**Chapter 2.40 - CONFLICT OF INTEREST CODE**

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**2.40.010 Positions Covered By The Conflict Of Interest Code**

The provisions of this chapter shall apply to those positions specifically enumerated in Section 2.40.020 and to those consultants of the city of Live Oak as specified in Section 2.40.030. As used herein, a consultant is any natural person who provides under contract, information, advice, recommendation or council to the city. (Ord. 435 (part), 1996)

**2.40.020 Positions Requiring Annual Disclosure**

A. Those persons who hold the position specified in subsection (B) below shall file an annual statement with the city clerk of the city of Live Oak on or before April 1st of each year, a statement disclosing investments, interests in real property and income for a period of one year prior to the filing of said statement. These statements shall be in form and format similar to that required by the Fair Political Practices Commission required to be filed by those persons specified in Government Code Section 87200 concerning the supplemental annual statements to be filed by said persons pursuant to Government Code Section 87203. To the extent that a person falling within the category specified in subsection (B) below, is already required to file annual statements pursuant to Government Code Section 87203 (with respect to the city of Live Oak), it shall not be necessary for that person to file a statement pursuant to this section.

B. The persons required to file statements as specified in subsection (A) above are as follows:

1. Building inspector.

2. Planning director or its equivalent consultant position.

3. Public works director.

4. Fire chief or its equivalent contract position.

In as much as the city of Live Oak currently contracts for fire services, the fire captain assigned to the Live Oak Fire Department shall file such statement.

5. Chief of police or its equivalent position.

In as much as the city of Live Oak currently contracts for police services with the Sutter County sheriff, the sergeant assigned to oversee Live Oak operations shall file the required statement.

6. The administrative assistant to the city manager. (Ord. 435 (part), 1996)

**2.40.030 Determination Of Matters To Be Disclosed By Consultant**

The city manager may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this chapter. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The city manager’s determination is a public record and shall be retained for public inspection in the same manner and location as the city’s municipal code. (Ord. 435 (part), 1996)

**2.40.040 Disclosure Requirement For Consultants**

To the extent deemed necessary by the city manager, a consultant shall disclose those investments, business positions, interests in real property and sources of income as might be applicable to the consultant with respect to the advice to be given to the city. To the extent required by the city’s administrator, each consultant covered by the provisions of this chapter shall, within thirty days of receipt of written notification from the city manager, file statements disclosing reportable investments, business positions, interests in real property and income. Thereafter, until the consultant is no longer consulting with the city, each consultant shall file an annual statement on or before April 1st of each year disclosing reportable investments, business positions, interests in real property and income held or received at any time during the reporting period. (Ord. 435 (part), 1996)

**2.40.050 Disqualification From Decision Making**

Any person covered by the provisions of this chapter who has a financial interest as defined in Government Code Section 87103 shall be disqualified from making, participating in the making, or using their official position to influence the making of any decision in which it is reasonably foreseeable that said decision might materially affect the financial interest of said person. No person covered by the provisions of this chapter shall be required to disqualify himself with respect to any matter which could not legally be acted upon or decided without his participation, (Ord. 435 (part), 1996)