

RESOLUTION NO. 2018 - 142

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN
CONFIRMING THE CITY OF LINCOLN'S CONFLICT OF INTEREST CODE POLICY**

WHEREAS, the Political Reform Act of 1974, Government Code Section 81000, et seq. requires every state and local government agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Fair Political Practice Commission (FPPC) has adopted regulations, 2 Cal. Code Regs. section 18100, which contain the terms of a standard model Conflict of Interest Code; and

WHEREAS, after public notice and hearing is conducted by the Fair Political Practices Commission, it may be amended by the FPPC to conform to amendments in the Political Reform Act.

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

Section 1: The regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. Section 18100) and any amendments to the Political Reform Act are hereby incorporated by reference and this regulation and the attached Exhibit(s) designating officials, employees and consultants and establishing disclosure categories shall constitute the Conflict of Interest Code Policy of the City of Lincoln.

Section 2: The designated officials, employees and consultants shall file their Form 700 - Statements of Economic Interests with the City Clerk to whom is designated as the filing officer for the City of Lincoln.

Section 3: Statements of Economic Interests are to be made available to public inspection and reproduction (Gov. Code Section 81008).


Section 4: All previously adopted resolutions approving a Conflict of Interest Code for the City of Lincoln are hereby rescinded.

PASSED AND ADOPTED this 10th day of July, 2018 by the following vote:

AYES: COUNCILMEMBERS: Gilbert, Hydrick, Joiner, Karleskint, Nader

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:



Stan Nader, Mayor

Attest:



Gwen Scanlon, City Clerk

ATTACHMENT A: Incorporation Page



Incorporation Page

CONFLICT OF INTEREST CODE

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 California Code of Regulations Section 18730) 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, the standard code 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 regulation and the attached Appendix, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **City of Lincoln (City)**.

Individuals holding designated positions shall file their statements of economic interests with the **City**, which will make the statements available for public inspection and reproduction (Gov. Code Sec. 81008). All statements will be retained by the **City**.

ATTACHMENT B: Positions and divisions

APPENDIX B - Designated Positions

The following positions listed in Government Code Section 87200 are required to file FPPC Form 700 pursuant to State law:

City Councilmembers
City Manager
City Treasurer
City Attorney
Consultant¹ (*if applicable*)
Planning Commissioners

Persons occupying the following positions are Category I designated filers:

City Engineer
Community Development Director
Consultant¹ (*if applicable*)
Director of Public Services
Director of Support Services
Chief of Police
Fire Chief
Human Resources Manager
Library Manager
Oversight Boardmembers to the Dissolved Lincoln Redevelopment Agency

Persons occupying the following positions are Category II designated filers:

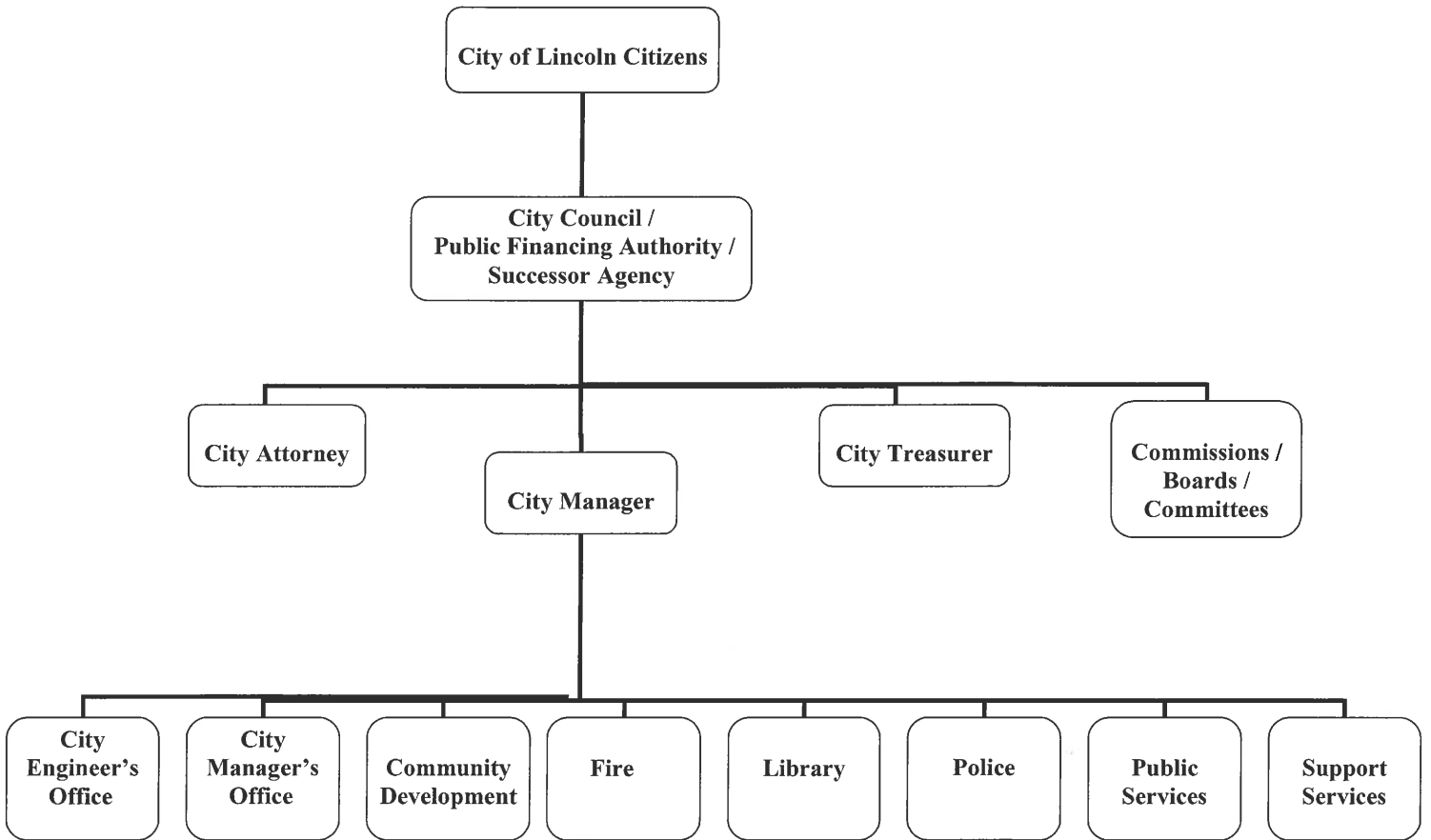
Airport Manager
Accounting Manager / Finance Manager
Chief Building Official
City Clerk
Consultant¹ (*if applicable*)
Construction Manager
Development Services Division Manager
Economic Development Manager
Environmental Services Manager
Geographic Information System (GIS) Manager
Information Technology/Information Services Manager
Maintenance Services Manager
Principal Accountant
Public Information Officer
Public Services Operations Manager
Purchasing Officer
Recreation Manager
Senior Planner
Senior Civil Engineer

¹ Consultants shall be included in the list of designated employees and shall include those consultants who are determined by the City Manager to come within the definition of "consultant" as defined in California Fair Political Practices Commission Regulations 18700.3 and 18734.

Persons occupying the following positions are Category III designated filers:

Assistant / Associate Engineer
Code Enforcement Officer
Fire Division Chief
Public Services Supervisor
Human Resources Analyst
Library Coordinator
Public Services Supervisor
Police Lieutenant
Purchasing Clerk
Senior Administrative Analyst
Supervising Building Inspector
Utilities Maintenance Supervisor

ATTACHMENT C: Current City's organization chart



ATTACHMENT D: Disclosure Categories

APPENDIX D - Disclosure Categories

The following disclosure categories set forth the required contents of disclosure statements for officers and employees holding designated positions. An investment, interest in real property, or income is reportable if the business entity in which the investment is held, the interest in real property, or the income or source of income may foreseeably be affected materially by any decisions made or participated by the designated employee by virtue of the employee's position.

Category I

Designated employees assigned to Category I shall report interest in real property in the City of Lincoln as well as any investments in, income or gifts received from, or any position held in any business entity located in, doing business in, or planning to do business within the Jurisdiction of the City of Lincoln.

Category II

An employee in this category could possibly have a conflict of interest due to an interest in a developer, builder or contractor within the jurisdiction of the City of Lincoln, or a supplier of goods, materials or services to the City.

Designated employees assigned to Category II shall report any investment in, income or gifts received from, as well as any position held in any business entity licensed to do construction or build within the jurisdiction of the City of Lincoln or which foreseeably may contract to provide services, supplies, materials, machinery, or equipment to the City of Lincoln.

Category III

An employee in this category could possibly have a conflict of interest due to an interest in a supplier of goods, materials or services to their department/division

Designated employees assigned to Category III shall report any investments in, income or gifts received from, as well as any position held in any business entity which foreseeably may contract with the City of Lincoln to provide services, supplies, materials, machinery, or equipment to their department/division.