Title 2
ADMINISTRATION AND PERSONNEL

Chapters:

2.04	City Council Meetings
2.08	Officers
2.12	City Manager
2.14	Code Enforcement Officer
2.16	Finance Director
2.20	Police and Fire Department Duties
2.24	Planning Commission
2.28	Emergency Services
2.30	Board of Administrative Appeals
2.36	Employee Conflict of Interest
2.40	Right of Entry
2.44	Employee Retirement System
2.48	Peace Officer Standards and Training
2.54	Environmental Review

Chapter 2.04
CITY COUNCIL MEETINGS

Sections:

2.04.010	Time and place--Generally.
2.04.020	Time and place--Holiday.
2.04.030	Notice not required.
2.04.040	Rules of procedure.

2.04.010 **Time and place--Generally.** Regular meetings of the city council shall be held at such times and places as may be fixed by resolution duly adopted by the city council. (Ord. 303 §1, 1959)

2.04.020 **Time and place—Holiday.** If a regular meeting of the city council falls on a legal holiday, such meeting shall be held on the next Wednesday not a legal holiday. (Ord. 303 §2, 1959)

2.04.030 **Notice not required**. No notice shall be required for any regular meeting of the city council (Ord. 303 §3, 1959)

2.04.040 **Rules of procedure** Robert's Rules of Order, supplemented by Parliamentary Procedures at a Glance constitute the rules of order for all meetings of the city council. (Ord. 595 §2, 1984)

Chapter 2.08
OFFICERS

Sections:

2.08.010 Composition.
2.08.020 Election or appointment.
2.08.030 Term of appointed officers.
2.08.040 Bond required for certain officers.
2.08.050 Commission by warrant.
2.08.060 Transfer of property and effects of office.
2.08.070 Suspension.
2.08.080 Salaries--Generally.
2.08.090 Performance of duties.
2.08.100 City Council--Salaries--Generally.
2.08.110 City Council--Reimbursement.
2.08.120 Repealed 10/89.
2.08.130 Repealed 10/89.
2.08.140 Repealed 10/89.

2.08.010 Composition. The officers of the city shall consist of a city council composed of five members, a city clerk, a city treasurer, a chief of police, a recorder, a city attorney, a street superintendent, a health officer, a pound master, and such other officers as the city council may from time to time deem necessary or expedient. (Ord. 3 §l, 1913)

2.08.020 Election or appointment. The city council, the city clerk, the city treasurer, ***** ~~and the chief of police~~ shall be elected in accordance with the laws of the state. The other officers provided for in Section 2.08.010 shall be appointed by the city council. All appointments of officers shall be made before the second regular meeting of the city council in each fiscal year, and as often as any vacancy may occur. (Ord. 3 §2, 1913)

*****Repealed by operation of law by Government Code Section 34856 (adopted in 1965) and Beaumont Municipal Code Section 2.12.060.C (adopted in 1965)

2.08.030 Term of appointed officers. All officers appointed shall hold their offices during the fiscal year in which they are appointed, and until their successors are appointed and qualified, unless otherwise specified in the ordinance covering the office. (Ord. 3 §3, 1913)

2.08.040 Bond required for certain officers. The following named officers shall be required to give bonds payable to the city in the amounts named below:

A. Treasurer, ten thousand dollars;
B. City manager, ten thousand dollars;
C. Finance director, ten thousand dollars. (Ord. 570 §4, 1983; Ord. 3 §4, 1913)

2.08.050 Commission by warrant. All officers elected or appointed shall be commissioned by warrant under the corporate seal, signed by the chairman of the city council and the city clerk. (Ord. 3 §5, 1913)

2.08.060 Transfer of property and effects of office. Any person having been an officer of the city shall within five days after notification and request, deliver to his successor in office all property and effects of any description in his possession belonging to the city and pertaining to his office. (Ord. 3 §6, 1913)

2.08.070 **Suspension.** Any appointed officer, unless otherwise specified in the ordinance covering his office, may be suspended from his office with or without cause by the city council. (Ord. 3 §7, 1913)

2.08.080 **Salaries--Generally.** The officers of the city shall receive such salaries and compensations as the city council shall, by ordinance, from time to time determine; provided, however, that after the same has been fixed, such salary or compensation shall not be increased or diminished, to take effect during the term for which any such officer was elected or appointed. The salaries of all officers shall be paid monthly to each person entitled thereto. (Ord. 3 §8, 1913)

2.08.090 **Performance of duties.** All officers of the city shall perform such duties as the laws of the state provide, and the city council of the city shall from time to time prescribe. (Ord. 3 §9, 1913)

2.08.100 **City Council—Salaries** "Each member of the City Council shall receive a salary of $400.00 per month, to be paid at the same time and in the same manner as salaries are paid to other officers and employees of the City. The salary may be increased by ordinance or by an amendment thereto, in an amount of up to 5% for each calendar year from the operative date of the last salary adjustment in effect when the ordinance or amendment is enacted." (Ord. 999, 8.16.2011)

2.08.110 **City Council--Reimbursement.** The salaries prescribed in Section 2.08.110 are and shall be exclusive of any amounts payable to each member of the Council as reimbursement for actual and necessary expenses incurred by each Council Member in the performance of official duties for the City. (Ord. 678 §3, 1989; Ord. 453 §2, 1974)

2.08.120 Repealed, Ord. 678 §l, 1989.
2.08.130 Repealed, Ord. 678 §l, 1989.
2.08.140 Repealed, Ord. 678 §l, 1989.

Chapter 2.12
CITY MANAGER

Sections:

2.12.010 Office created.
2.12.020 Eligibility.
2.12.030 Bond.
2.12.040 Absence.
2.12.050 Compensation.
2.12.060 Powers and duties.
2.12.070 Removal.
2.12.080 Removal after municipal election.
2.12.090 Orders and directions.

2.12.010 **Office created.** The office of city manager for the city is created and established. The city manager shall be appointed by the city council solely on the basis of his executive and administrative qualifications and ability, and shall hold office at and during the pleasure of the city council. (Ord. 363 §l, 1965)

2.12.020 **Eligibility**. Residence in the city, at the time of appointment, shall not be required as a condition of appointment. (Ord. 363 §2, 1965)

2.12.030 **Bond.** The city manager shall furnish a corporate surety bond to be approved by the city council in such sum as may be determined by the city council and shall be conditioned on the faithful performance of the duties imposed on the city manager as described in this chapter. The bond fee is to be paid to the city. (Ord. 363 §3, 1965)

2.12.040 **Absence**. The city manager shall appoint, subject to the approval of the city council, one of the other officers or department heads of the city to serve as assistant city manager. The assistant city manager will serve only as manager pro tem during any temporary absence or disability of the city manager. In the case of absence or disability of the city manager and his failure to so appoint a manager pro tem, the city council may designate some duly qualified person to perform the duties of the city manager. The city manager pro tem shall be subject to the same qualifications, terms, and conditions and shall have the same powers and duties during the period of such absence or disability of the city manager. (Ord. 363 §4, 1965)

2.12.050 **Compensation.** The city manager shall receive such compensation as the city council shall from time to time determine and fix by resolution, and the compensation shall be a proper charge against such funds of the city that the city council shall designate. (Ord. 363 §5, 1965)

2.12.060 **Powers and duties.** The city manager shall be the administrative head of the city government under the direction and control of the city council, except as otherwise provided in this chapter. He shall be responsible for the efficient administration of all the affairs of the city which are under his control. In addition to his general powers as administrative head, and not as a limitation thereon, it shall be his duty and he shall have the power:

A. To see that all laws and ordinances of the city are enforced, and that all franchises, permits and privileges granted by the city are faithfully observed;

B. To control, order and give directions to all head of departments, subordinate officers and employees of the city, except the city clerk, city employees from one department to another; and to consolidate or combine offices, positions, departments or units under his direction;

C. To appoint, promote, demote and remove any officers and employees of the city except the city clerk, city treasurer, city attorney, and members of the planning commission;

D. To exercise control over all departments of the city government and over all appointive officers and employees thereof, except the city clerk, city treasurer, city attorney, and members of the planning commission;

E. To attend all meetings of the city council and planning commission unless excused there from by the council, except when his removal is under consideration by the council;

F. To recommend to the city council for adoption such measures and ordinances as he deems necessary or expedient;

G. To keep the city council at all times fully advised as to the financial conditions and needs of the city;

H. To prepare and submit to the city council the annual budget; council approval of the annual budget or schedule of anticipated expenditures constitutes approval to the purchasing agent to procure any items therein listed; provided, however, no purchase shall be made of an item exceeding in cost the sum of one thousand dollars, or as amended from time to time by resolution, without first obtaining approval of the city council; any items not so listed must first have approval from the city council before purchase can be authorized by the city manager; no expenditures shall be submitted or recommended to the city council, except on report or approval of the city manager; I. To make investigations into the affairs of the city, and any department or division thereof, and any contract, or the proper performance of any obligations running to the city;

J. To investigate all complaints in relation to matters concerning the administration' of the city government and in regard to the service maintained by public utilities in the city, and to see that all franchises, permits and privileges granted by the city are faithfully performed and observed;

K. To exercise general supervision over all public buildings, public parks and other public property which are under the control and jurisdiction of the city council and not specifically delegated to a particular board or officer;

L. He shall devote his time diligently to the duties of his office and the interest of the city;

M. The services and facilities of the city clerk, city treasurer, and the city attorney shall be made available to the city manager to the same extent, in the same manner, and to the same effect they are available to the city council;

N. To perform such other duties and exercise such other powers as may be delegated to him from time to time by ordinance or resolution of the city council. (Ord. 484 §1, 1977; Ord. 363§6, 1965)

2.12.070 Removal.

A. The removal of the City Manager shall be only on a majority vote of the whole Council subject; however, to Section 2.12.080. In case of his/her intended removal by the Council, the City Manager shall be furnished with a written notice stating the Council's intention to remove him/her, the reasons therefore and the effective date of the removal.

B. Within seven days after the delivery to the City Manager of such notice, he/she may, by written notification to the City Clerk, request a public hearing before the Council. Thereafter the Council shall fix a time for a public hearing, which shall be held at its usual meeting place, and at which time the City Manager shall appear and be heard.

C. After furnishing the City Manager with written notice of removal, the City Council may suspend him/her from duty, but his/her compensation shall continue until the date of removal. Upon removal, the City Manager shall receive a lump sum cash severance payment equal to two (2) month's aggregate salary unless removal is due to conviction of an illegal act.

D. In removing the City Manager, the City Council shall use its uncontrolled discretion and its action shall be final and shall not depend upon any particular showing or degree of proof at the hearing; the purpose of which is to allow the City Manager to publicly present to the City Council his/her grounds of opposition to removal prior to its action. (Ord. 714 §2, 1993)

2.12.080 Removal after municipal election. Notwithstanding the provisions of this chapter enumerated in Section 2.12.010 through 2.12.070, the city manager shall not be removed from office during or within a period of ninety days next succeeding any general municipal election held in the city at which election a member of the city council is elected. The purpose of this provision is to allow for any newly elected members to the city council to observe the action and ability of the city manager in the performance of the powers and duties of his office. After the expiration of the ninety-day period mentioned in this section, the provisions of Section 2.12.070 as to the removal of the manager shall apply and be effective. (Ord. 363 §S, 1965)

2.12.090 Orders and directions. The city council and its members shall deal with the administrative services of the city only through the city manager except for the purpose of inquiry, and neither the city council nor any members thereof shall give orders to any subordinate of the city manager. (Ord. 363 §9, 1965)

Chapter 2.14
CODE ENFORCEMENT OFFICER

Sections:

2.14.010 Office created.
2.14.020 Purpose.
2.14.030 Reporting.
2.14.040 Duties.

2.14.010 Office created. The office of code enforcement officer *is* created and established. The code enforcement officer shall be appointed by the city manager, pursuant to Section 2.12.060 of this code, and shall hold office at and during the pleasure of the city manager. (Ord. §592 l (part), 984)

2.14.020 Purpose. The intent of this chapter is to permit the city manager to more fully perform his duties as outlined in Section 2.12.060(A). (Ord. 592§ 1 (part), 1984).

2.14.030 Reporting. Duplicates of all reports prepared and of all notices to appear issued by the code enforcement officer shall be forwarded in a timely manner to the city manager. Disposition of all, notices to appear shall be as prescribed by Chapter 5C of the California Penal Code, commencing with Section 853.6. (Ord. 592 §l (part), 1984).

2.14.040 Duties.

A. The code enforcement officer shall enforce the municipal code.

B. Pursuant to Section 836.5 of the California Penal Code, the code enforcement officer may arrest a person without a warrant whenever he has reasonable cause to believe that the person to be arrested has committed a *mis*demeanor in his presence which is a violation of the municipal code.

C. In any case in which a person *is* arrested pursuant to this section, and the person arrested does not demand to be taken before a magistrate, the code enforcement officer making the arrest shall prepare a written notice to appear and release the person on his promise to appear, as prescribed by Chapter 5C of the California Penal Code, commencing with Section 853.6. The provisions of that chapter shall thereafter apply with written notice to appear pursuant to this chapter of the municipal code. (Ord. 592 §l (part), 1984)

Chapter 2.16
FINANCE DIRECTOR

Sections:

2.16.010 Duties.
2.16.020 Under jurisdiction of city manager.
2.16.030 Bond.

2.16.010 Duties. A. The financial and accounting duties heretofore the responsibility of the city clerk as prescribed by Sections 40802 to 40805.5, both inclusive, of the Government Code of the state are transferred to the director of finance.

B. The director of finance shall perform the following duties:

1. Maintenance of Financial Records. Maintain all records reflecting the financial condition of the city and all its departments;

2. Report for Fiscal Year. At the end of each fiscal year, prepare and present to the city council a summary statement of receipts and disbursements by departments and funds including opening and closing fund balances in the city treasury;

3. Publication of Financial Statement. Cause the financial statement of the city to be published in accordance with the provision of Section 40804 and 40805 of the Government Code of the state;

4. Compilation of Financial Information for Budget. Compile all financial information necessary for the preparation of the city's budget and make such information available to the offices whose responsibility it is to prepare the budget;

5. Monthly Financial Report. Prepare a monthly statement of all receipts and disbursements in sufficient detail to show the financial condition of the city and each of its departments;

6. Issuance of Licenses. Handle the issuance of all licenses for the city and keep in proper books a full and accurate account of all license fees charged and collected on behalf of the city and shall report to the city manager all delinquencies in the payment of license fees;

7. Payroll Records. Supervise and be in charge of all payroll records;

8. Insurance Policies. Maintain a record of all insurance policies and keep the city manager informed of their expiration dates;

9. Collection of Taxes, Assessments, Etc. See that all taxes, assessments, license fees and other revenues of the city or for whose collection the city is responsible and all other money receivable by the city from the county, state or federal government or from any court office, department or agency of the city are collected;

10. Duties Assigned by City Manager. Perform such other duties that are from time to time assigned to the office of the director of finance by the city manager. (Ord. 459 §l, 1974)

2.16.020 **Under jurisdiction of city manager.** The director of finance shall be under the jurisdiction of the city manager. (Ord. 459 §2, 1974)

2.16.030 **Bond.** Pursuant to the provisions of Section 36518 of the Government Code and as the same may hereafter be amended, the director of finance before entering the duties of that office shall execute a bond in the penal sum of ten thousand dollars. (Ord. 459 §3, 1974)

Chapter 2.20
POLICE AND FIRE DEPARTMENT DUTIES

Sections:

2.20.010 Designated.
2.20.020 Injury and compensation.

2.20.010 **Designated.** In addition to their regular and ordinary duties it shall be the duty of all policemen and firemen, at all times and under all circumstances, to go to the aid of all persons or animals in distress or danger and render them such help and assistance as lies within their power. (Ord. 120 §l, 1930)

2.20.020 **Injury and compensation.** In case any policeman or fireman should be injured while rendering such additional services as mentioned in Section 2.20.010, he shall be deemed to be injured in the course of his employment and shall be entitled to workmen's compensation therefore, as provided by law. (Ord. 120 §2, 1930)

Chapter 2.24
PLANNING COMMISSION AND COMMUNITY DEVELOPMENT DEPARTMENT

Sections:

2.24.010 Creation.
2.24.020 Statutory Applicability.
2.24.030 Members-Number.
2.24.040 Members-Appointment-Term.
2.24.050 Members-Compensation.
2.24.060 Duties.
2.24.070 Procedures.
2.24.080 Community Development Department

2.24.010 **Creation.** The City Planning Commission is created pursuant to the authority granted by the Planning and Zoning Law of the State; Government Code, Division 1, Chapter 3, Article 1. (Ord. 649 § 2, 1987)

2.24.020 **Statutory Applicability.** The provisions of the Planning and Zoning Law of the State, as they may be applicable, and as may be amended from time to time by the Legislature of the State, shall apply to and govern the City Planning Commission. (Ord. 649 § 2, 1987)

2.24.030 **Members-Number.** The City Planning Commission shall consist of no less than five (5), nor more than seven (7), members, including the chairman thereof. (Ord. 649 § 2, 1987; Ord. 907, § 1, 1-16-07)

2.24.040 **Members-Appointment-Term.** The members of the City Planning Commission shall be appointed by the City Council. The terms of three (3) members shall expire on December 31, 2010, and the terms of four (4) members shall expire on December 31, 2008. The terms of their successors shall be four (4) years. Any member may be removed by a majority vote of the City Council, without cause. (Ord. 649 § 2, 1987; Ord. 907, § 2, 1-16-07)

2.24.050 **Members-Compensation.** Members of the Beaumont Planning Commission shall receive such compensation, travel expense and other authorized expenses for attending meetings of their respective bodies as may be fixed by resolution of the City Council. (Ord. 649 § 2, 1987)

2.24.060 **Duties.** The Commission shall perform planning and zoning duties specified by law or ordinance not expressly delegated or reserved to another body or officer; including proceedings for adopting or amending general and specific plans; changes of zone; amendments to the text of the zoning ordinance; appeals and review of land division maps; review of major plot plans; conditional and public use permits and variances; or to revoke or modify the same; appeals of minor plot plans; and shall advise the City Council in related matters. (Ord. 649 § 2, 1987)

2.24.070 **Procedures.** The Commission shall elect one (l) member as chairman and one (1) as vice chairman, to hold office at the pleasure of the members. Election of new officers shall be held at the first regular Planning Commission meeting each year. Three (3) members shall be a quorum and a majority shall be required to carry a motion. The Commission shall hold at least one (l) regular meeting per month. (Ord. 649 § 2, 1987)

2.24.080 **Community Development Department.** The Community Development Department shall be headed by a Director who shall be appointed by the City Manager to hold office at his pleasure, and shall include a staff or employees under his direction as necessary to carry out the duties of the Department. The Director shall provide technical and clerical assistance to the Planning Commission and with the staff of his department shall perform functions relating to planning, zoning and land divisions and such other aspects of community development as may be required by law, ordinance or order of the City Manager. Any references in the Beaumont Municipal Code to the Planning Department are deemed to refer to the Community Development Department. (Ord. 649 § 2, 1987)

Chapter 2.28
EMERGENCY SERVICES

Sections:

2.28.010 Intent of chapter.
2.28.020 Officials who may proclaim local emergency.
2.28.030 Authorization of provision of formal mutual aid.
2.28.040 Limitation on term of emergency.
2.28.050 Implementation by plans or agreements.
2.28.060 Chapter provisions not to supplant existing agreements of Police Department.
2.28.070 Request for informal mutual aid-Provision for assistance.
2.28.080 Request for informal mutual aid-Period in effect.

2.28.010 Intent of chapter. It is the intent of this chapter that informal mutual aid shall be available and furnished in all cases of local peril or emergency, when requested by appropriate agency designates in Sections 2.28.020, 2.28.030 and 2.28.070. (Ord. 516 § 6, 1980)

2.28.020 Officials who may proclaim local emergency. Pursuant to Section 8630 of the Government Code of the State, the City Manager of the City, or in his absence, the City Police Chief, or his designated agent, or the Emergency Services Director or his successor, and/or the Mayor, Mayor Pro Tem, or other Councilman designated by seniority in office, or in case of a tie therein, the Councilman receiving the most electoral votes, are designated as the City officials who may proclaim a local emergency in the City, and to act pursuant to the provision of the California Emergency Services Act. (Ord. 516 § I, 1980)

2.28.030 Authorization of provision of formal mutual aid. During the period of any declared local emergency the parties set forth in Section 2.28.020 in the same order of sequence may authorize the providing of formal mutual aid to other political subdivisions of the State declaring a local emergency or request mutual aid from such political subdivisions when a local emergency exists. (Ord. 516 § 2, 1980)

2.28.040 Limitation on term of emergency. Whenever a local emergency is proclaimed by the individuals mentioned in Section 2.28.020, the emergency shall not remain in effect for a period in excess of seven (7) days unless it has been ratified by the City Council pursuant to the requirements of the Government Code of the State. (Ord. 516 § 3, 1980)

2.28.050 Implementation by plans or agreements. Provisions of this chapter providing for formal, mutual aid in local emergencies may be implemented by appropriate emergency plans and agreements in compliance with Federal, State and Local Charter. (Ord. 516 § 4, 1980)

2.28.060 Chapter provisions not to supplant existing agreements of Police Department. It is expressly understood that this chapter shall not supplant existing agreements, either oral or written, between representations of the City police department, and parties thereto providing for the exchange or furnishing of informal mutual aid. (Ord. 516 §5, 1980)

2.28.070 Request for informal mutual aid-Provision for assistance. It is expressly understood that in cases arising from a need for informal mutual aid, the city police chief, or his designated representatives, shall render the necessary assistance immediately. (Ord. 516 §7, 1980)

2.28.080 Request for informal mutual aid-Period in effect. Whenever a request for informal mutual aid is honored by the city police chief, or his designated representatives, it shall remain in effect no longer than forty-eight (48) hours, unless it has been approved by the city manager or the city council. (Ord. 516 §8, 1980)

CHAPTER 2.30
BOARD OF ADMINISTRATIVE APPEALS

Sections:

2.30.010 Creation of Board
2.30.020 Appointment and Qualifications of Board Members
2.30.030 Term and Tenure of Members
2.30.040 Powers and Duties
2.30.050 Rules and Regulations

2.30.010 Creation of Board There is hereby created a Board of Administrative Appeals, sometimes referred to in this Chapter as the "Board." The Board shall consist of at least one panel of three members, but not more than three panels of three members each. (Ord. 988, 3/1/11)

2.30.020 Appointment and Qualifications of Board Members The City Council shall appoint the members of the Board. Board members shall be at least 18 years of age, and may be residents, or owners or employees of businesses, of the City. (Ord. 988, 3/1/11)

2.30.030 Term and Tenure of Members All members of the Board shall be appointed for a term of two years and shall serve at the pleasure of the City Manager and City Council. Members shall serve without compensation. (Ord. 988, 3/1/11)

2.30.040 Powers and Duties It shall be the duty of the Board of Administrative Appeals to conduct administrative hearings on written appeals made pursuant to the Beaumont Municipal Code, including appeals pertaining to administrative Code Enforcement (BMC Chapter 1.17), Animal Control Hearings (BMC Chapter 6.22), Nuisances (BMC Chapter 8.32), and Mobilehome Park Rent Stabilization (BMC Chapter 13.21). (Ord. 988, 3/1/11)

2.30.050 Rules and Regulations The Board shall adopt such rules and regulations as are needed to govern its own procedures; provided, however, that the Board shall comply with the Hearing Procedures that may be specified by the applicable appeal provisions of the Beaumont Municipal Code. (Ord. 988, 3/1/11)

Chapter 2.36
EMPLOYEE CONFLICT OF INTEREST

Sections:

2.36.010 Introduction.
2.36.020 Definition of terms.
2.36.030 Designated employees.
2.36.040 Disclosure statements.
2.36.050 Place of filing.
2.36.060 Time of filing.
2.36.070 Contents of statements.
2.36.080 Manner of reporting.
2.36.090 Disqualification.
2.36.100 Manner of disqualification.
2.36.110 Appendix A-Designated positions.
2.36.120 Appendix B-Disclosure categories

2.36.010 Introduction. In compliance with the Political Reform Act of 1974, California Government Code Section 81000, et seq., and specifically with Section 87300 et seq., the city council adopts this conflict of interest code which shall be applicable to all designated employees of the agency. The requirements of this code are in addition to other requirements of the Act such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to any other state or local laws pertaining to conflicts of interest. (Ord. 561 §l, 1982)

2.36.020 Definition of terms. The definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission (2 Cal. Adm. Code Sections 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code. (Ord. 561 §2, 1982) 2.36.030 Designated employees. The persons holding position listed in Appendix A, set out in Section 2.36.110, are designated employees. It has been determined that these officers and employees make or participate in the making of decisions which may foreseeable have a material effect on financial interests. (Ord. 561 §3, 1982)

2.36.030 Designated Employees The persons holding positions listed in Appendix A, set out in Section 2.36.110, are designated employees. It has been determined that these officers and employees make or participate in the making of decisions which may foreseeably have a material effect on financial interest (Ord. 561 § 3, 1982)

2.36.040 Disclosure statements. A designated employee shall be assigned one or more of the disclosure categories set forth in Appendix a, set out in Section 2.36.120. It has been determined that the financial interests set forth in a designated employee's disclosure category are the types of financial interests which he or she foresee ably can affect materially through the conduct of his or her office. Each designated employee shall file statements of economic interests disclosing his or her financial interests as required by the applicable disclosure category. (ord. 561 §4, 1982) .

2.36.050 Place of filing.

A. All designated employees required to submit a statement of economic interests, shall file the original with the city clerk, who shall be the filing officer for all designated employees.

B. Upon the receipt of the statement of economic interests from the designated employees, the city clerk shall make and retain a copy and forward the originals of these statements to the city council who shall be the filing officer, within five days of the filing deadline or five days of receipt in the case of statements filed late. (Ord. 561 §5, 1982)

2.36.060 Time of filing.

A. Initial Statements. All designated employees employed by the agency on the effective date of the ordinance codified in this chapter shall file statements within thirty days after the effective date of the ordinance codified *in* this chapter.

B. Assuming Office Statements. All persons assuming designated positions after the effective date of the ordinance codified *in* this chapter shall file statements within ten days after assuming the designated positions.

C. Annual Statements. All designated employees shall file statements no later than April 1st. D. Leaving Office Statements. All persons who leave designated positions shall file statements within thirty days after leaving office. (Ord. 561 §6, 1982)

2.36.070 Contents of statements.

A. Contents of Initial Statements. Initial statements shall disclose any reportable investments and interests *in* real property held on the effective date of the ordinance codified *in* this chapter.

B. Assuming Office Statements. Assuming office statements shall disclose any reportable investments and interests in real property (and management positions) held on the date of assuming office, or on the date of nomination, whichever *is* the earlier.

C. Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests *in* real property, and income held or received during the previous 'calendar year; provided, however, that the period covered by an employee's first annual statements shall begin on the effective date of the ordinance codified *in* this chapter or the date of assuming office, whichever *is* the later.

D. Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests *in* real property, and income held or received during the period between the closing date of the last statement filed and the date of leaving office. (Ord. 561 §7, 1982)

2.36.080 Manner of reporting. Disclosure statements shall be made on forms supplied by the Fair Political Practices Commission, and shall contain the following information:

A. Contents of Investment and Real Property Reports. An investment in or other interest *in* real property that otherwise *is* required to be reported only for the purposes of disclosure only, and not by way of disqualification, need not be reported for purposes of the Political Reform Act (hereafter called the "Act") if any of the following conditions exist:

1. If the real property is the principal residence of the filer; or

2. If the investment or interest has a fair market value of less than one thousand dollars.

However, investments or interest in real property of an individual include those held by the individual's spouse and/ or dependent children as well as including any pro rata share of any investment or interest in real property of a business entity or trust in which the individual, his or her spouse or children own, in the aggregate, a direct, indirect or beneficial interest of ten percent or greater.

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

3. The address and other precise location of the real property;

4. A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars, exceeds ten thousand dollars, or exceeds one hundred thousand dollars.

B. Contents of Personal Income Reports. When personal income is required to be reported, a designated employee's income includes his or her community property interest in the income of his or her spouse, the statement shall contain:

1. The name and address of each source of income aggregating two hundred fifty dollars, or more in value, or twenty-five dollars or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source was one thousand dollars or less, greater than one thousand dollars, or greater than ten thousand dollars;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name and address of the donor, a description of the gift, the amount or value of the gift, and the date on which the gift was received.

C. Contents of Business Entity Income Reports. When income of a business entity, including income of a sole proprietorship, is required to be reported, income of a business entity is reportable if the direct, indirect or beneficial interest of the filer, spouse and dependent children in the business entity aggregates a ten percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the source is within one of the disclosure categories of the filer. The statement shall contain:

1. The name, address and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars.

D. Contents of Consultant's Statements.

1. The city "manager may determine *in* writing that a particular consultant is hired to perform a range of duties that are limited *in* scope and thus is not required to comply with the disclosure requirements described *in* Appendix A, set out *in* Section 2.36.110.

2. Such determination shall include a description of the consultant's duties and, based on that description, a statement of the extent of disclosure requirements.

3. The city manager shall forward a copy of this determination to the city council.

4. Nothing herein excuses any such consultant from any other provision of this conflict of interest code.

E. Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or interest *in* real property was partially or wholly acquired or disposed of during the period covered by the statement,-the statement shall contain the date of acquisition or disposal. (Ord. 561 §8, 1982)

2.36.090 **Disqualification.** A. Designated employees must disqualify themselves from making, participating *in* the making or using their official positions to influence the making of any governmental decision which will foreseeable -have a material financial effect, distinguishable from its effect on the public generally, on:

1. Any business entity in which the designated employee has a direct or indirect interest worth more than one thousand dollars;

2. Any real property *in* which the designated employee has a direct or indirect interest worth more than one thousand dollars;

3. Any source of income, other than loans by a commercial lending institution *in* the regular course of business, aggregating two hundred fifty dollars or more in value received by or promised to the designated employee within twelve months prior to the time when the decision is made; or

4. Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management.

B. No designated employee shall be prevented from making or participating *in* the making of any decision to the extent his or her participation is legally required for the decision to be made. (Ord. 561 §9, 1982)

2.36.100 **Manner of disqualification.** A designated employee required to disqualify himself or herself shall notify his or her supervisor *in* writing. This notice shall be forwarded to the head of the designated employee's department, who shall record the employee's disqualification.

Upon receipt of such statement, the supervisor shall reassign the matter to another employee. (Ord. 561 §10, 1982)

2.36.110 **Appendix A--Designated positions**. Appendix A is codified *in* this chapter reads as follows:

Designated Positions		Disclosure Categories
1.	Members of the City Council, Redevelopment Agency and Finance Authority, Planning Commissioners	1, 2, 3, 4
2.	The City Manager	1, 2, 3, 4
3.	The Assistant City Manager	1, 2, 3, 4
5.	The Chief of Police	1, 2, 3, 4
6.	The City Clerk	1, 2, 3, 4
7.	The Deputy City Clerk	1, 2, 3, 4
8.	The City Treasurer	1, 2, 3, 4
9.	The Community Services Director	1, 2, 3, 4
10.	The Emergency Service Coordinator	1, 2, 3, 4
11.	The Resources Director	1, 2, 3, 4
12.	Police Department Division Commanders	1, 2, 3, 4
13.	The Fire Chief	1, 2, 3, 4
14.	The Director of Economic Development	1, 2, 3, 4
15.	The Planning Director	1, 2, 3, 4
16.	The Director of Public Works	1, 2, 3, 4
17.	The City Attorney	1, 2, 3, 4
18.	The Finance Director	1, 2, 3, 4

(Amended by Resolution No. 2010-33, 12.7.2010)

2.36.120 **Appendix B--Disclosure categories**. Appendix B codified in this chapter reads as follows:

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, including gifts, loans and travel payments, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments, business positions and sources of income, including gifts, loans and travel payments, that are located in, do business in, or that own real property in the City.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the City.

Category 3: All investments, business positions and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction, or the acquisition or sale of real property in the City.

Category 4: All investments and business positions and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the City.

Category 5: All investments and business positions and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's department, unit or division.

(Amended by Resolution No. 2010-33, 12.07.2010)

Chapter 2.40
RIGHT OF ENTRY

Sections:

2.40.010 Designated.
2.40.020 Manner.
2.40.030 Controlling over other laws--Exception.

2.40.010 **Designated.** Whenever any officer or employee of the city is authorized to enter any building or premises for the purpose of making an inspection to enforce any ordinance, he may enter such building or premises at all reasonable times to inspect the same: provided, that he shall effect entry in the manner provided in Section 2.40.020, except in emergency situations, or when consent of the person having charge or control of such building or premises has been otherwise obtained. (Ord. 564 §I, 1983)

2.40.020 Manner. If the building or premises to be inspected is occupied, the authorized officer or employee shall first present proper credentials and demand entry: and if such building or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and demand entry. If consent to such entry is not given, the authorized officer or employee shall have recourse to every remedy provided by law to secure entry, and may apply to any court of competent jurisdiction for such remedy. (Ord. 564 §2, 1983)

2.40.030 Controlling over other laws--Exception. The ordinance codified in this chapter shall be controlling over any other ordinance or part of an ordinance on the same subject, whether heretofore or hereafter adopted, unless such ordinance or part of an ordinance provides differently by an express reference to the ordinance codified in this chapter. Notwithstanding any other ordinance of this city, whether heretofore or hereafter adopted, it *is* not a violation of ordinance to refuse or fail to consent to an entry for inspection for which a warrant *is* required to be obtained. (Ord. 564 §3, 1983)

Chapter 2.44
EMPLOYEE RETIREMENT SYSTEM

Sections:

2.44.010 Authorization of contract.
2.44.020 Execution of contract.
2.44.030 Authorization of contract amendment.
2.44.040 Execution of contract amendment.

2.44.010 Authorization of contract. A contract between the city council and the Board of Administration, California State Employees' Retirement System, *is* authorized, a copy of said contract being attached to the ordinance codified in this chapter, marked "Exhibit A," and by such reference made a part of this chapter as though set out *in* this chapter in full. (Ord. 378 §l, 1967)

2.44.020 Execution of contract. The mayor of the city council *is* authorized, empowered, and directed to execute the contract for and on behalf of the agency. (Ord. 378 §2, 1967)

2.44.030 Authorization of contract amendment. An amendment to the contract between the city council and the Board of Administration, California Public Employees' Retirement System *is* authorized, a copy of said amendment being attached to the ordinance codified in this section and Section 2.44.040, marked "Exhibit A," and by such reference made a part of this chapter as though set out *in* this chapter *in* full. (Ord. 581 §l, 1983)

2.44.040 Execution of contract amendment. The mayor *is* authorized, empowered and directed to execute said amendment for and on behalf of the agency. (Ord. 581 §2, 1983)

Chapter 2.48
PEACE OFFICER STANDARDS AND TRAINING

Sections:
2.48.010 Declaration.
2.48.020 Adherence to state standards.

2.48.010 Declaration. The city declares that it desires to qualify to receive aid from the state under the provisions of Chapter 1 of Title 4, Part 4 of the California Penal Code. (Ord. 356 §l, 1964)

2.48.020 Adherence to state standards. Pursuant to Section 13522 of said Chapter 1, the city while receiving aid from the state pursuant to said Chapter 1 will adhere to the standards for recruitment and training established by the California Commission on Peace Officer Standards and Training. (Ord. 356 §2, 1964)

Chapter 2.54
ENVIRONMENTAL REVIEW

Sections:
2.54.010 Hearing officer.
2.54.020 Procedures generally.

2.54.010 Hearing officer. The planning director of the city is designated as the environmental hearing officer. (Ord. 597 §l(part), 1984)

2.54.020 Procedures generally. The environmental hearing officer shall conduct hearings on projects pursuant to all city and state guidelines for the implementation of the California Environmental Quality Act; shall review and consider environmental documents submitted on a project: and shall recommend approval or disapproval of the environmental documents to the city council for their adequacy. (Ord. 597 §l (part), 1984)