

RESOLUTION NO. 2020-38-CC
CITY OF SOUTH GATE
LOS ANGELES, CALIFORNIA

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE,
CALIFORNIA, ADOPTING AN AMENDED CONFLICT OF INTEREST CODE,
REVISING DESIGNATED CITY POSITIONS REQUIRED TO FILE FORM 700
(STATEMENT OF ECONOMIC INTERESTS), REVISING DISCLOSURE
CATEGORIES AND REPEALING RESOLUTION NO. 7827**

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

WHEREAS, the Fair Political Practices Commission (“FPPC”), established in 1974 to ensure that public officials act in a fair and unbiased manner in the governmental decision-making process, to promote transparency in government, and to foster public trust in the political system, adopted a standard Conflict of Interest Code, as set forth in Section 18730 of the California Code of Regulations (“Section 18730”), which can be incorporated by reference in a municipal code;

WHEREAS, on September 13, 1976, the City Council adopted Resolution No. 3440 adopting a Conflict of Interest Code applicable to the Members of the City Council and Chief Administrative Officer, pursuant to the Political Reform Act of 1974; and since then has amended the City’s Conflict of Interest Code as required;

WHEREAS, the FPPC requires every elected official and public employee who makes or influences governmental decisions to submit a Statement of Economic Interest, also known as the Form 700, to provide transparency and ensure accountability;

WHEREAS, on August 28, 2018, the City Council adopted Resolution No. 7827 amending the City’s Conflict of Interest Code containing designated positions required to file Form 700 and disclosure categories as required by the FPPC, and repealing Resolution No. 7722;

WHEREAS, Government Code Section 87306.5 requires every local agency to review its Conflict of Interest Code every even-numbered years to ensure it is up to date, meets the current legal requirements, and revise it if necessary;

WHEREAS, City Attorney, the City Clerk and staff have reviewed the current Conflict of Interest Code, last amended in 2018, and have determined that it should be updated to reflect changes in city departments, job duties and responsibilities of various City personnel required to file disclosure reports under California law;

WHEREAS, the City desires to amend the City’s Conflict of Interest Code attached hereto as Exhibit “A”, to designate certain officers, employees and officials as described in Appendix “A” attached hereto, to designate certain “consultants” as described in Appendix “B” attached hereto, to amend disclosure categories for said certain officers, employees, officials and consultants as described in Appendix “C” attached hereto, as required by the FPPC;

WHEREAS, in accordance with regulation of the FPPC, notice of a 30-day comment period was posted and ended on August 3, 2020, without comments received on the City's amendments to the Conflict of Interest Code;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council does hereby declare that the above recitals are true and correct and are incorporated herein by this reference.


SECTION 2. The City Council does hereby adopt an amended Conflict of Interest Code attached hereto as Exhibit "A"; revise designated City positions required to file Form 700 attached hereto as Appendix "A"; designate certain "consultants" as described in Appendix "B" attached hereto; revise disclosure categories attached hereto as Appendix "C"; and repeals Resolution No. 7827 in its entirety.

SECTION 3. The Conflict of Interest Code adopted by this Resolution shall be applicable to the Members of the City Council, all specified positions in Government Code Section 87200 and designated positions set forth in the newly revised and adopted Appendix "A."

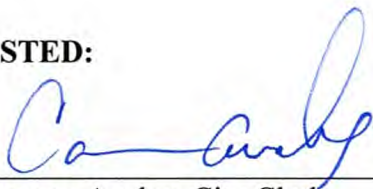
SECTION 4. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

PASSED, APPROVED and ADOPTED this 27th day of **October 2020**.

CITY OF SOUTH GATE:

BY: 
Maria Davila, Mayor

ATTESTED:

BY: 
Carmen Avalos, City Clerk
(SEAL)

APPROVED AS TO FORM:


BY: 
Raul F. Salinas, City Attorney

EXHIBIT "A"
(including Appendixes A, B, C)

CITY OF SOUTH GATE
CONFLICT OF INTEREST CODE

SECTION 1. AUTHORITY. This Conflict of Interest Code is adopted pursuant to and in compliance with Section 87300 of the California Government Code.

SECTION 2. EFFECT. This Conflict of Interest Code is in addition to State Laws pertaining to conflicts of interest of the City of South Gate (City) officers and employees and is not intended to abridge or otherwise modify such laws.

SECTION 3. STANDARD CODE ADOPTED.

- A. The terms of California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix "A", in which City officials and employees are specified and designated, Appendix "B", in which City "consultants" are defined, and Appendix "C", in which disclosure categories are set forth, constitute the Conflict of Interest Code of the City, which is considered the "agency" within the purview of this Conflict of Interest Code.
- B. The herein Conflict of Interest Code of the City so adopted, amends and replaces any Conflict of Interest Code of the City previously in effect to conform to the herein newly adopted Conflict of Interest Code. All terms or words in this Conflict of Interest Code, and in its exhibits shall have such meanings as are associated thereto in the Political Reform Act, as amended from time to time.

SECTION 4. STATEMENTS. Designated City employees shall file Statements of Economic Interests, Form 700, with the City Clerk, who shall be and will perform the duties of filing officer for the City. All newly designated employees who were not designated prior to the adoption of the herein Conflict of Interest Code, shall file an initial statement within thirty (30) days after the effective date of the herein Conflict of Interest Code. The annual statement of economic interest shall be duly filed by no later than April 1st of each calendar year.

SECTION 5. PASSED, APPROVED and ADOPTED on the 27th day of **October 2020**, by **Resolution No. _____**.

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APPENDIX "A"
DESIGNATED POSITIONS
SPECIFIED OFFICER AND EMPLOYEES

(Government Code Section 87200 et seq.)

- Mayor and City Council members
- City Manager
- City Clerk
- City Attorney
- City Treasurer
- Planning Commission Members

ADDITIONAL OFFICIALS WHO MANAGE OR GIVE ADVICE
REGARDING PUBLIC INVESTMENTS

(Government Code Section 87200 et seq.)

- Assistant City Manager/Director of Public Works
- Chief of Police
- Director of Administrative Services
- Director of Community Development
- Director of Parks & Recreation
- Police Captains

The officers, employees and officials listed above must provide full disclosure of their investments, business positions, interest in real property, and sources of income by completing and delivering to the City the Fair Political Practices Commission's California Form 700 and Exhibits A-1, A-2, B, C, D, E and F of that Form.

The officers and employees designated below must provide more limited disclosure, based on the Assigned Disclosure Categories specified next to their respective positions in the table below, as those Assigned Disclosure Categories are described in Appendix "C" hereto.

DESIGNATED OFFICERS, EMPLOYEES AND DISCLOSURE CATEGORIES

(Government Code Section 87300 et seq.)

Designated Positions	Assigned Disclosure Categories
Administration Department	
Management Analyst	2,3,4,6,8
Executive Assistant to City Manager	2,3,4,6,8
Executive Assistant	2,3,4,6,8
Management Assistant	2,3,4,6,8
Executive Assistant to City Attorney	2,3,4,6,8
Administrative Services Department	
Deputy Director of Administrative Services/Human Resources & Risk Manager	2,3,4,5,6,8
Deputy Director of Administrative Services/Finance	2,3,4,5,6,8,9,10
Administrative Analyst	2,3,4,5,6,8
Management Analyst	2,3,4,5,6,8
Customer Service Supervisor	1,2,3,4,5,6,7,8
Senior Accountant	2,3,4,5,6,8,9,10
Information Systems Administrator	2,3,4,5,6,8

Purchasing Supervisor	2,3,4,5,6,8
Sr. Financial Analyst	2,3,4,5,6,8,9,10
Community Development Department	
Administrative Services Coordinator	1,2,3,6,7,8
Building Official	1,2,3,6,7,8
Sr. Building Inspector	1,2,3,6,7,8
Sr. Code Enforcement Officer	1,2,3,6,7,8
Building Inspector	1,2,3,6,7,8
Code Enforcement Supervisor	1,2,3,6,7,8
Code Enforcement Officer	1,2,3,6,7,8
Sr. Community Development Technician	1,2,3,6,7,8
Community Development Technician II	1,2,3,6,7,8
Community Development Technician III	1,2,3,6,7,8
Housing Administrator	1,2,3,6,7,8
Housing & Grants Analyst	1,2,3,6,7,8
Housing Specialist	1,2,3,6,7,8
Senior Planner	1,2,3,6,7,8
Assistant Planner	1,2,3,6,7,8
Management Analyst	1,2,3,6,7,8
Parks & Recreation	
Parks Superintendent	2,6,8
Deputy Director of Parks & Recreation	2,6,8
Recreation Supervisor	2,6,8
Grounds Supervisor	2,6,8
Park Facility Maintenance Supervisor	2,6,8
Police Department	
Senior Administrative Analyst	2,3,4,5,6,8
Police Lieutenant	2,3,4,5,6,8
Executive Assistant to Chief of Police	2,3,4,6,8
Senior Administrative Analyst	2,3,4,6,8
Technical Services Manager	2,3,4,5,6,8
Training Specialist	2,3,4,5,6,8
Public Works Department	
Electrical and General Maintenance Superintendent	1,2,4,5,6,7,8
Equipment Maintenance Superintendent	1,2,4,5,6,7,8
Street and Sewer Superintendent	1,2,4,5,6,7,8
Field Operations Manager	1,2,4,5,6,7,8
Water Division Manager	1,2,4,5,6,7,8
Assistant City Engineer	1,2,4,5,6,7,8
Management Analyst	1,2,4,5,6,7,8
Senior Civil Engineer	1,2,4,5,6,7,8
Associate Engineer	1,2,4,5,6,7,8
Assistant Engineer	1,2,4,5,6,7,8

Senior Engineer	1,2,4,5,6,7,8
City Traffic Engineer	1,2,4,5,6,7,8
Engineering Consultant "As needed"	1,2,3,4,5,6,8
Committee, Commission and Board Members	
Successor Agency to the Community Development Commission of the City of South Gate	3,4,5,9,10
Public Finance Authority Board Member	3,4,5,9,10
Utility Authority Board Member	3,4,5,9,10
Public Access Corporation Board Member	3,4,5,9,10
Parks and Recreation Commission Member	2,6,8
Civil Service Commission Member	2,6,8
Citizen's Advisory Committee Member	3,4,5,9,10
Commission for South Gate Youth	3,4,5,9,10
Consultants	1,2,3,4,5,6,7,8

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APPENDIX "B" **CONSULTANTS**

Commission Regulation 18700 defines “consultant” as an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
 - (i) Approve a rate, rule, or regulation;
 - (ii) Adopt or enforce a law;
 - (iii) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
 - (v) Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study, or similar item;
 - (vii) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

- (B) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency’s Conflict of Interest Code.

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APPENDIX "C"
DISCLOSURE CATEGORIES

DISCLOSURE CATEGORY 1. Persons in this category shall disclose all of their interests in real property located in the City. Said disclosure shall be reported on the Fair Political Practices Commission's California Form 700.

DISCLOSURE CATEGORY 2. Persons in this category shall disclose all income received by them in the form of loans, gifts and travel payments from sources located in the City. Said disclosure shall be reported on the Fair Political Practices Commission's California Form 700.

DISCLOSURE CATEGORY 3. Persons in this category shall disclose all of their investments in any business entity or trust that (at the time of the disclosure) is located in, doing business in, planning to do business in, or within the past two years had done business in the City. Said disclosure shall be reported on the Fair Political Practices Commission's California Form 700.

DISCLOSURE CATEGORY 4. Persons in this category shall disclose all business positions that they hold in any business entity that (at the time of the disclosure) is located in, doing business in, planning to do business in, or within the past two years has done business in the City. Said disclosure shall be reported on the Fair Political Practices Commission's California Form 700.

DISCLOSURE CATEGORY 5. Persons in this category shall disclose all of their investments in any business entity or trust that (at the time of the disclosure) provides plans to provide, or within the past two years has provided services, supplies, materials or equipment of the type utilized by the City. Persons in this category shall also disclose any business positions that they hold in any such business entity of trust. Said disclosures shall be reported on the Fair Political Practices Commission's California Form 700.

DISCLOSURE CATEGORY 6. Persons in this category shall disclose all income received by them in the form of loans, gifts or travel payments from any person or business entity that (at the time of the disclosure) provides, plans to provide, or within the past two years has provided services, supplies, materials or equipment of the type utilized by the City. Said disclosure shall be reported on the Fair Political Practices Commission's California Form 700.

DISCLOSURE CATEGORY 7. Persons in this category shall disclose all of their investments and business positions in any business entity that owns or leases real property in the City. Said disclosure shall be reported on the Fair Political Practices Commission's California Form 700.

DISCLOSURE CATEGORY 8. Persons in this category shall disclose all income received by them in the form of loans, gifts or travel payments from any business entity that owns or leases real property in the City. Said disclosure shall be reported on the Fair Political Practices Commission's California Form 700.

DISCLOSURE CATEGORY 9. Persons in this category shall disclose all of their investments and business positions in any financial institution in which the City (at the time of the disclosure) deposits funds, plans to deposit funds, or within the past two years has deposited funds. Said disclosure shall be reported on the Fair Political Practices Commission's California Form 700.

DISCLOSURE CATEGORY 10. Persons in this category shall disclose all income received by them in the form of gifts or travel payments from any financial institution in which the City (at the time of the disclosure) deposits funds, plans to deposit funds, or within the past two years has deposited funds. Said disclosure shall be reported on the Fair Political Practices Commission's California Form 700.

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RESOLUTION CERTIFICATION PAGE

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) **SS**

CITY OF SOUTH GATE)

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 2020-38-CC was adopted by the City Council at their Regular Meeting held on October 27, 2020, by the following vote:

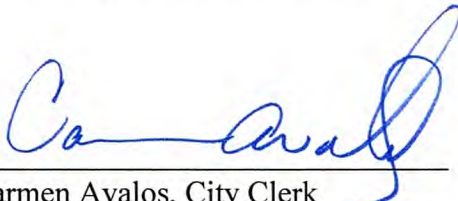
Ayes: Council Members: Davila, Rios, Avalos, Diaz and Hurtado

Noes: Council Members: None

Absent: Council Members: None

Abstain: Council Members: None

Witness my hand and the seal of said City on November 9, 2020.



Carmen Avalos, City Clerk
City of South Gate, California