

## RESOLUTION NO. 12198

### A RESOLUTION ADOPTING THE 2020 CONFLICT OF INTEREST CODE FOR THE CITY OF MONTEREY PARK IN ACCORDANCE WITH THE POLITICAL REFORM ACT.

The City Council of the City of Monterey Park (“City”) does resolve as follows:

**SECTION 1:** The City Council finds and declares as follows:

- A. The Political Reform Act (Government Code §§ 81000, *et seq.*; the “PRA”) and regulations adopted pursuant to the PRA (2 Cal. Code of Regs. §§ 18700, *et seq.*; “FPPC Regs.”) require local government to adopt conflict of interest codes (“COI”).
- B. The Fair Political Practices Commission promulgated FPPC Regs. § 18730, which contains the terms of a standard conflict of interest code that can be incorporated by reference as the City’s COI.
- C. The City Council previously directed the City Clerk’s office to review the COI pursuant to the PRA (Government Code § 87306.5).
- D. The City Clerk finished that review and made recommendations which the City Council incorporated into this Resolution.
- E. To fulfill its obligations under the PRA and FPPC Regs., the City Council adopts this 2020 Monterey Park COI as set forth in this Resolution.

**SECTION 2:** *2020 Monterey Park COI – Generally.* FPPC Regs. § 18730 is adopted by reference as the City of Monterey Park’s 2020 COI. Except as modified in this Resolution, all requirements of FPPC Regs. § 18730 apply as if fully set forth in this Resolution.

**SECTION 3:** *Monterey Park 2020 COI - Changes.* The 2020 Monterey Park COI includes the following changes:

- A. The term “investment” applies to financial interests in non-profit organizations as well as business entities;
- B. The term “Appendix” refers to Section 4 of this Resolution.

**SECTION 4:** *Designated Officials, Employees and Consultants.* For purposes of FPPC Regs. § 18730, designated employees and consultants are set forth below:

**A. Designated Officials and Employees:**

The positions listed below are designated positions. Officers and employees holding those positions are designated employees and are deemed to make or participate in making decisions which may foreseeably have a material effect on a financial interest. Disclosure includes specific types of investments, business positions, interests in real property, and sources of income which may foreseeably be materially affected by any decision made or participated in by the designated employee. Such disclosures must be made at the times and circumstances described by the City's Conflict of Interest Code.

Designated employees must disclose all interests as required by the Political Reform Act and regulations promulgated thereto. When a new position classification is created by the Administrative Services Department for City Council approval, the Administrative Services Department will recommend that the City Council decide whether the new position will be required to file a Statement of Economic Interest and be included as a designated position in the Conflict of Interest Code.

When the City Council establishes a Commission, Committee, or Board, the City Council will decide whether the members of the Commission, Committee or Boards be included as a designated position in the Conflict of Interest Code and the members of the Commission, Committee or Board so designated by the City Council, will be required to file a Statement of Economic Interest.

**COUNCIL, COMMISSIONS, COMMITTEES & BOARDS:**

- \* Members of the City Council
- \* Members of the Planning Commission
- Members of the Business Improvement District Advisory Committee
- Members of the Board of Library Trustees
- Members of the Successor Agency to the Former Monterey Park  
Redevelopment Agency
- Members of the Personnel Board

**OFFICE OF THE CITY MANAGER:**

- \* City Manager
- Assistant City Manager
- Economic Development Manager/Economic Development Project  
Manager
- Economic Development Specialist

**OFFICE OF THE CITY ATTORNEY:**

- \* City Attorney
- Assistant City Attorney
- Deputy City Attorney

OFFICE OF THE CITY CLERK:

City Clerk  
Deputy City Clerk

OFFICE OF THE CITY TREASURER:

\* City Treasurer

FIRE DEPARTMENT:

Fire Chief  
Apprentice Fire Inspector  
Division Chief  
Captain  
Fire Marshal  
Fire Inspector Fire Safety Specialist  
Code Enforcement Officer

HUMAN RESOURCES & RISK MANAGEMENT DEPARTMENT:

Director of Human Resources and Risk Management  
Senior Management Analyst  
Human Resource Analyst

LIBRARY:

City Librarian  
Senior Librarian  
Literacy Coordinator

MANAGEMENT SERVICES DEPARTMENT:

Director of Management Services  
Financial Services Manager  
Support Services Manager  
Support Services Supervisor  
Information Systems Specialist  
Senior Accountant

POLICE DEPARTMENT:

Police Chief  
Community Services Bureau Sergeant  
Police Captain  
Police Lieutenant  
Range Master

Technical Services Manager  
Traffic Bureau Sergeant

**PUBLIC WORKS DEPARTMENT:**

Director of Public Works/City Engineer  
Assistant City Engineer  
Public Works Manager  
Water Utility Manager  
Civil Engineering Associate  
Civil Engineer Assistant  
Civil Engineer Technician  
Planning Manager  
Senior Planner  
Assistant Planner  
Building Official  
Building Inspector  
Plan Checker

**RECREATION & COMMUNITY SERVICES DEPARTMENT**

Director of Recreation and Community Services  
Recreation Manager  
Recreation Supervisor

\* Listed in the code for information purposes only. These positions file under Government Code Section 87200 with the Fair Political Practices Commission.

**B. Consultants:**

The City Manager may determine in writing that a particular consultant is hired to perform a range of duties that requires the consultant to fully comply with the disclosure requirements described in this section. Such written determination must include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager determination is a public record and must be retained for public inspection in the same manner and location as this conflict of interest code."

**SECTION 5: *Statement of Economic Interests: Place of Filing.***

Designated employees must file Statements of Economic Interests with the City of Monterey Park, on forms created by the Fair Political Practices Commission, in conformance with the individual disclosure categories and state guidelines, when requested by the City Clerk. The City Clerk will retain custody of the Statements

and make them available for public inspection and reproduction. Designated employees listed in the Code with an asterisk (\*) must either file their Statements directly with the Fair Political Practices Commission in conformance with state guidelines, or file one original copy of their Statement of Economic Interest with the City Clerk, who must make and retain a copy and forward the original to the California Fair Political Practices Commission. All other designated employees must file one original copy of their Statement of Economic Interest with the City Clerk.

**SECTION 6:** *Disclosure and Disqualification:*

- A. Interest and Positions in Non-Profit Organizations.** Whenever a disclosure category requires disclosure of specific financial interests or positions in business entities, disclosure of equivalent financial interests or positions in non-profit organizations is required. Disqualification must be required as to a disclosed interest or position in a non-profit organization whenever disqualification would have been required as a result of an equivalent financial interest or position in a business entity.
- B. Proximity of Officials – Financial Interest Presumed.** It is the responsibility of the City Clerk, or designee, to prepare and maintain conflict maps for each elected and appointed public official serving on the City Council, boards, commissions, or committees. Such conflict maps must graphically depict radii lines measuring (1) 500 feet from an official's interests in real property; and (2) 1,000 feet from an official's interests in real property. Such radial lines must be measured from the parcel lines in accordance with FPPC Regs. Before each meeting, the City Clerk's designee must inform public officials regarding potential conflicts based upon real property interests based upon such conflict maps.

**SECTION 7:** *Travel Payments, Advances and Reimbursements.* If a payment, including an advance or reimbursement, for travel is required to be reported pursuant to Government Code § 87207, it may be reported on a separate travel reimbursement schedule which shall be included in the filer's statement of economic interests. A filer who chooses not to use the travel schedule shall disclose payments for travel as a gift, unless it is clear from all surrounding circumstances that the services provided were equal to or greater in value than the payments for the travel, in which case the travel may be reported as income.

**SECTION 8:** Resolution No. 12036 (adopted September 19, 2018) and any other resolution or policy purporting to establish a conflict of interest code, are superseded by this Resolution.

**SECTION 9:** Repeal of any provision of any resolution or policy herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Resolution's effective

date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

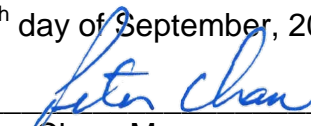
**SECTION 10:** A late fine of \$10 per day up to a maximum of \$100 will be assessed, commencing on the day after the form is due to the City Clerk's office. In addition, if a matter is referred to the FPPC's Enforcement Division for failure to file or failure to include all required economic interests, the fine may be substantially higher. If an individual does not pay a fine, the matter may be referred to the Finance Tax Board for collection.

**SECTION 8:** *Electronic Signatures.* This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

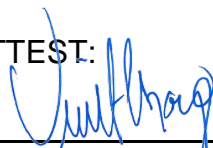
**SECTION 11:** The City Clerk will certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

**SECTION 12:** This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this 16<sup>th</sup> day of September, 2020

  
\_\_\_\_\_  
Peter Chan, Mayor

ATTEST:

  
\_\_\_\_\_  
Vincent D. Chang, City Clerk

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By:   
\_\_\_\_\_  
Natalie C. Karpeles, Deputy City Attorney

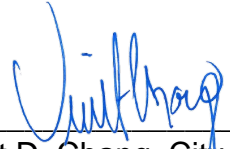
**CERTIFICATION**

**STATE OF CALIFORNIA            )**  
**COUNTY OF LOS ANGELES    )       SS**  
**CITY OF MONTEREY PARK     )**

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 12198 was duly adopted by the City Council of the City of Monterey Park, at a regular meeting held on the 16<sup>th</sup> day of September, 2020 by the following vote:

Ayes:            Council Members: Liang, Sornoso, Lo, Yiu, Chan  
Noes:            Council Members: None  
Absent:          Council Members: None  
Abstain:         Council Members: None

Dated this 16<sup>th</sup> day of September, 2020.

  
\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park, California