

CONFLICT OF INTEREST CODE  
OF THE  
CITY OF ESCALON  
(Amended July 18<sup>th</sup>, 2016)

The Political Reform Act (Gov. 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. §1870) 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 Escalon (the "City")**.

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

## **APPENDIX**

### **EXHIBIT “A”**

#### **DESIGNATED POSITIONS** **GOVERNED BY THE CONFLICT OF INTEREST CODE**

The Mayor, Members of the City Council and Planning Commission, the City Manager, Deputy 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 officials who manage public<sup>1</sup> investments and will file a statement of economic interests pursuant to Government Code Section 87200. These positions are listed here for information purposes only.

#### **Finance Director**

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<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their 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.

**EXHIBIT “A”**

**DESIGNATED POSITIONS**

**DESIGNATED POSITIONS**

**DISCLOSURE**

**CATEGORIES**

**TITLE OR FUNCTION**

**ASSIGNED**

City Clerk	5
Human Resources Administrator	5
Public Works Superintendent/Manager	1,2
Development & Community Services Manager	1,2
City Planner	1,2
Police Chief	5
Recreation Director	5

**Consultants and New Positions<sup>2</sup>**

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**2** Individuals serving as a consultant as defined in FPPC Reg 18701 or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth 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 fully comply with the disclosure requirements described in this section. Such written determination shall include a description and a statement of the extent of the disclosure requirement. 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.<sup>3</sup>

**Category 1** - Designated Employees in Disclosure Category 1 must report:

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 of Escalon.

**Category 2** - Designated Employees in Disclosure Category 2 must report:

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

**Category 3** - Designated Employees in Disclosure Category 3 must report:

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 of Escalon.

**Category 4** - Designated Employees in Disclosure Category 4 must report:

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** - Designated Employees in Disclosure Category 5 must report:

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** - Designated Employees in Disclosure Category 6 must report:

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

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**3** | This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)