



# ***CITY COUNCIL AGENDA REPORT***

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MEETING DATE: September 21, 2010

ITEM NUMBER: **VI-11**

**SUBJECT:** Biennial Review of the City's Conflict of Interest Code

**DATE:** September 14, 2010

**FROM:** City Manager

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**PRESENTATION BY:** Julie Folcik, City Clerk

**FOR FURTHER INFORMATION CONTACT:** Julie Folcik, City Clerk (714) 754-5221

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## **RECOMMENDATION:**

Adopt Resolution updating the City's Conflicts of Interest Code's list of designated employees.

## **BACKGROUND:**

As required by the Political Reform Act every local agency is to review its conflict of interest code biennially to determine its accuracy. As referenced in the City's Conflict of Interest Code (Costa Mesa Municipal Code Section 2-401) a resolution may be adopted to update the list of "designated positions and employees" who are deemed to make, or participate in making, decisions that may foreseeably have a material financial effect on economic interest of the employee.

## **ANALYSIS:**

A review of the City departments was recently conducted to determine the changes that must be made to the list of designated employees who are required to file the annual conflict of interest forms. It was determined that there were no changes reported for the City Attorney's Office, Finance, and Police departments. For the departments of City Manager's Office, Finance Department, the Fire Department and the Public Services Department there were six positions that were deleted, and one position title that was revised. This Resolution (Exhibit A) updates the list of designated employees pursuant to Section 2-401 of Title 2, Chapter X, of the Costa Mesa Municipal Code.

**ALTERNATIVES CONSIDERED:**

State law requires the biennial review and updating of the list of designated employees.

**FISCAL REVIEW:**

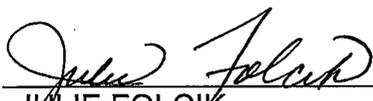
There is no fiscal impact.

**LEGAL REVIEW:**

This report and resolution was reviewed and approved as to form by the City Attorney.

**CONCLUSION:**

As required by the Political Reform Act a review was conducted of the City's conflict of interest code. It is requested that the Council adopt this Resolution which appropriately updates the list of designated employees required to file under the established provisions.



JULIE FOLCIK

City Clerk



ALLAN ROEDER

City Manager

DISTRIBUTION: Allan Roeder, City Manager  
Thomas R. Hatch, Assistant City Manager

ATTACHMENT: 1. Resolution revising the List of Designated Positions for the City's Conflict of Interest Code.

RESOLUTION NO. 10-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE LIST OF DESIGNATED POSITIONS FOR THE CITY'S CONFLICT OF INTEREST CODE.

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, pursuant to the California Political Reform Act of 1974 every city is required to adopt a conflict of interest code and Costa Mesa has adopted its conflicts code, which appears in Costa Mesa Municipal Code Title 2, Chapter X; and

WHEREAS, the Conflict of Interest Code contains a list of City officials and employees called "designated employees" whose positions involve the making or participation in the making of decisions that may foreseeably have a material financial effect on an economic interest of the employee; and

WHEREAS, the Conflict of Interest Code is required to be amended from time to time to incorporate new state law requirements and update the list of positions of designated employees; and

WHEREAS, the City's Conflict of Interest Code now needs to be amended to update the list of designated positions.

BE IT RESOLVED that the Costa Mesa City Council hereby amends the list of designated positions shown on Appendix "A" with the new, revised Appendix "A" that is attached hereto and incorporated herein.

PASSED AND ADOPTED this 21<sup>st</sup> day of September, 2010.

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Allan R. Mansoor, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Julie Folcik, City Clerk

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Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF COSTA MESA )

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 10-\_\_\_\_ and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 21<sup>st</sup> day of September, 2010, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 22<sup>nd</sup> day of September, 2010.

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JULIE FOLCIK, CITY CLERK

(SEAL)

## APPENDIX A

The term "Designated" refers to employees or officials, set forth by position or job classifications, and are intended to include one or more persons where one or more appointments have been or will be made to a classification/position. A designated employee or official, for the purpose of this resolution, and in compliance with the City's Conflict of Interest Code (Costa Mesa Municipal Code Section 2-401, et al) shall include a spouse and immediate members of the family. Any person hired or promoted into a job classification included in this resolution shall become a designated employee for the purpose of the City's Conflict of Interest Code without further action of the City Council.

<b><u>DEPARTMENT/POSITION TITLES</u></b>	<b><u>REPORTING CATEGORY</u></b>
<b>Administrative Services Department</b>	
Administrative Services Director	All
Management Information Services Manager	All
Telecommunications Manager	All
Recreation Manager	All
Human Resources Manager	All
Human Resources Administrator	All
Human Resources Analyst	All
Principal Human Resources Analyst	All
Management Analyst	All
<b>City Attorney's Office</b>	
Assistant City Attorney	All
Deputy City Attorney	All
<b>City Manager's Office</b>	
Assistant City Manager	All
<del>Legislative and Public Affairs Manager</del>	All
Neighborhood Improvement Manager	All
Management Analyst	All
CDBG/HOME Coordinator	All
City Clerk	All
<b>Development Services Department</b>	
Development Service Director	All
Assistant Development Services Director	All
Principal Planner	All
Senior Planner	All
Associate Planner	All
Assistant Planner	All
Building Official	All
Building Inspector	All

Senior Electrical Inspector	All
Senior Plumbing /Mechanical Inspector	All
Chief Plans Examiner	All
Plan Checker	All
Code Enforcement Officer	1 & 4
Plan Checker (consultant)	All
Chief of Inspection	All
Chief of Code Enforcement	All
Building Technician I & II	All
Combination Building Inspector	All
Plan Check Engineer	All
Plan Review Consultants	All
Management Analyst	All
Permit Processing Specialist	All

### **Finance Department**

Assistant Finance Director	All
Budget Research Officer	All
Accounting Supervisor	All
Purchasing Supervisor	All
Buyer	All
Revenue Supervisor	All
<del>Revenue Investment Specialist</del>	All
<del>Grant Administrator</del>	All
Tax Auditing Specialist	1&4
<del>Business License Inspector</del>	1&4

### **Fire Department**

Fire Chief	All
<del>Deputy Fire Chief</del>	All
Battalion Chief	All
<del>Deputy Fire Chief/Fire Marshal</del>	All
Fire Protection Analyst	All
Management Analyst	All
Hazardous Materials Specialist (Consultant)	All

### **Police Department**

Police Chief	All
Police Captain	All
Police Administrative Services Commander	All

### **Public Services Department**

Director of Public Services	All
City Engineer	All
Senior Engineer	All
Transportation Services Manager	All

Construction Inspector	All
Chief Construction Inspector	All
Assistant Engineer	All
Associate Engineer	All
Maintenance Services Manager	All
<del>Fairview Park Plan Administrator</del>	<del>All</del>
Facilities and Equipment Supervisor	All
<u>Contract Administrator</u>	<u>All</u>

**Commissions**

Parks and Recreation Commission	All
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