

RESOLUTION NO: 2010-42

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUCAIPA,
ADOPTING AN AMENDED CONFLICT OF INTEREST CODE AND
RESCIND RESOLUTION NO. 2008-43.**

WHEREAS, the City of Yucaipa City Council previously adopted Resolution No. 2008-43 adopting the model Conflict of Interest Code set forth in Section 18730 of the California Code of Regulations; and

WHEREAS, by this Resolution, the City is adopting a new updated Conflict of Interest Code; and

WHEREAS, the City Council desires to designate persons holding positions listed in Appendix A as bodies that are subject to this code.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Yucaipa does hereby find, determine and declare as follows:

1. Resolution No. 2008-43 is hereby rescinded.

2. The Political Reform Act, Government Code Section 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. Section 18730, which contain the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearing to conform to amendments in the Political Reform Act. Therefore, the term of 2 Cal. Code of Regs. 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 and B, which members and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code for the City of Yucaipa, which is considered the "agency" within the purview of this code.

3. Designated employees shall file their statements with the City Clerk of the City of Yucaipa. Statements for all designated employees will be retained by the City and will be available for inspection and reproduction pursuant to Government Code Section 81008.

PASSED, APPROVED AND ADOPTED on this 13th day of September 2010.



Dick Riddell, Mayor

ATTEST:



Jennifer Shankland, City Clerk

**APPENDIX A
SCHEDULE OF DESIGNATED EMPLOYEES**

POSITIONS	DISCLOSURE CATEGORIES
Associate Engineer	3, 4
Associate Planner	3, 4
Building Official	3, 4
Code Enforcement Officer	3, 4
Construction Engineer	4
Director of Community Development	1
Director of Community Services	2,3
Director of General Services/City Clerk	2,3
Director of Public Works/City Engineer	1
Maintenance Manager	2
Mobilehome Rent Review Commission	1
Planning Manager	1

The Mayor, Members of the City Council and Planning Commission, the City Manager, City Attorney, Director of Administrative Services 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 are subject to the disclosure requirements of the Act. (Government Code Section 87200 et. Seq.). [Regs. § 18730(b)(3)]

Consultants*

*The City Manager may determine in writing that a particular consultant, although filling a "designated filer 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 on 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.

APPENDIX B DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property, which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1

Interests in real property located within the City or within two miles of the boundaries of the City or within two miles of any land owned or used by the City, as well as investments, business positions and sources of income, including gifts, loans and travel payments. (Full Disclosure)

Category 2

All investments, business positions and income, including gifts, loans, and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the City.

Category 3

All investments, business positions and income, including gifts, loans and travel payments, from sources that are subject to the regulatory, permit, or licensing authority of, or have an application for a license or permit pending before, the City.

Category 4:

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