

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
CHULA VISTA MUNICIPAL CODE SECTION 2.02.030
RELATING TO THE CONFLICT OF INTEREST CODE OF
THE CITY OF CHULA VISTA

WHEREAS, the Political Reform Act (California Government Code sections 87100 through 91014), requires certain officials and candidates to file Statements of Economic Interests (Form 700) and requires local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the City Council adopted Ordinance No. 2807, adopting by reference the standardized conflict of interest code contained in Title 2 of the California Code of Regulations, Section 18730, and any amendments thereto that are adopted by the Fair Political Practices Commission; and

WHEREAS, the Political Reform Act requires every local agency to periodically review its Conflict of Interest Code to determine if amendments are necessary; and

WHEREAS, the City Attorney and the City Clerk have reviewed the City's Conflict of Interest Code (Chula Vista Municipal Code chapter 2.02) and determined that amendments to the Code are necessary.

NOW THEREFORE the City Council of the City of Chula Vista does ordain as follows:

Section I. Chula Vista Municipal Code section 2.02.030(B) is amended to read as follows:

B. The City Council shall set forth by resolution the officials, designated employees, and consultants who are required to file statements of economic interests and the disclosure categories under which each such official, designated employee and consultant shall file. By this reference, the resolution, and any amendments to it, is incorporated into this conflict of interest code. The City's disclosure categories are set forth below (**please refer to the definitions within this Chapter and the PRA for capitalized terms in bold type**):

Disclosure Category 1: Report all of the following:

- a. **Investments** in, and business positions held with, any **Business entity** located in, or doing business within the City's **Jurisdiction**, or doing business with the City; and
- b. **Income** from any source, regardless of the jurisdiction in which the source resides or does business.

Disclosure Category 2: Report any **Interest in real property** for such real property that is located within the **Jurisdiction** of the City.

Disclosure Category 3: Report all of the following:

- a. **Investments** in, and positions held with, any **Business entity**, that is subject to the regulatory, permitting, or licensing authority of the City department in which you work (“Departmental Authority”); and
- b. **Interests in real property** if the real property is subject to such Departmental Authority; and
- c. **Income** from any source which is subject to such Departmental Authority.

Disclosure Category 4: Report all of the following:

- a. **Investments** in, and business positions held with, any **Business entity** that engages in land development, construction, or the acquisition or sale of real property, within the **Jurisdiction** of the City; and
- b. **Income** from any source that that engages in land development, construction, or the acquisition or sale of real property, within the **Jurisdiction** of the City.

Disclosure Category 5: Report all of the following:

- a. **Income** from sources that provide leased facilities, goods, equipment, vehicles, machinery, or services (including training or consulting services), of the type utilized by the City (“City Goods and Services”); and
- b. **Investments** in, and business positions held with, any **Business entity** which provides such City Goods and Services.

Disclosure Category 6: Report all of the following:

- a. **Income** from any source that provides leased facilities, goods, equipment, vehicles, machinery, or services (including training or consulting services), of the type utilized by the City department in which you work (“Departmental Goods and Services”); and
- b. **Investments** in, and business positions held with, any **Business entity** which provides such Departmental Goods and Services.

Disclosure Category 7: Report all of the following:

- a. **Income** from any source that is of the type that receives grants or other monies from or through the City; and
- b. **Investments** in, and business positions held with, any **Business entity**, including non-profit organizations, that is of the type that receives grants or other monies from or through the City.

Section II. Severability

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

Section III. Construction

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

Section IV. Effective Date

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

Section V. Publication

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by

Approved as to form by

Donna R. Norris, CMC
City Clerk

Glen R. Googins
City Attorney