

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING RESOLUTION NO. 6114 AND AMENDMENTS INCORPORATING THE FAIR POLITICAL PRACTICES COMMISSION'S STANDARD CONFLICT OF INTEREST CODE

WHEREAS, on August 4, 1992, the Milpitas City Council adopted Resolution No. 6114 to incorporate by reference the Fair Political Practices Commission's standard model Conflict of Interest Code; and

WHEREAS, Appendix A of Resolution No. 6114 has been amended from time to time to incorporate changes in the list of designated "full disclosure positions," the last time by Resolution No. 8197; and

WHEREAS, the City Council desires to further amend the List of Designated Full Disclosure Positions (Appendix A of Resolution No. 6114) to incorporate additional or revised titles of employee positions within the City of Milpitas designated as "full disclosure positions;" and

WHEREAS, it is appropriate to review the City's Commissions and Committees to determine which, by their advisory nature to the City Council, serve the Council in a manner which require full disclosure of conflicts of interest; and

WHEREAS, certain consultants who qualify under California Government Code §87100.1 as "employees of the City of Milpitas" must also fully disclose any financial interests they may have in conflict with the range of duties they are required to perform, subject to certain limitations set forth in the List of Designated Full Disclosure Positions (Appendix A).

NOW THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The Conflict of Interest Code List of Designated Filers, is hereby further amended, as attached to this Resolution as Appendix A, and is made a part hereof.

PASSED AND ADOPTED this ____ day of _____, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

APPENDIX “A”

**CITY OF MILPITAS CONFLICT OF INTEREST CODE
LIST OF DESIGNATED “FULL DISCLOSURE POSITIONS”**

ACCOUNTANT	HUMAN RESOURCES DIRECTOR
ACCOUNTANT TECHNICIAN	INFORMATION SERVICES DIRECTOR
ASSISTANT CITY ATTORNEY	OFFICE of EMERGENCY SERVICES COORDINATOR
ASSISTANT CITY ENGINEER	PERMIT CENTER MANAGER
ASSISTANT CITY MANAGER	PLANNING & NBRHOOD SERVICES DIRECTOR
ASSISTANT FIRE CHIEF	POLICE CAPTAIN
ASSISTANT FIRE MARSHAL	POLICE CHIEF
ASSISTANT INFO. SERVICES DIRECTOR	POLICE COMMANDER
ASSOCIATE PLANNER	PRINCIPAL ADMINISTRATIVE ANALYST
BUDGET MANAGER	PRINCIPAL CIVIL ENGINEER
BUILDING INSPECTOR	PRINCIPAL PLANNER
BUYER	PRINCIPAL TRANSPORTATION PLANNER
CHIEF BUILDING OFFICIAL	PUBLIC WORKS INSPECTOR
CAPITAL IMPROVEMENT PROJECTS MANAGER	PURCHASING AGENT
CITY CLERK	RECREATION SERVICES MANAGER
CITY ENGINEER/PUBLIC WORKS DIRECTOR	RECREATION SERVICES SUPERVISOR
DEPUTY CITY ATTORNEY	SENIOR ACCOUNTANT
ECONOMIC DEVELOPMENT MANAGER	SENIOR BUILDING INSPECTOR
ELECTRICAL INSPECTOR	SENIOR CODE ENFORCEMENT OFFICER
FINANCE MANAGER	SENIOR HUMAN RESOURCES ANALYST
FIRE BATTALION CHIEF	SENIOR PLAN CHECK ENGINEER
FIRE CAPTAIN, PREVENTION INSPECTOR	SENIOR PLANNER
FIRE CAPTAIN, HAZMAT INSPECTOR	SENIOR PUBLIC WORKS INSPECTOR
FIRE CHIEF	SENIOR TRANSPORTATION PLANNER
FIRE MARSHAL	TRAFFIC ENGINEER

- COMMISSIONERS – ARTS COMMISSION
- COMMISSIONERS - COMMUNITY ADVISORY COMMISSION
- COMMISSIONERS - ECONOMIC DEVELOPMENT COMMISSION
- COMMISSIONERS - PARKS, RECREATION AND CULTURAL RESOURCES COMMISSION
- COMMISSIONERS - TELECOMMUNICATIONS COMMISSION

CONSULTANTS:

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The City Manager, or his/her designee, may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and thus not required to fully comply with the disclosure requirements described in this resolution. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure required. The City Manager’s, or his/her designee’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.