

**CITY OF OJAI
RESOLUTION NO. 18-40**

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF OJAI AMENDING AND RESTATING ITS
CONFLICT OF INTEREST CODE, APPROVING
THE 2018 LOCAL BIENNIAL NOTICE AND
AUTHORIZING THE CITY MANAGER TO SIGN
THE NOTICE**

WHEREAS, one of the purposes of the Political Reform Act of 1974, as codified in Government Code Section 87100 *et seq.* (the “Act”), is to require that local governments serve the needs and respond to the wishes of all citizens equally, without regard to their wealth; and

WHEREAS, another purpose of the Act is to assure that public officials and employees perform their duties in an impartial manner free from bias caused by their own financial interests or the financial interests of those who have supported them; and

WHEREAS, Government Code Section 87302 requires the City to adopt and promulgate a Conflict of Interest Code (the “Code”) to implement the purposes of the Act with respect to certain designated employees and consultants of the City; and

WHEREAS, the Code must contain an enumeration of the positions within the City which involve the making or the participating in making of decisions which may be foreseeable and have a material effect on any financial interest; and

WHEREAS, the Code must contain a requirement that certain designated employees and consultants file at a specified time statements of economic interests disclosing reportable investments, interests in real property and income; and

WHEREAS, the Code must contain specific provisions setting forth any circumstances under which specified designated employees and consultants must disqualify themselves from making, participating in the making or using their official position to influence the making of any decision when the designated employee or consultant has a financial interest wherein it is reasonably foreseeable may be affected materially by the decision; and

WHEREAS, the positions designated in the Code as required to file statements of economic interests are in addition to those positions listed in Government Code section 87200, which are statutorily required to file statements of economic interest under Government Code sections 87201, *et seq.*; and

WHEREAS, the City did adopt a Conflict of Interest Code on September 28, 1976; and the City amended said Conflict of Interest Code in January of 1998, October of 2000, July 2004 December 2006, September 10, 2013, and September 27 2016 as required by Government Code Section 87306; and

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WHEREAS, the City has determined that additional amendments should be made to the Code in order to delete the title of a position which has been abolished by operation of law.


NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ojai, California, does hereby:

1. Approve the nonsubstantive amendments to Appendix "A" and restatement of the City of Ojai's Conflict of Interest Code originally adopted September 28, 1976, amended January 13, 1998, amended October 24, 2000, amended July 13, 2004 amended December 12, 2006, amended September 10, 2013 and amended and September 27 2018.
2. Approve the 2018 Local Biennial Notice and authorize the City Manager to sign.

PASSED, APPROVED and ADOPTED this 11th day of September, 2018 by the following vote:

AYES: Blatz, Francina, Haney, Johnston, Weirick
NOES: None
ABSENT: None
ABSTAIN: None

CITY OF OJAI, CALIFORNIA



John F. Johnston, Mayor
9-13-18

Date signed

ATTEST:



Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:



Matthew Summers, City Attorney

APPENDIX "A"
COVERED POSITIONS

- | | |
|--|--------------------|
| 1. City Clerk | 1, 2, 3 |
| 2. Finance Director | 1, 2, 3 |
| 3. Community Development Director | 1, 2, 3 |
| 4. Public Works Director/City Engineer | 1, 2, 3 |
| 5. Deputy Assistant to the City Manager | 1, 2, 3 |
| 6. Building Official/Code Enforcement | 1, 2, 3 |
| 7. Recreation Manager | 1, 2, 3 |
| 8. Arts Commissioners | 1, 2, 3 |
| 9. Historic Preservation Commissioners | 1, 2, 3 |
| 10. Parks and Recreation Commissioners | 1, 2, 3 |
| 11. Building Appeals Board Members | 1, 2, 3 |
| 12. Fiscal Policy Budget Committee Member | 1, 2, 3 |
| 13. Ojai Redevelopment Successor Agency Oversight Board | 1, 2, 3 |
| 13. Consultants ¹ | |

¹ The disclosure, if any, required of a consultant will be determined on a case-by-case basis by the executive officer of the city or his or her designee. The determination of whether a particular consultant has or will have disclosure requirements is to be made in writing. The determination should include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the public disclosure requirements. Each writing or the combined writing is a public record and is to be retained for public inspection either in the same and manner and location as this Conflict of Interest Code or, with appropriate documentation at the location where the conflict of Interest Code is maintained, cross-referencing to the consultant determinations(s).

APPENDIX "B"

DISCLOSURE CATEGORIES

All Covered Positions

Full disclosure

1. All sources of income;
2. Interests in real property; and
3. Investments and business positions in business entities.