

CONFLICT OF INTEREST CODE OF THE CITY OF KERMAN

A. Purpose and Intent.

The City Council hereby intends to implement Government Code Section 87300 through 87313 pertaining to conflict of interest codes for local agencies.

B. Conflict of Interest Code.

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 (FPPC) has adopted a regulation (2 Cal. Code of Regs. Section 18730) that contains the terms of a standard conflict-of-interest code that may be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the FPPC to conform to amendments in the Political Reform Act.

This is the Conflict of Interest Code of the City of Kerman. It consists of Sections A through G and in particular the terms of 2 California Code of Regulations Section 18730 and any amendments thereto duly adopted by the FPPC.

C. Public Officials Designated by Statute

The positions listed below are public officials designated by statute and are required to file with the FPPC a Statement of Economic Interests Form 700 pursuant to Government Code Section 87200.

- Mayor
- City Council Members
- City Attorney
- City Treasurer/Finance Director
- Planning Commissioners

A copy of the Form 700 will be retained by the City. Notwithstanding this, for convenience the City of Kerman is also listing these officials in the Designated Positions described in Section 3 below and in Appendix A.

D. Designated Positions and Disclosure Categories

Persons holding positions listed as designated position under this section D shall file with the City Clerk a Statement of Economic Interests Form 700 upon assuming office, annually thereafter, and upon leaving office. Form 700s are public records and are available for public inspection and reproduction from the City Clerk. (Gov. Code Section 81008) The City Clerk is the Filing Officer.

Exhibit 'A'

The designated positions are set forth in **Appendix A** which is incorporated by reference to this Conflict of Interest Code. The Disclosure Categories are set forth in Appendix B which is incorporated by reference to this Conflict of Interest Code.

E. Prior Conflicts of Interest Codes Superseded.

The provisions of all Conflict of Interest Codes and amendments thereto previously adopted by the City are hereby superseded and have no further force and effect.

F. Effective Date.

This Conflict of Interest Code is deemed effective on September 28, 2022.

G. Appendices.

The following Appendices are incorporated herein by reference and deemed a part of this Conflict of Interest Code:

1. Appendix A: Designated Positions
2. Appendix B: Disclosure Categories
3. Appendix C: 2 California Code of Regulations Section 18730

It must be noted that Appendix C is the current version of regulation Section 18730 as described in Section B above. As stated, the FPPC may from time to time amend Section 18730 and for that reason, the FPPC website should be reviewed by persons in designated positions.

Exhibit 'A'

**APPENDIX A TO CONFLICT OF INTEREST CODE
DESIGNATED POSITIONS**

<u>Designated Positions</u>	<u>Disclosure Categories</u>
• Mayor	1,2,3,4,5,6
• City Council Members	1,2,3,4,5,6
• Planning Commissioners	1,2,3,4,5,6
• City Manager	1,2,3,4,5,6
• Finance Director/City Treasurer	1,2,3,4,5,6
• City Clerk/Executive Assistant to CM	1,2,3,4,5,6
• City Attorney	1,2,3,4,5,6
• Public Works Director	1,2,3,4,5,6
• Chief of Police	1,2,3,4,5,6
• Community Services Director	1,2,3,4,5,6
• Community Development Director	1,2,3,4,5,6
• (Contract) City Engineer	1,2,3,4,5,6
• Consultants	*

* Consultants shall be included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this code 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 comply fully with the disclosure requirements 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. (Gov. Code Sec. 81008.)

APPENDIX B TO CONFLICT OF INTEREST CODE DISCLOSURE CATEGORIES

Individuals holding designated positions must report their interests according to their assigned disclosure category (ies).

Disclosure Category 1

Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency; and investments and business positions in business entities, and income, including loans, gifts, and travel payments, from all sources.

Disclosure Category 2

Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.

Disclosure Category 3

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by the agency.

Disclosure Category 4

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by the designated position's division or department.

Disclosure Category 5

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that filed a claim against the agency during the previous two years, or have a claim pending.

Disclosure Category 6

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources of the type to request an entitlement to use agency property or facilities, including, but not limited to:

- a license
- a permit