

ORDINANCE 2024-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ENCINITAS, CALIFORNIA, AMENDING ENCINITAS MUNICIPAL CODE CHAPTER 2.12 CONFLICT OF INTEREST CODE, SECTION 2.12.060(C) DESIGNATED CITY POSITIONS

WHEREAS, Government Code Section 87306.5 requires every local government agency to review its Conflict of Interest Code by July 1 of each even-numbered year to determine if it is accurate or if the code must be amended. In addition, at any time an agency may amend its code when change is necessitated by changed circumstances, including the creation of new positions and position title changes.

WHEREAS, Staff has reviewed the City's Conflict of Interest Code, including the list of designated employees and disclosure categories, and determined that amendments are necessary to EMC Chapter 2.12 Conflict of Interest Code, Section 2.12.060(C) Designated City Positions.

NOW, THEREFORE, the City Council of the City of Encinitas, California, hereby ordains as follows:

SECTION ONE:

That Encinitas Municipal Code Chapter 2.12 Conflict of Interest Code, Section 2.12.060(C) Designated City Positions is hereby amended as shown in **Exhibit A** to this Ordinance.

SECTION TWO: ENVIRONMENTAL COMPLIANCE.

The action being considered by the City Council is exempt from the California Environmental Quality Act (CEQA) because it is not a "project" under Section 15378(b)(5) of CEQA Guidelines. The action involves an organizational or administrative activity of government that will not result in the direct or indirect physical change in the environment.

SECTION THREE: CONSISTENCY.

Any provision of the Encinitas Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION FOUR: SEVERABILITY.

If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional.

SECTION FIVE: EFFECTIVE DATE.

This Ordinance shall take effect and be in force thirty (30) days after its passage and the City Clerk of the City of Encinitas is hereby authorized to use summary publication procedures pursuant to Government Code Section 36933 utilizing the Coast News, a newspaper of general circulation published in the City of Encinitas.

This Ordinance was introduced at a regular meeting of the City Council held on the 14th day of August 2024.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council held on the 28th day of August, 2024.

Tony Kranz, Mayor

ATTEST:

Kathy Hollywood, City Clerk

APPROVED AS TO FORM

Tarquin Preziosi, City Attorney

CERTIFICATION: I, Kathy Hollywood, City Clerk of the City of Encinitas, California, do hereby certify under penalty of perjury that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 14th day of August, 2024 and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the 28th day of August, 2024 by the following vote, to wit:

AYES: **Blackwell, Ehlers, Kranz, Lyndes**
NOES: **None**
ABSENT: **Hinze**
ABSTAIN: **None**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Encinitas, California, this 28th day of August, 2024.

Kathy Hollywood, City Clerk

EXHIBIT A
TO
ORDINANCE
2024-09

Section 2.12.060(C)	Designated City Positions —Disclosure Categories 1, 2, 3, 4 apply to all positions listed below:
1.	Accountant I-III
2.	Administrative Services Director
3.	Administrative Services Manager
4.	Arts Program Administrator
5.	Arts Program Manager
6.	Assistant Center Manager
7.	Assistant City Manager
8.	Assistant Director of Development Services
9.	Assistant Director of Engineering
10.	Assistant Finance Director
11.	Assistant Public Works Director/Assistant General Manager
12.	Center Manager
13.	City Clerk & Legislative Services Director
14.	City Traffic Engineer
15.	Code Enforcement Officer I-III
16.	Code Enforcement Supervisor
17.	Department Administrative Support Coordinator
18.	Department Manager I / Assistant to the City Manager
19.	Department Manager I-II
20.	Deputy City Clerk
21.	Deputy City Manager
22.	Deputy Fire Chief
23.	Deputy Fire Marshal I-II
24.	Development Services Director
25.	Director of Engineering / City Engineer
26.	Engineer I-II
27.	Engineering Specialist I-III
28.	Environmental Project Manager
29.	Facilities Specialist
30.	Facilities Supervisor
31.	Finance & City Treasurer Director
32.	Finance Analyst I-III
33.	Finance Manager I-III
34.	Fire Administrative Manager
35.	Fire Chief

36.	Fire Marshal
37.	Fleet Maintenance Supervisor
38.	Geographic Information Systems Analyst I-III
39.	Homeless Solutions Coordinator
40.	Homeless Solutions Manager
41.	Housing Services Manager
42.	Human Resources Director
43.	Human Resources Analyst I-III
44.	Human Resources Manager
45.	Human Resources Specialist
46.	Human Resources Technician I-II
47.	Information & Technology Director
48.	Information Technology Analyst I-III
49.	Information Technology Project Manager
50.	Information Technology Supervisor
51.	Lead Inspector
52.	Management Analyst I-III
53.	Marine Safety Captain
54.	Marine Safety Lieutenant
55.	Marine Safety Sergeant
56.	Mobility Manager
57.	Park Operations Manager
58.	Parks & Beach Supervisor I-II
59.	Parks, Recreation & Cultural Arts Director
60.	Planner I-IV
61.	Planning Manager
62.	Principal Engineer
63.	Principal Planner
64.	Program Administrator
65.	Public Works Director
66.	Recreation Services Manager
67.	Recreation Supervisor I-III
68.	Risk/Safety Analyst I-III
69.	Senior Deputy Fire Marshal
70.	Senior Engineer
71.	Senior Finance Analyst
72.	Senior Human Resources & Workers' Compensation Analyst

73.	Senior Management Analyst
74.	Senior Payroll Specialist
75.	Senior Planner I-II
76.	Senior Planner I - Mobility Coordinator
77.	Senior Risk Analyst
78.	Special Events & Projects Supervisor
79.	Stormwater Environmental Specialist I-III
80.	Superintendent
81.	Sustainability Manager