

RESOLUTION 2016-047

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
AMENDING THE APPENDICES OF THE TOWN'S
CONFLICT OF INTEREST CODE PURSUANT TO DIVISION 4
OF ARTICLE III OF CHAPTER 2 OF THE LOS GATOS TOWN CODE**

WHEREAS:

A. 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, which contains the terms of a standard conflict of interest code, which can be incorporated by reference and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. The terms of 2 California Code of Regulations Section 18730 have been adopted by reference by the Town Council in Division 4 of Article III of Chapter 2 of the Los Gatos Town Code.

B. The Town Council/Redevelopment Agency adopted an ordinance intended to better facilitate the process of updating the Town's Conflict of Interest Code by authorizing the adoption and periodic updates of the detailed appendices required by 2 California Code of Regulations Section 18730 containing the designation of positions and disclosure categories.

C. The California State Legislature adopted ABx1 26 in June, 2011 which requires the Town as the Successor Agency for the former Redevelopment Agency to establish an Oversight Board. Pursuant to ABx1 26 and a determination by Fair Political Practice Commission (FPPC), the Oversight Board is required to adopt a Conflict of Interest Code. On April 3, 2012, at its first meeting, the Oversight Board adopted a Resolution adopting the Town of Los Gatos Conflict of Interest Code and any amendments thereto as the Conflict of Interest Code for the Oversight Board

D. This resolution is intended to update the Town of Los Gatos Conflict of Interest Code by amending the detailed appendices containing the designation of positions and disclosure categories to include both the Successor Agency of the Redevelopment Agency of the Town of Los Gatos and the Oversight Board to the Successor Agency of the Redevelopment Agency of the Town of Los Gatos.

RESOLVED:

1 The following shall constitute the Appendix "A" to the Town of Los Gatos Conflict of Interest Code, by listing of those positions that are required to submit Statements of Economic Interests pursuant to the Political Reform Act of 1974, as amended. The Town Council/Redevelopment Agency hereby finds that the officers and employees holding the following designated positions make, or participate in the making of decisions which may reasonably have a material effect on financial interests, and are, therefore, designated employees of the Town of Los Gatos solely for purposes of the Fair Political Practices Act and required to make financial disclosures as specified:

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
<i>ADMINISTRATION</i>	
Town Council	1 through 13
Town Manager	1 through 13
Assistant Town Manager	1 through 13
Administrative Analyst	1 through 13
Clerk Administrator	1 through 13
Deputy Clerk	1 through 13
Finance and Budget Manager	1 through 13
Human Resources Director	1 through 13
Management Information Systems Manager	1 through 13
Economic Vitality Manager	1 through 13
Community Outreach Coordinator	1 through 13
<i>COMMUNITY DEVELOPMENT</i>	
Community Development Director	1 through 13
Planning Manager	1 through 13
Administrative Analyst	1 through 13
Senior Planner	1 through 13
Associate Planner	1 through 13
Assistant Planner	1 through 13
Planning Technician	1 through 13

COMMUNITY DEVELOPMENT – continued

Counter Technicians	1 through 13
Code Compliance Officer	1 through 13
Building Official	1 through 13
Building Inspector	1 through 13

LIBRARY

Library Director	1 through 13
Library Manager	1 through 13

PARKS AND PUBLIC WORKS

Director of Parks and Public Works	1 through 13
Superintendent	1 through 13
Administrative Analyst	1 through 13
Town Engineer	1 through 13
Associate Engineer	1 through 13
Traffic Engineer	1 through 13
Senior Public Works Inspector	1 through 13
Public Works Inspector	1 through 13
Engineering Technician	1 through 13
Facilities & Environmental Programs Manager	1 through 13
Project Coordinator	1 through 13

POLICE DEPARTMENT

Police Chief	1 through 13
Police Captain	1 through 13
Police Lieutenant	1 through 13
Records and Evidence Manager	1 through 13

TOWN ATTORNEY

Town Attorney	1 through 13
Deputy Town Attorney	1 through 13

SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

Executive Director	1 through 13
Deputy Director	1 through 13
Secretary	1 through 13
Finance Director	1 through 13
Treasurer	1 through 13
General Counsel	1 through 13

OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY

Oversight Board	1 through 13
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DESIGNATED POSITIONS

DISCLOSURE CATEGORY

COMMISSIONERS, COMMITTEE AND BOARD MEMBERS

Arts and Culture Commission	1 through 13
Bicycle and Pedestrian Advisory Commission	1 through 13
Building Board of Appeals	1 through 13
Community and Senior Services Commission	1 through 13
Conceptual Development Advisory Commission	1 through 13
Development Review Committee	1 through 13
General Plan Committee	1 through 13
Historic Preservation Committee	1 through 13
Library Board	1 through 13
Parks Commission	1 through 13
Personnel Board	1 through 13
Planning Commission	1 through 13
Transportation and Parking Commission	1 through 13

SPECIFIED CONSULTANTS

Those consultants defined as a “consultant” by the Fair Political Practice Commission and as determined by the Town Attorney in writing	1 through 13
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In addition, the Town Attorney may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with these disclosure requirements. Such written determination shall include a description of the consultant's duties and based upon that description, a statement of the extent of disclosure requirements. The Attorney’s determination is a public record and shall be available for inspection.

2 The following list shall constitute Appendix "B" to the Town of Los Gatos Conflict of

Interest Code, as amended, by listing of the disclosure categories that are required pursuant to the Political Reform Act of 1974. When a designated employee is required to disclose investments and sources of income, he or she need only disclose investments in business entities and sources of income with those who do business in the Town of Los Gatos, plan to do business in the Town of Los Gatos, or have done business in the Town of Los Gatos within the past two (2) years. In addition to other activities, a business entity is doing business within the Town of Los Gatos if it owns real property within the Town of Los Gatos. When a designated employee is required to disclose interests in real property, he or she need only disclose real property which is located in whole or in part within the Town or not more than two (2) miles outside of Town Boundaries or not more than two (2) miles of any land owned or used by the Town of Los Gatos.

General Provisions

Designated employees shall disclose their financial interest pursuant to the appropriate disclosure category as indicated in section 2.30.610.

Category 1: Investments (which are not held through a business entity or trust)

Category 2: Interests in Real Property (which are not held through a business entity or trust)

Category 3: Interests in Real Property Held by a Business Entity or Trust

Category 4: Investments held by a Business Entity or Trust

Category 5: Income (other than loans, gifts and honoraria)

Category 6: Income (travel payments, advances, reimbursements)

Category 7: Income -- Loans (received or outstanding during the reporting period)

Category 8: Income -- Gifts

Category 9: Income -- Honoraria

Category 10: Commission Income Received by Brokers, Agents and Salespersons

Category 11: Income and Loans to Business Entities or Trusts

Category 12: Income from Rental Property

Category 13: Business Positions

3. Any change provided in the appendices of the Town of Los Gatos Conflict of Interest Code shall not affect or excuse any offense or act committed or done or omission or any penalty or forfeiture incurred or accruing under any other Conflict of Interest Code, nor shall it affect any prosecution, suit, or proceeding pending or any judgment rendered in connection with any other conflict of interest code.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 20th day of September, 2016, by the following vote:

COUNCIL MEMBERS:

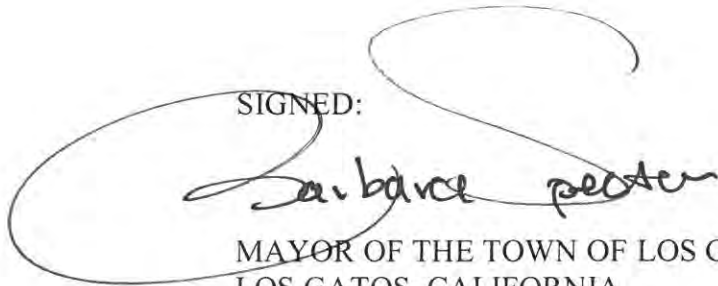
AYES: Marcia Jensen, Steve Leonardis, Rob Rennie, Marico Sayoc, Mayor Barbara Spector

NAYS: None.

ABSENT: None.

ABSTAIN: None.

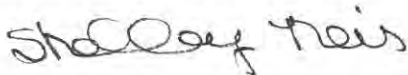
SIGNED:

A large, stylized handwritten signature in black ink, appearing to read "Barbara Spector". The signature is written over a large, faint circular outline.

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: 9/21/16

ATTEST:

A handwritten signature in black ink, appearing to read "Shelley Reis".

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: 9/22/16