

# **EXHIBIT A**

## **CITY OF NAPA CONFLICT OF INTEREST CODE**

**2018-2020**

Each person identified in this Exhibit "A" as either a "Government Code Section 87200 Filer" or as a "designated employee" shall file with the City Clerk a Statement of Economic Interest (providing the information required by the relevant Disclosure Category identified on this Exhibit "A" and Exhibit "B"). Statements of Economic Interest shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the City Clerk, and they shall contain the information required by FPPC Regulations Subsections 18730(b)(5.5), (6), and (7), as supplemented by this Conflict of Interest Code. Beginning in the filing year 2015, the City Clerk is authorized to permit electronic filing of a Statement of Economic Interest, using an electronic filing system approved by the Fair Political Practices Commission.

This Conflict of Interest Code applies to the City of Napa, as well as designated "City agencies" (the Housing Authority of the City of Napa, the Parking Authority of the City of Napa, the Successor Agency to the Napa Community Redevelopment Agency, and the Napa Redevelopment Successor Agency Oversight Board). Therefore, to the extent that this Conflict of Interest Code identifies obligations of a "City agency," or an officer or employee of a "City agency," the phrase "City" shall to refer to each of the "City agencies"; and the phrase "City Council" shall refer to the governing body of each of the "City agencies."

1. The phrase "Government Code Section 87200 Filer" means each person holding one of the positions defined by California Government Code Sections 87200, including each of the following positions:
  - a. Mayor
  - b. Each City Councilmember
  - c. Each Planning Commissioner
  - d. City Manager
  - e. City Attorney
  - f. City Treasurer
  - g. Any City official who manages public investments
2. The term "designated employee" means any person (including any public official) whose position with the City either: (a) is identified on this Exhibit "A"; or (b) involves the making or participation in making of governmental decisions which may have a foreseeable material effect (either positive or negative) on any financial interest of the person, and the position of the person has been identified by the City Manager as a "designated employee" in a written notice to the person with a copy on file with the City Clerk.
  - a. A "public official" is any person who (in their capacity as a salaried or unsalaried officer, employee, consultant of the City, or in their capacity as a member of a legislative body appointed by City Council), is authorized to make or participate in making a governmental decision.

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- b. A “legislative body” is any body of people, created by City Charter or formal action of the City Council, to act in an advisory or decision-making capacity regarding matters within the subject matter jurisdiction of the City, which is subject to the requirements of the California Brown Act. (See California Government Code Section 54952.)
- c. A “governmental decision” is any action taken by a government agency that has a financial effect on any person other than the governmental agency making the decision, as defined by FPPC Regulation Section 18700.
- d. A public official is authorized to make or participate in making a governmental decision if the public official is authorized to take any one or more of the actions defined by FPPC Regulations Sections 18700 and 18704, which include the following:
  - 1. A member of a legislative body appointed by City Council is authorized to make or participate in making a governmental decision if the body has the authority to:
    - a. Make a final governmental decision;
    - b. Compel or prevent a governmental decision either by reason of an exclusive power to initiate the decision or by reason of a veto that may not be overridden; or
    - c. Make substantive recommendations that, over an extended period of time, are regularly approved without significant amendment or modification by another public official or governmental agency.
  - 2. An individual public official (including any officer, employee, or consultant) is authorized to make or participate in making a governmental decision if the individual:
    - a. Authorizes or directs any action, appoints a person, obligates or commits his or her agency to any course of action, enters into any contractual agreement on behalf of his or her agency; or
    - b. Provides information, an opinion, or a recommendation for the purpose of affecting the decision without significant intervening substantive review;
- e. A “consultant” specifically includes any person who is authorized to act in a staff capacity to perform the same or substantially all the same duties that would otherwise be performed by an employee holding a position identified on this Exhibit “A” as either a designated employee or a “Government Code Section 87200 Filer,” and any person defined as a “consultant” pursuant to FPPC Regulations Section 18700.3(a).
- f. The phrase “foreseeable material effect on any financial interest” shall be interpreted in accordance with FPPC Regulations Sections 18700, *et seq.*
- g. Individuals holding designated positions shall file their statements of economic interests with the City Clerk, which will make the statements available for public inspection and reproduction (Gov. Code Sec. 81008).

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- h. Electronic Statements submitted for the “Government Code Section 87200 Filers” will be forwarded to the FPPC via an electronic data exchange between the City of Napa’s electronic filing system, and the FPPC’s electronic filing system. Upon hard copy receipt of statements for the “Government Code Section 87200 Filers”, the City Clerk shall make and retain copies and forward the originals to the FPPC. All other statements will be retained by the City Clerk.

### **Government Code Section 87200 Filer: Disclosure Category 1**

- Mayor
- City Councilmembers
- City Manager
- City Attorney
- City Treasurer (Finance Director)
- Planning Commissioners
- Any City official who manages public investments

### **Each member of the following Legislative Bodies, that are City Agencies, shall be deemed a Designated Employee: Disclosure Category 1**

- Housing Authority of the City of Napa
- Parking Authority of the City of Napa
- Successor Agency to the Napa Community Redevelopment Agency
- Napa Redevelopment Successor Agency Oversight Board

### **Each member of the following Legislative Bodies that are City Boards, Commissions and Committees, shall be deemed a Designated Employee: Disclosure Category 1**

- Building and Fire Code Board of Appeals (Housing Appeals Board)
- Civil Service Commission
- Community Development Block Grant Committee
- Cultural Heritage Commission
- Disability Access Board of Appeals
- Public Art Steering Committee
- Parks, Recreation and Trees Advisory Commission

### **Each of the following positions shall be deemed a Designated Employee with the following Disclosure Categories:**

Department	Position	Disclosure Category
CITY MANAGER		
	Assistant City Manager Development Services	1
	Deputy City Manager	1
	Management Analyst (Community Relations)	1

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	Auditor	1
	Parking Programs Manager	1
<b>CITY ATTORNEY</b>		
	Assistant City Attorney	1
	Deputy City Attorney	1
<b>CITY CLERK</b>		
	City Clerk	1
	Deputy City Clerk	1
	Records Analyst	1
<b>COMMUNITY DEVELOPMENT</b>		
	Community Development Director	1
	Management Analyst II	2
<b>Building</b>		
	Chief Building Official	1
	Deputy Chief Building Official	1
	Senior Building Inspector	3 & 4
	Building Inspector	3 & 4
	Plan Examiner	3 & 4
	Permit Technician	3 & 4
<b>Code Enforcement</b>		
	Code Enforcement Officer	1
<b>Housing</b>		
	Housing Manager	1
	Affordable Housing Program Supervisor	1
	Housing Rehabilitation Program Supervisor	1
	Rental Assistance Program Supervisor	1
	Affordable Housing Representative	1
	Housing Specialist	3
<b>Planning</b>		
	Planning Manager	1
	Senior Planner	1
	Associate Planner	1
	Assistant Planner	1
	Planning Aide	3 & 4
<b>ECONOMIC DEVELOPMENT</b>		
	Economic Development Manager	1
	Senior Development Project Coordinator	1
	Development Project Coordinator	1
<b>FINANCE</b>		
	Finance Director	1
	Finance Manager	1
	Accounting/Audit Supervisor	1
	Revenue Operations Supervisor	1
	Purchasing Manager	1
	Finance Analyst	1
	Senior Accountant	1

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	Deputy Auditor	1
	Information Technology Manager	1
<b>FIRE</b>		
	Fire Chief	1
	Administrative Services Manager	1
	Fire Division Chief	1
	Battalion Chief	1
	Fire Marshal	1
<b>HUMAN RESOURCES</b>		
	Human Resources Director	1
	Human Resources Manager	1
	Management Analyst II	1
	Management Analyst I	1
	Safety Analyst	1
<b>PARKS AND RECREATION</b>		
	Parks and Recreation Director	1
	Recreation Supervisor	1
	Management Analyst II	2
	Parks and Urban Forestry Manager	1
	Recreation Manager	1
<b>POLICE</b>		
	Police Chief	1
	Police Captain	1
	Police Lieutenant	5
	Communications Manager	1
	Police Records Bureau Administrator	1
<b>PUBLIC WORKS</b>		
	Public Works Director	1
	Deputy Public Works Director	1
	Administrative Services Manager	1
	Public Works Operations Manager	1
	Property Manager	1
	Senior Civil Engineer	1
	Associate Civil Engineer	3 & 4
	Assistant Engineer	3 & 4
	Management Analyst II	1
	Construction Inspector	4
	Engineering Assistant (Stormwater)	4
	Assistant Construction Inspector	4
	Supervising Engineering Assistant	4
	Senior Construction Inspector	4
	Maintenance Superintendent	3 & 4
<b>UTILITIES</b>		
	Utilities Director	1
	Deputy Utilities Director	1
	Control Systems Administrator	1

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	Water Quality Manager	1
	Water Resources Analyst	1
	Materials Diversion Administrator	1
	Purchasing and Inventory Specialist	1
	Water Conservation Specialist	1
	Senior Civil Engineer	1
	Associate Civil Engineer	3&4
	Management Analyst II	1
<b>CONSULTANTS</b>		
Consultants, as defined by FPPC Regulations Section 18700.3, are required to file a Statement of Economic Interests Form within 30 days of approval of a contract services agreement with the City (or City entity), on an annual basis thereafter, during the term of the contract, and within 30 days of completion of the contract.		1
<b>DISCLOSURE FOR NEWLY CREATED POSITIONS</b>		
Persons in newly created positions must file a Form 700 within thirty days of assuming office. In accordance with FPPC Regulations Section 18734, persons in newly created positions shall file under the broadest disclosure category in the agency's Conflict of Interest Code unless the City Manager determines the broadest disclosure is not necessary and sets an interim disclosure that is more tailored to positions with a limited range of duties. This determination shall include a description of the position's duties and, based upon that description, a statement of the extent of disclosure requirements.		

**CITY OF NAPA**  
**CONFLICT OF INTEREST CODE**  
Appendix of Disclosure Categories

	<p><b>Definition:</b> <i>“ECONOMIC INTERESTS REQUIRED TO BE DISCLOSED”:</i></p> <p>The phrase “economic interests required to be disclosed” shall mean all economic interests as required by California Government Code Sections 87200, <i>et seq.</i>, and pursuant to the regulations promulgated by the Fair Political Practices Commission (“FPPC”) for the filing of the Statement of Economic Interests (Form 700). The economic interests required to be disclosed shall include all investments (Form 700, Schedules A-1 and A-2); real property (Form 700, Schedule B); and income, loans, and business positions (Form 700, Schedules C, D, and E). It should be noted that FPPC Regulations identify particular parameters and exceptions for the disclosure of economic interests.</p>
1	All economic interests required to be disclosed.
2	That portion of economic interests required to be disclosed that are investments (Form 700, Schedules A-1 and A-2); and income, loans, and business positions (Form 700, Schedules C, D, and E) to the extent that the economic interest involves the manufacture, distribution, sale, lease, or provision of goods (including any materials, supplies, or equipment) or services (including consulting, repairs, or maintenance) of the type utilized or regulated by the department or division to which the designated employee is assigned.
3	That portion of economic interests required to be disclosed that are real property interests (Form 700, Schedule B).
4	That portion of economic interests required to be disclosed that are investments (Form 700, Schedules A-1 and A-2); and income, loans, and business positions (Form 700, Schedules C, D, and E) to the extent that the economic interest involves private or public development or construction (including but not limited to developers, architects, engineers, consultants, contractors, subcontractors, and suppliers).
5	That portion of economic interests required to be disclosed that are real property interests (Form 700, Schedule B) to the extent that the real property interests are in residential rental property involving three or more units, or any other property subject to fire inspection.