09-09-1201 (Exhibit A). This is located on the City's website under Office of the City Clerk, [Conflict of Interest Code](#).

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## UPDATE HISTORY

07/13/2016 - Adopted

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Resolution No. 2016-09-27-1202

## STOCKTON CITY COUNCIL

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### RESOLUTION AMENDING THE CITY OF STOCKTON'S 2016 CONFLICT OF INTEREST CODE BY ADDING AND DELETING CERTAIN POSITIONS

Title 2, California Code of Regulations, section 18000, et seq., requires the periodic review of Conflict of Interest Codes as adopted by the City of Stockton; and

Amendments to the Political Reform Act, Government Code section 81000, et seq., require conforming amendments to Conflict of Interest Codes adopted and promulgated pursuant to its provisions; and

The Fair Political Practices Commission has adopted section 18730 of Title 2, California Code of Regulations, a model Conflict of Interest Code, which may be incorporated by reference and amended to conform to amendments of the Political Reform Act after public notice and hearings conducted by the Fair Political Practices Commission, pursuant to Government Code section 11370, et seq.; and

Incorporation by reference of the model Conflict of Interest Code and its subsequent amendments will save this body time and money by minimizing the actions required of this body to maintain conformity with the Political Reform Act; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. All previously adopted resolutions approving or amending the City's Conflict of Interest Codes are hereby rescinded.

2. The model Conflict of Interest Code, Title 2, California Code of Regulations section 18730 and its subsequent amendments are hereby adopted by reference together with Appendices A – C, attached and incorporated by this reference, designating officials and employees and disclosures, all of which constitute the Conflict of Interest Codes for the following departments and agencies:

## A. PUBLIC OFFICIALS

- (1) Mayor and City Councilmembers
- (2) Planning Commissioners
- (3) City Manager
- (4) City Attorney
- (5) Director of Administrative Services/City Treasurer

The officials named in section 2A of this resolution are not part of the City's Conflict of Interest Code and are required to file a statement of economic interests in accordance with Government Code section 87200.

## B. DESIGNATED FILERS

1. A designated employee is anyone within the City of Stockton who is an officer, employee, member, or consultant who is designated in the Code because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest (Gov. Code, § 82019), and who shall file statements of economic interest pursuant to subsection (b) (5) of section 18730 of Title 2, California Code of Regulations, the model Conflict of Interest Code.

2. Government Code section 91013 authorizes the City Clerk, as the Filing Official for the City of Stockton, to impose a late filing penalty upon late filers, in the form of a fine of \$10 per day for each day a statement is late up to a maximum of \$100.

## APPENDIX A – DEPARTMENTS OF THE CITY OF STOCKTON:

- (1) Administrative Services
- (2) City Attorney
- (3) City Auditor
- (4) City Clerk
- (5) City Manager
- (6) Community Development
- (7) Community Services
- (8) Economic Development

- (9) Fire
- (10) Information Technology
- (11) Human Resources
- (12) Municipal Utilities
- (13) Police
- (14) Public Works

APPENDIX B – BOARDS AND COMMISSIONS OF THE CITY OF STOCKTON

- (1) Arts Commission
- (2) Building-Housing Board of Appeals
- (3) Central Parking District Advisory Board
- (4) Charter Review Advisory Commission
- (5) City Council Salary Setting Commission
- (6) Civil Service Commission
- (7) Climate Action Plan Advisory Committee
- (8) Community Development Committee
- (9) Council Water Advisory Group
- (10) Development Oversight Commission
- (11) Handicapped Access Board of Appeals
- (12) Measure A Citizens' Advisory Committee
- (13) Measure W Oversight Committee
- (14) Parks and Recreation Commission
- (15) Public Arts Advisory Committee
- (16) Public Financing Authority
- (17) Successor Agency Oversight Board
- (18) Successor Agency of the Stockton Redevelopment Agency

APPENDIX C – DISCLOSURE CATEGORIES

- (1) Disclosure Category 1
- (2) Disclosure Category 2
- (3) Disclosure Category 3
- (4) Disclosure Category 4
- (5) Disclosure Category 5
- (6) Disclosure Category 6 – Consultants

PASSED, APPROVED, and ADOPTED September 27, 2016.



ANTHONY SILVA  
Mayor of the City of Stockton

ATTEST:



BONNIE PAIGE  
City Clerk of the City of Stockton





## CITY OF STOCKTON CONFLICT OF INTEREST CODE

## APPENDIX A: DEPARTMENTS

## ADMINISTRATIVE SERVICES DEPARTMENT

Designated Position	Disclosure Category
Accounting Manager	5
Administrative Analyst I/II	1
Assistant Chief Financial Officer	5
Budget Officer	1
Buyer I/II	3
Materials Supervisor	5
Purchasing Agent	3
Program Manager I/II	1
Program Manager III	5
Reprographics Supervisor	5
Revenue Officer	5
Senior Administrative Analyst	1
Senior Budget Analyst (Confidential)	1
Senior Buyer	3
Consultants - Debt / F.A.	Consultants

## CITY ATTORNEY

Designated Position	Disclosure Category
Assistant City Attorney	1
Deputy City Attorney	1

## CITY AUDITOR

Designated Position	Disclosure Category
Administrative Analyst I/II	1
Assistant City Auditor	1
City Auditor	1
Deputy City Auditor I/II	1
Senior Administrative Analyst	1
Senior Deputy City Auditor	1

## EXHIBIT 1

**CITY CLERK**

Designated Position	Disclosure Category
City Clerk	1
Assistant City Clerk I/II	1
Senior Deputy City Clerk	5

**CITY MANAGER**

Designated Position	Disclosure Category
Administrative Analyst I/II	1
Assistant to the City Manager	1
Deputy City Manager	1
Office of Violence Prevention Manager	1
Program Manager III	1
Senior Administrative Analyst	1
Consultants	1

**COMMUNITY DEVELOPMENT DEPARTMENT**

Designated Position	Disclosure Category
Assistant Planner	4
Associate Civil Engineer	4
Associate Engineer	4
Associate Planner	4
Combination Inspector I/II	4
Community Development Technician	4
Deputy Director/Building	1
Deputy Director/Planning and Engineering Services	1
Director of Community Development	1
Engineering Technician I/II/	4
Junior Engineer	4
Plan Check Engineer	4
Plan Checker I/II	4
Planning Manager	4
Program Manager III	4
Senior Civil Engineer	4
Senior Community Development Technician	4

## EXHIBIT 1

<b>COMMUNITY DEVELOPMENT DEPARTMENT (continued)</b>	
<b>Designated Position</b>	<b>Disclosure Category</b>
Senior Engineering Technician	4
Senior Plan Checker	4
Senior Planner	4
Supervising Combination Inspector	4
Supervising Plan Check/Structural Engineer	4

**COMMUNITY SERVICES DEPARTMENT**

<b>Designated Position</b>	<b>Disclosure Category</b>
Administrative Analyst I/II	5
Director of Community Service	1
Deputy Director of Community Services-City Librarian	1
Deputy Director of Community Services/Recreation	1
Executive Assistant	5
Program Manager III	5
Recreation Supervisor	5
Senior Administrative Analyst	5
Supervising Librarian	5

**ECONOMIC DEVELOPMENT DEPARTMENT**

<b>Designated Position</b>	<b>Disclosure Category</b>
Administrative Analyst I/II	4
Economic Development Analyst	4
Economic Development Deputy Director	1
Economic Development Director	1
Housing Deputy Director	1
Program Manager I/II - Administration	4
Program Manager III – Parking Authority and Venues	4
Real Property Agent I/II	4
Project Manager I/II/III – Housing and Asset Management	4
Senior Administrative Analyst	4
Senior Economic Development Analyst	4
Senior Housing Rehabilitation Counselor	4

## EXHIBIT 1

<b>ECONOMIC DEVELOPMENT DEPARTMENT (continued)</b>	
<b>Designated Position</b>	<b>Disclosure Category</b>
Senior Real Property Agent	4
Supervising Real Property Agent	4
Consultants	Consultants

**FIRE DEPARTMENT**

<b>Designated Position</b>	<b>Disclosure Category</b>
Captain/Fire Inspector	5
Deputy Fire Chief I/II	5
Deputy Fire Marshal	5
Division Chief	5
EMS Captain/Division of Training	5
Fire Battalion Chief	5
Fire Chief	1
Fire Marshall (Fire and Prevention)	5
Firefighter Engineer	5
Fire Prevention Inspector I/II	5
Fire Protection Specialist	5
Plan Checker I/II	5
Program Manager I/II/III	5
Project Manager I/II/III	5
Suppression Captain/Division of Training	5

**HUMAN RESOURCES DEPARTMENT**

<b>Designated Position</b>	<b>Disclosure Category</b>
Assistant Director of Human Resources	1
Deputy Director of Human Resources	1
Director of Human Resources	1
Human Resources Manager/ Safety Officer	1
Liability Claims Investigator I/II	1
Risk Manager	1
Consultants	Consultants



**INFORMATION TECHNOLOGY DEPARTMENT**

Designated Position	Disclosure Category
Deputy Information Technology Director	1
Director of Information Technology	1
Information Technology Supervisor	5
Information Technology Officer	5
Network Support Analyst II	5
Program Manager I/II/III	5
Project Manager II	5
Senior Systems Analyst	5
Consultants	Consultants

**MUNICIPAL UTILITIES DEPARTMENT**

Designated Position	Disclosure Category
Assistant Director of Municipal Utilities	5
Assistant Engineer	5
Associate Civil Engineer	5
Chief Plant Operator – Wastewater	5
Chief Plant Operator – Water	5
Deputy MUD Director/Maintenance & Collection Systems	5
Deputy MUD Director/Wastewater	5
Deputy MUD Director/Water Resources Planning	5
Director of Municipal Utilities	1
Engineering Services Manager Municipal Utilities	5
Environmental Control Officer	5
MUD Chief Financial Officer	5
Principal Civil Engineer	5
Program Manager I/II/III	5
Public Works Inspector	5
Regulatory Compliance Officer	5
Senior Buyer	5
Senior Civil Engineer	5
Senior Environmental Control Officer	5
Technical Services Supervisor	5



## EXHIBIT 1

**POLICE DEPARTMENT**

Designated Position	Disclosure Category
Chief of Police	5
Deputy Chief of Police I	5
Police Captain	5
Police Fiscal Affairs/Planning Manager	5
Police Services Manager	5
Program Manager I/II/III	5

**PUBLIC WORKS DEPARTMENT**

Designated Position	Disclosure Category
Administrative Analyst	5
Assessment District Program Coordinator	5
Assistant City Traffic Engineer	5
Assistant Civil Engineer	5
Assistant Engineer	5
Assistant Solid Waste Manager	5
Associate Civil Engineer	5
Associate Engineer	5
Associate Traffic Engineer	5
City Traffic Engineer	5
Deputy Public Works Director/City Engineer	5
Deputy Public Works Director	5
Engineering Services Manager	5
Engineering Technician I/II	5
Fleet Manager	5
Junior Engineer	5
Parks Facility Planner/Landscape Architect	4
Parks Manager	5
Parks Supervisor	5
Principal Administrative Analyst	5
Program Manager I/II/III	5
Project Manager I/II/III	5
Public Works Director	1
Public Works Inspector	4

## EXHIBIT 1

<b>PUBLIC WORKS DEPARTMENT (continued)</b>	
<b>Designated Position</b>	<b>Disclosure Category</b>
Public Works Safety/Training Officer	5
Public Works Supervisor	5
Public Works Supervisor/Electrical	5
Senior Administrative Analyst	5
Senior Civil Engineer	5
Senior Engineering Technician	5
Supervising Public Works Inspector	4
Senior Public Works Supervisor Electrical (Traffic)	5
Senior Public Works Supervisor/Streets	5
Solid Waste Manager	5
Supervising Mechanic	5
Consultants	Consultants

**CITY OF STOCKTON CONFLICT OF INTEREST CODE**  
**APPENDIX B: DESIGNATED BOARDS, COMMISSIONS, COMMITTEES**

**BOARDS, COMMISSIONS, COMMITTEES**

Name	Designated Position	Disclosure Category
Arts Commission	All Commissioners	1
Building/Housing Board of Appeals	All Commissioners	1
Central Parking District Advisory Board	All Commissioners	2
Charter Review Advisory Commission	All Commissioners	4
City Council Salary Setting Commission	All Commissioners	1
Civil Service Commission	All Commissioners	1
Climate Action Plan Advisory Committee	All Commissioners	1
Community Development Committee	All Commissioners	1
Development Oversight Commission	All Commissioners	1
Handicapped Access Board of Appeals	All Commissioners	1
Measure A Citizens' Advisory Committee	All Commissioners	4
Measure W Oversight Committee	All Commissioners	4
Parks and Recreation Commission	All Commissioners	1
Public Art Advisory Committee	All Commissioners	1
Public Financing Authority	Chairperson, Executive Director, Treasurer, Legal Advisor	All Category 4
Public Financing Authority	Consultants	Consultants
Successor Agency Oversight Board	All Commissioners	1
Water Advisory Group	All Commissioners	1

**CITY OF STOCKTON CONFLICT OF INTEREST CODE**  
**APPENDIX C: DISCLOSURE CATEGORIES**

An investment, income or real property interest is reportable if it may be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

**DISCLOSURE CATEGORY 1**

- a. Investments and business positions in any business entity located in, doing business or planning to do business in the City of Stockton. (See FPPC Form 700 Schedules A-1 and A-2 Instructions)
- b. Income, including loans, gifts, and travel payments from all sources, regardless of the jurisdiction. (See FPPC Form 700 Schedules C and D Instructions)
- c. Financial interests in real property (See FPPC Form 700 Schedule B Instructions):
  - 1) within the boundaries of the City of Stockton, or
  - 2) within a two mile radius of any property owned or used by the City of Stockton; or
  - 3) subject to the jurisdiction of the City of Stockton.
- d. Income, including loans, gifts, and travel payments from all sources, regardless of the jurisdiction. (See FPPC Form 700 Schedules C, D and E Instructions).

**DISCLOSURE CATEGORY 2 - CENTRAL PARKING DISTRICT**

An investment, income or real property interest is reportable if it may be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

- a. Investments and business positions in any business entity located in, doing business or planning to do business in the Central Parking District. (See FPPC Form 700 Schedules A-1 and A-2 Instructions)
- b. Income, including loans, gifts, and travel payments from sources, within the Central Parking District. (See FPPC Form 700 Schedules D and E Instructions)
- c. Financial interests in real property (See FPPC Form 700 Schedule B Instructions):
  - 1) within the boundaries of the Central Parking District, or
  - 2) within a two mile radius of any property owned or used by the Central Parking District; or
  - 3) subject to the jurisdiction of the Central Parking District.

### **DISCLOSURE CATEGORY 3**

An investment, income or real property interest is reportable if it may be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

- a. All investments within the boundaries of the City of Stockton or within a two mile radius of the City of Stockton (See FPPC Form 700 Schedules A-1 and A-2 Instructions);
- b. All investments in business entities which, within the last two years, have contracted, or in the future may contract with the City of Stockton to provide



services, supplies, materials, machinery or equipment (See FPPC Form 700 Schedules A-1 and A-2 Instructions);

- c. All investments in business entities in the construction or building industry within the City of Stockton (See FPPC Form 700 Schedules A-1 and A-2 Instructions);
- d. All interests in real property within the City of Stockton (See FPPC Form 700 Schedule B Instructions);
- e. All sources of personal income (See FPPC Form 700 Schedule C Instructions);
- f. The name of each business entity not specified above in which he or she is a director, officer, partner, trustee, employee, or is holding any position of management. (See FPPC Form 700 Schedule A-2 Instructions)
- g. Income, including loans, gifts, and travel payments from all sources, regardless of the jurisdiction. (See FPPC Form 700 Schedules C, D and E Instructions).

#### **DISCLOSURE CATEGORY 4**

An investment, income or real property interest is reportable if it may be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

- a. All investments, income or real property interest (See FPPC Form 700 Schedules A-1 and A-2 Instructions):
  - 1) within the boundaries of the City of Stockton;
  - 2) within a two mile radius of the City of Stockton;

- 3) in business entities which, within the last two years, have contracted, or in the future may contract with the City of Stockton to provide services, supplies, materials, machinery or equipment;
  - 4) in business entities in the construction or building industry within the City of Stockton;
  - 5) from business entities engaged in building construction or design including contractors and subcontractors located or doing business in the City of Stockton;
- b. The name of each business entity not specified above in which he or she is a director, officer, partner, trustee, employee, or is holding any position of management (See FPPC Form 700 Schedule A-2 Instructions);
- c. Investments in or income from persons or business entities engaged in the acquisition or disposal of real property within the City of Stockton (See FPPC Form 700 Schedule B Instructions);
- d. Income, including loans, gifts, and travel payments from all sources, regardless of the jurisdiction. (See FPPC Form 700 Schedules C, D and E Instructions).

**DISCLOSURE CATEGORY 5**

- a. Investments and business positions in any business entity that manufacture or sell supplies, books, machinery or equipment of the type utilized by the City of Stockton (See FPPC Form 700 Schedules A-1 and A-2 Instructions);
- b. Investments in or income from business entities that are contractors or subcontractors and are, or have been, within the previous two year period, doing business in the City of Stockton (See FPPC Form 700 Schedules A-1 and A-2 Instructions);

- c. Income, including loans, gifts, and travel payments from sources that:
- 1) manufacture, sell, or provide goods, equipment, vehicles, machinery or services, including training or consulting services;
  - 2) provide leased facilities to the City of Stockton;
  - 3) are subject to the regulatory, permit, or licensing authority of, or have an application for a license or permit pending before the City of Stockton; and
  - 4) engage in land development, construction or the acquisition or sale of real property.

(See FPPC Form 700 Schedules C, D and E)

**DISCLOSURE CATEGORY: CONSULTANTS**

**Consultants** (the individual representing the firm) shall be included in the listing of designated employees and shall disclose pursuant to Disclosure Category 1, subject to the following limitation: The City Manager 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 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.

DATE: \_\_\_\_\_

TO: CITY CLERK, CITY OF STOCKTON

FROM: \_\_\_\_\_ DEPARTMENT: \_\_\_\_\_

SUBJECT: CONFLICT OF INTEREST DISCLOSURE CATEGORIES FOR NEW  
CONSULTANT POSITION

## EXHIBIT 1

The following Consultant, \_\_\_\_\_ was hired on \_\_\_\_/\_\_\_\_/\_\_\_\_  
and will be performing the following duties:

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The following Disclosure Categories apply to this position:

\_\_\_ Category 1

\_\_\_ Category 4

\_\_\_ Category 2

\_\_\_ Category 5


\_\_\_ Category 3

\_\_\_\_\_  
Chair/Director/Department Head

\_\_\_\_\_  
Date

# CONFLICT OF INTEREST FOR EMPLOYEES AND CITY OFFICIALS

## 11.03.010

<b>SUBJECT:</b> Conflict of Interest Code	<b>NUMBER:</b> 11.03.010
<b>RESPONSIBLE OFFICER:</b> City Manager	<b>EFFECTIVE DATE:</b> 3/19/2018
<b>POLICY OWNER:</b> City Clerk	<b>LAST UPDATED:</b> 9/09/2014
<b>POLICY CONTACT:</b> City Clerk	<b>APPROVED:</b>  Kurt O. Wilson

## POLICY

- 1) The City of Stockton is committed to considering and avoiding all conflicts of interests in order to prevent individuals from participating in decisions or transactions that may garner a private benefit.
- 2) Designated employees, Consultants, and Public Officials will file Statements of Economic Interests as well as all other applicable forms in order to facilitate disclosure.

## RESPONSIBILITIES

### City Council

- Approve biennial Conflict of Interest Code by October of the even numbered year as designated by the Fair Political Practices Commission
- Submit completed personal Statements of Economic Interests and related forms timely.

### City Clerk

- Notify all persons required to file of upcoming annual April 1<sup>st</sup> filing deadline at least 30 days prior
- Notify filers who have failed to submit by deadline that their form has not been received per guidelines set by the Fair Political Practices Commission



**Agencies With More Than 50 Filers – Table of Recommended Timelines**

<b>Annual Notice</b>	<b>First Non-Filer Notice</b>	<b>Second Non-Filer Notice</b>	<b>Enforcement Referral</b>
March 1 or earlier	Within 120 days after annual deadline (August 1 or earlier)	Within 60 days after first non-filer notice is sent (October 1 or earlier)	Within 45 days after second non-filer notice is sent (November 15 or earlier)

- Monitor submissions for completion (i.e. original not copy, name at the top of all pages, signature, etc) and promptly notify filer if a form is not complete.
- Scan and retain image of forms in a protected Write Once Read Many (WORM) database (currently utilizing OnBase).
- Maintain log of forms submitted as well as log of communications sent to filers at each notification stage.
- Notate receipt of form and status (annual, assuming, or leaving office) for Board and Commission members within the Boards and Commissions Application.
- Forward all required forms to the Fair Political Practices Commission (87200 filers)

**City Attorney**

- Establish disclosure levels for Designated Employees.

**All Employees, Consultants, Board, and Commission Members**

- Self-disclose potential conflicts of interest
- Provide Annual, Leaving Office, and Assuming Office Statements of Economic Interests (Form 700) as applicable to their position (see Designated Employee – Disclosure Categories Conflict of Interest Code).

**Department Heads**

- Initiate Form 804, Agency Report of New Positions (Title 2 California Code of Regulations 18701-18702.4, 18734) by reporting new positions to the Clerk's Office.
- Monitor department to ensure all Designated Employees have turned in Form 700 - Statement of Economic Interests (Government Code section 87200) on time.

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**RELEVANT AUTHORITY**

Government Code section 81000, et seq.

Title 2, California Code of Regulations, section 1 8000, et seq.

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## RELATED CITY POLICIES

N/A

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## RELATED FORMS, DOCUMENTS, OR LINKS

[Form 700](#) - Statement of Economic Interests (Government Code section 87200);

[Form 803](#) – Behested Payment Report (Government Code Section 82015(b)(2)(B)(iii));

[Form 804](#) – Agency Report of New Positions (Title 2 California Code of Regulations 18701-18702.4, 18734);

[Form 805](#) – Agency Report of Consultants (Government Code 87100.1)

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## FREQUENTLY ASKED QUESTIONS

Q: Where can I find Statement of Economic Interests and other Forms required to be completed in order to comply with the Conflict of Interest Code?

A: All forms, instructions, and frequently asked questions are available on the California Fair Political Practices Commission website at [www.fppc.ca.gov](http://www.fppc.ca.gov)

[Form 700](#) - Statement of Economic Interests (Government Code section 87200);

[Form 803](#) – Behested Payment Report (Government Code Section 82015(b)(2)(B)(iii));

[Form 804](#) – Agency Report of New Positions (Title 2 California Code of Regulations 18701-18702.4, 18734);

[Form 805](#) – Agency Report of Consultants (Government Code 87100.1)

Q: Who is considered a Public Official?

A: The Mayor, City Council Members, Planning Commissioners, City Manager, City Attorney, Director of Administrative Services/City Treasurer

Q: Who is a considered a Consultant and therefore required to file Form 805?

A: State and local government agencies may use this form to identify consultants that will make or participate in making governmental decisions on behalf of the agency. A consultant must file a Statement of Economic Interests (Form 700) within 30 days of assuming office.

Q: Where can I find my Disclosure Category?

A: Disclosure Categories are listed on Appendices A-C of Resolution 2014-09-09-1201 (Exhibit A). This is located on the City's website under Office of the City Clerk, [Conflict of Interest Code](#).

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## UPDATE HISTORY

09/09/2014 – Adopted Resolution No. 2014-09-09-1201

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