

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Deborah S. Traffenstedt, Deputy City Manager *DST*

**DATE:** May 15, 2014 (CC Meeting of 5/21/14)

**SUBJECT:** Consider Resolution Adopting Revised City Council Policies and Rescinding Resolution No. 2013-3176

**BACKGROUND AND DISCUSSION**

The City Council Policies Resolution was last updated on May 17, 2013 (Resolution No. 2013-3176). The attached draft update of the City Council Policies Resolution incorporates all of the individual policies adopted by the Council since the last Policies Resolution update was approved in 2013. Effective July 1, 2013, certain departmental and position responsibilities were reassigned; therefore the updated draft Policies Resolution also includes changes made to reflect current assigned City department responsibilities.

The incorporation of new policies adopted by the City Council since May 2013, the re-numbering and reorganization of prior adopted policies to reflect the transfer of department responsibilities that occurred beginning in July 2013, and additional revisions to policies now proposed by staff (and explained below) have all been incorporated into the comprehensive City Council Policies resolution update. Since the draft resolution is 171 pages, staff has only included the new and revised policies as an attachment to this agenda report. The agenda report with the entire 171-page draft resolution will be available in electronic format on the City's website and will be emailed to the City Council. The new policies and amendments are shown with legislative format in the draft resolution and summarized below:

**Policy 1.10, City Council Identification Badges and Picture Identification Card (Pages 14-15)** has been modified to more comprehensively address City Council identification badge and picture identification card issuance, use, and return policy language.

**Policy 2.2, Advertising and Appointment Procedures for Appointments to Boards, Commissions, and Committees (Pages 15-18)** has been modified to add language to waive the requirement for incumbent applicants to make a presentation before the City Council if there any no other applicants, and includes other editorial revisions.

**Policy 2.5, Conflict of Interest Appraisal and City Attorney Opinions (Pages 19-20)** has been amended as approved by the City Council with adoption of Ordinance No. 429 on May 7, 2014, to include a dollar limit for costs incurred for City Attorney opinions without City Council approval.

**Policy 2.6, Policy against Harassment, Discrimination, and Retaliation (Pages 20-28)** has been amended to be consistent with current law. Language has also been added to authorize the City Manager to require written acknowledgment of this policy by certain contractors.

**Policies 2.20 through 2.22, Moorpark City Library Materials Selection, Moorpark City Library Internet and Computer Use and Patron Agreement, and Moorpark City Library Circulation (Pages 70-82)** were formerly Policies 6.9 through 6.11 and were moved from the Parks, Recreation, and Community Services Department to the Administrative Services Department when the responsibilities for the Moorpark City Library were reassigned on July 1, 2013; and revisions have also been incorporated as were previously approved by the City Council on December 18, 2013.

**Policy 3.5, First-Time Home Buyer Affordable Housing Program (Pages 84-85)** has been amended as approved by the City Council on December 4, 2013, to limit the number of persons purchasing a home through the City's First Time Home Buyers Program to no more than two for a joint purchase.

**Policy 4.5, Enforcement of Section 8.14.140 (Prohibition against Maintaining Graffiti on Private Property) of the Moorpark Municipal Code on Properties Maintained for Single-Household and Two-Household (Duplex) Residential Use (Page 99)** has been added as approved by the City Council with adoption of Ordinance No. 423 on October 2, 2013, to provide residential property owners with additional code compliance steps to work with the City to remove graffiti.

**Policy 5.1, Meeting, Training, Conference, and Professional Association Membership Expense Reimbursement (Pages 99-103)** has been modified to increase the amount of reimbursement for petty cash from \$50.00 to \$100.00 as the dollar amount for reimbursements has increased over time and this new amount will allow for fewer checks to be issued for multiple small reimbursements; language has been added to clarify City credit cards may be used to pay for meal costs with receipts required to be submitted upon return; and language permitting advance payment of per diem for meal costs has been deleted.

**Policy 5.9, Credit Card Acceptance and Processing (Pages 112-118)** has been modified and reordered, adding library fines and fees and event tickets to the list of authorized transaction types; inclusion of additional authorized City staff positions for credit card acceptance and processing; the addition of contract Library staff to accept credit card payments with written City Manager approval; additional locations for credit

card swipe machines at Arroyo Vista Recreation Center and the Moorpark City Library; and additional language regarding verification of the credit card against a photo identification card, and a paragraph describing the on-line transaction process.

**Policy 6.11, Sports Field Rental Policy (Pages 131-132)** has been revised in No. 2.B. to increase the maximum rental use number for sports fields in neighborhood parks by Group 2 and Group 3 Renters from a total attendance of 20 or less to 49 or less. In addition, for rental use of sports fields at Arroyo Vista Community Park, No. 3.C. has been modified to add "tournament dates" to what must be approved in writing by the City Manager or designee.

**Policy 6.12, High Street Arts Center Ticket Donation and Discounting Policy (Pages 132-133)** has been amended to add language that this policy is not applicable should the City and/or Successor Agency to the Redevelopment Agency of the City of Moorpark enter into an operating agreement for the High Street Arts Center.

#### **FISCAL IMPACT**

The policy additions and amendments are not expected to result in a fiscal impact.

#### **STAFF RECOMMENDATION**

Adopt Resolution No. 2014-\_\_\_\_\_.

Attachment: Draft Resolution (The attachment to the City Council printed agenda report includes only the revised policy pages of the draft resolution as summarized above. The complete draft resolution is available on the City's website and will be distributed by email to Council.)

RESOLUTION NO. 2014-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, ADOPTING REVISED COUNCIL POLICIES AND RESCINDING RESOLUTION NO. 2013-3176

WHEREAS, the City Council has directed that its policies be compiled and adopted in one resolution; and

WHEREAS, the City Council adopted Policies Resolution No. 2013-3176 on April 17, 2013, and since that update the Council has considered and approved several new policies to be incorporated into the next update of the Council's Policies Resolution, and at the May 21, 2014, regular meeting considered a revised Policies Resolution incorporating all of the prior approved Council policies as well as other amendments and new policies as follows:

Policy 1.10, City Council Identification Badges and Picture Identification Card, has been modified, including the title, to more comprehensively address City Council identification badge and picture identification card issuance, use, and return policy language.

Policy 2.2 No. 7, Advertising and Appointment Procedures for Appointments to Boards, Commissions, and Committees, has been modified to add language to waive the requirement for incumbent applicants to make a presentation before the City Council if there any no other new applicants, and includes other editorial revisions.

Policy 2.5, Conflict of Interest Appraisal, has been amended, as approved by the City Council with adoption of Ordinance No. 429 on May 7, 2014, to include a dollar limit for costs incurred for City Attorney opinions without City Council approval.

Policy 2.6, Policy Against Harassment, Discrimination and Retaliation, has been amended to be consistent with current law. Language has also been added to authorize the City Manager to require acknowledgment of this policy by certain contractors.

Renumbered Policy 2.20 through 2.22, Moorpark City Library Materials Selection through Moorpark City Library Circulation, were moved from the Parks, Recreation and Community Services Department to the Administrative Services Department when the responsibilities for the Moorpark City Library were reassigned on July 1, 2013; and revisions were made to these policies as approved by the City Council on December 18, 2013, and for language consistency.

Policy 3.5, First-Time Home Buyer Affordable Housing Program, has been amended as approved by the City Council on December 4, 2013, to limit the number of persons purchasing a home through the City's First Time Home Buyers Program to no more than two for a joint purchase.

New Policy 4.5, Enforcement of Section 8.14.140 (Prohibition Against Maintaining Graffiti on Private Property) of the Moorpark Municipal Code on Properties Maintained

for Single-Household and Two-Household (Duplex) Residential Use, has been added, as approved by the City Council adoption of Ordinance No. 423 on October 2, 2013, to provide residential property owners with additional code compliance steps to work with the City to remove graffiti.

Policy 5.1, Meeting, Training, Conference, and Professional Association Membership Expense Reimbursement, has been modified to increase the amount of reimbursement for petty cash from \$50.00 to \$100.00 as the dollar amount for reimbursements has increased over time and this new amount will allow for fewer checks to be issued for multiple small reimbursements; language was added to clarify a City credit card may be used to pay for meal costs with receipts required to be submitted upon return; and advance payment of per diem for meals has been deleted.

Policy 5.9, Credit Card Acceptance and Processing, has been modified and reordered, adding library fines and fees and event tickets to the list of authorized transaction types; inclusion of additional authorized City staff positions for credit card acceptance and processing; the addition of contract Library staff to accept credit card payments with written City Manager approval; additional locations for credit card swipe machines at Arroyo Vista Recreation Center and the Moorpark City Library; and additional language regarding verification of the credit card against a photo identification card, and a paragraph describing the on-line transaction process.

Renumbered Policy 6.11, Sports Field Rental has been revised in No. 2.B. to increase the maximum rental use number for sports fields in neighborhood parks by Group 2 and Group 3 Renters from a total attendance of 20 or less to 49 or less; and No. 3.C. for rental use of sports fields at Arroyo Vista Park has been modified to add "tournament dates" to what must be approved in writing by the City Manager or designee.

Policy 6.12, High Street Arts Center Ticket Donation and Discounting Policy, has been amended to add language that this policy is not applicable should the City and/or Successor Agency to the Redevelopment Agency of the City of Moorpark enter into an operating agreement for the High Street Arts Center.

WHEREAS, Policies Resolution No. 2013-3176 is proposed to be rescinded and an updated Policies Resolution adopted; and

WHEREAS, the index for the updated City Council Policies Resolution is as follows:

**SECTION 1. POLICIES APPLICABLE TO CITY COUNCIL OR CITY COUNCIL CANDIDATES**

Policy 1.1: Information to be Provided to Official City Councilmember and Mayor Candidates

Policy 1.2: City Council Standing Committees

- Policy 1.3: City Council Comments on Development Projects before the Planning Commission
- Policy 1.4: City Council Use of City Website
- Policy 1.5: City Council Use of City Computers and Acceptable Internet and E-Mail Use on City Computer Network
- Policy 1.6: City Council Credit Card Use
- Policy 1.7: City Council Use of City Pool Vehicles
- Policy 1.8: City Council Cellular Telephone Reimbursement
- Policy 1.9: City Council Completion of City Manager Evaluation
- Policy 1.10: City Council Identification Badges and Picture Identification Card
- Policy 1.11: City Council Dinner Meal
- Policy 1.12: City Council Use of Mass Mailings
- Policy 1.13: City Councilmember and Office of Mayor Candidates Campaign Advertising Prohibited in Any City Sponsored Publication

**SECTION 2. POLICIES ADMINISTERED BY ADMINISTRATIVE SERVICES DEPARTMENT AND CITY CLERK**

- Policy 2.1: City Clerk Records Destruction Approval Authority
- Policy 2.2: Advertising and Appointment Procedures for Appointments to Boards, Commissions, and Committees
- Policy 2.3: Reports from Appointees
- Policy 2.4: Ethics Training
- Policy 2.5: Conflict of Interest Appraisal
- Policy 2.6: Policy against Harassment, Discrimination, and Retaliation
- Policy 2.7: Drug-Free Workplace
- Policy 2.8: Drug and Alcohol Testing Regulations for Employees that are Drivers of Commercial Vehicles
- Policy 2.9: Employee, Contract Staff, Consultant, and Volunteer Letters of Recommendation and Background Check Response
- Policy 2.10: Employee Anniversary Recognition Program
- Policy 2.11: City Payment for Employee Recognition at the Time of Retirement from the California Public Employees Retirement System (CalPERS)
- Policy 2.12: Procedure for Filing a Complaint against a City Employee or Contract Staff
- Policy 2.13: Americans with Disabilities Act Grievance
- Policy 2.14: City Wireless Internet Network
- Policy 2.15: City Website Content and External Links
- Policy 2.16: Process for Preparation of Initial Drafts of Ordinances by City Departments
- Policy 2.17: Gift and Honoraria Regulations for City Employees
- Policy 2.18: Employment of Family Members
- Policy 2.19: Personal Social Media Use by City of Moorpark ("City") Employees and Employees of City Contractors
- Policy 2.20: Moorpark City Library Materials Selection
- Policy 2.21: Moorpark City Library Internet and Computer Use and Patron Agreement
- Policy 2.22: Moorpark City Library Circulation

**SECTION 3. POLICIES ADMINISTERED BY CITY MANAGER'S OFFICE**

- Policy 3.1: City Manager Approval of Cellular Telephone Reimbursement for Designated Competitive Service Employees
- Policy 3.2: Authorization for City Manager to Approve Small Claims Court Filing and Civil Compromise for City Claim against Another Party Having a Value Not to Exceed \$5,000.00, and Authorization for City Manager to Allow, Settle and/or Compromise any Claim Filed against the City Having a Value Not to Exceed \$50,000.00
- Policy 3.3: Authorization for City Manager to Approve Reduction and/or Exoneration of a Surety with a Value Not to Exceed \$10,000.00
- Policy 3.4: Pre-Qualification of Bidders
- Policy 3.5: Authority for Execution of City Affordable Housing Project Agreements and Repayment Documents and Acceptance of Deed of Trust
- Policy 3.6: Appointment of Personnel Officer
- Policy 3.7: Distribution, Use, and Reporting of Tickets or Passes Given to City
- Policy 3.8: Right-of-Way Acquisition Process
- Policy 3.9: Employment Agreement Approval

**SECTION 4. POLICIES ADMINISTERED BY COMMUNITY DEVELOPMENT DEPARTMENT**

- Policy 4.1: Temporary Use Permit Fee Waivers
- Policy 4.2: Refunds for Business Registration
- Policy 4.3: Code Compliance Program
- Policy 4.4: Street Naming
- Policy 4.5: Enforcement of Section 8.14.140 (Prohibition Against Maintaining Graffiti on Private Property) of the Moorpark Municipal Code on Properties Maintained for Single-Household and Two-Household (Duplex) Residential Use

**SECTION 5. POLICIES ADMINISTERED BY FINANCE DEPARTMENT**

- Policy 5.1: Meeting, Training, Conference, and Professional Association Membership Expense Reimbursement
- Policy 5.2: General Fund Reserve
- Policy 5.3: Authorization for the Issuance and Countersigning of Warrants Pursuant to Chapter 3.12 of the Moorpark Municipal Code
- Policy 5.4: Accounts Receivable Collection
- Policy 5.5: Landscape and Lighting Assessment District Capital Reserve Fund Balance
- Policy 5.6: Investments
- Policy 5.7: Annual Review of Fee Resolutions
- Policy 5.8: Fund Balance Reporting as Required by Governmental Accounting Standards Board Statement No. 54 (GASB)
- Policy 5.9: Credit Card Acceptance and Processing

**SECTION 6. POLICIES ADMINISTERED BY PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT**

- Policy 6.1: Flag Etiquette
- Policy 6.2: Non-Profit Organizations Annual Facility Reservation
- Policy 6.3: Park Naming
- Policy 6.4: Active Adult Center Annual Meeting
- Policy 6.5: Active Adult Center Standards of Conduct
- Policy 6.6: Community Services Recreation and Active Adult Program Cancellation and Withdrawal
- Policy 6.7: Teen Council
- Policy 6.8 Allocation of Park Fee Payments
- ~~Policy 6.9: Moorpark City Library Materials Selection~~
- ~~Policy 6.10: Moorpark City Library Internet and Computer Use and Patron Agreement~~
- ~~Policy 6.11: Moorpark City Library Circulation~~
- Policy 6.129 Ban on Use of Anti-coagulant Rodenticides for City Landscape Maintenance Agreements
- Policy 6.130 Youth Scholarship Program
- Policy 6.141 Sports Field Rental Policy
- Policy 6.152 High Street Arts Center Ticket Donation and Discounting Policy
- Policy 6.163 Recreation Programs and Services Cost Recovery Policy
- Policy 6.174 Public Art in New City Public Facilities

**SECTION 7. POLICIES ADMINISTERED BY PUBLIC WORKS DEPARTMENT**

- Policy 7.1: Waiver of Street Sweeping Parking Restrictions for Vehicles Displaying Special Identification License Plates or Distinguished Placards for Disabled Persons, and Waiver of Street Sweeping Parking Restrictions on Designated City Holidays
- Policy 7.2: City Public Sidewalk Maintenance and Repair
- Policy 7.3: Transit Security System Electronic File Retention Pursuant to Public Utilities Code Section 99164 and Government Code Section 34090.8
- Policy 7.4: Crossing Guard Warrant
- Policy 7.5: Utility Street Cuts Restricted for Public Streets with New Rubberized and Conventional Asphalt Overlay
- Policy 7.6: Fee for the Cancellation of Parking Citations Relations to Disabled Persons Parking Zones
- Policy 7.7: Waste Reduction and Recycled-Content Product Procurement Practices
- Policy 7.8 Engineering and Grading Policies and Standards
- Policy 7.9 Review of Appealed Parking Citations

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

and a memorandum that provides direction to the City's Personnel Officer regarding any related personnel action.

**Policy 1.10: City Council Identification Badges and Picture Identification Card**

Each elected member of the City Council will be provided with a metal identification badge to be worn when attending meetings, and will also be provided a metal wallet identification badge ~~or~~ and a picture identification card, to be used for identification purposes, such as to permit access for a City special event and which are intended to serve as proof of identity in the event of a City emergency and may also be used to permit access for a City sponsored event. A metal wallet identification badge will not be provided to an interim appointee to the City Council.

The use and display of the City Council wallet metal identification badge and picture identification card, as well as the likeness of these items, are cards, as well as, the likeness of these items, are the property of the City and their use shall be restricted as follows:

1. The City Council wallet identification badge and picture identification card shall be clearly marked to reflect the position of the member of the City Council (either Mayor or Councilmember) and the card shall include an expiration date for the elected term of office.
2. The authorized wallet identification badge and picture identification card issued to each member of the City Council by the City shall be displayed only while acting in an official capacity.
3. A member of the City Council shall not display the wallet identification badge or represent himself/herself at any time in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.
4. No City Council wallet identification badge or picture identification card shall be issued to or used by anyone other than a currently seated member of the City Council.
5. A member of the City Council shall not loan his/her wallet identification badge or picture identification card to others and shall not permit the identification badge or card to be reproduced or duplicated.
6. The City Council wallet identification badge and picture identification card, including any image of the wallet identification badge or picture identification card, shall not be used for personal, private, or political reasons, including but not limited to letters, memoranda, electronic communications such as electronic messaging or websites and webpages, or political advertisements.
7. Following a City Municipal Election for Mayor and Councilmember seats, the metal identification badges and picture identification card for any incumbent not re-elected to a new term shall be returned to the City Clerk on or before the last day of the term

of office. The same requirement for return of the issued identification badges and card to the City Clerk shall apply following any Mayor or Councilmember resignation prior to their end of term. The City Clerk will arrange for a commemorative gift to the outgoing member consisting of the returned metal wallet badge in a sealed acrylic case. The returned picture identification card shall be destroyed in accordance with the City Manager's written procedure for employee picture identification cards.

**Policy 1.11: City Council Dinner Meal Policy**

A dinner meal will be provided by the City at a special meeting of the City Council, if such meeting is scheduled to begin at 6:15 p.m. or earlier and prior to a regular City Council meeting.

**Policy 1.12: City Council Use of Mass Mailings**

An individual member of the City Council may not require a City-funded mass mailing (such as a survey) by paper, email, internet or other technological device without a majority vote of the City Council.

**Policy 1.13: City Councilmember and Office of Mayor Candidates Campaign Advertising Prohibited in Any City Sponsored Publication**

City Councilmember and office of Mayor candidates shall not be permitted to place campaign advertising in City sponsored publications.

**SECTION 2. POLICIES ADMINISTERED BY ADMINISTRATIVE SERVICES DEPARTMENT AND CITY CLERK**

**Policy 2.1: City Clerk Records Destruction Approval Authority**

In accordance with Government Code Section 34090.5, and Municipal Code Section 2.16.030.4, the City Council authorizes the City Clerk to approve the destruction of records, documents, instruments, books, and papers, without the approval of the legislative body or the written consent of the City Attorney, subject to compliance with the conditions specified in Government Code Section 34090.5.

**Policy 2.2: Advertising and Appointment Procedures for Appointments to Boards, Commissions, and Committees**

1. At the end of each calendar year, an Appointments List will be prepared and posted at the City Community Center, Moorpark Library, and on the City's website, of all citizen appointive positions and their expiring term of office (in compliance with the Maddy Act requirements, Government Code Section 54973). A contact number and request for communication with the City Clerk will be included, to allow residents to obtain information on any requirements for the appointed positions, and to facilitate communication with the City Clerk in the event a citizen has an interest in being placed on the appointee resource list. Notice of the availability of the Appointments

List shall also be provided on the City's local government channel. The Appointments List and notice of availability shall remain posted for the month of January. In addition, the Local Appointments List shall be made available for the public to purchase for the actual cost of reproduction.

2. Not later than 30 days prior to the expiring term of office of a citizen appointee, the City Clerk will prepare and distribute a press release to all newspapers of local distribution and radio stations that have requested such notice, advertising the citizen appointment opportunity. The City Clerk will also post such notice in the office of the City Clerk, the Moorpark Library, on the City's website, local government channel, and at the City Community Center.
3. Interested persons will be asked to submit a City Board, Commission, and Committee Application to the City Clerk. The application form shall include language that asks applicants to identify all open recruitment citizen appointments for which they would like to be considered to facilitate use of one application form for more than one open recruitment occurring at the time of application. Staff from the City Clerk's Division will personally receive all applications delivered to City Hall.
4. When an unscheduled vacancy occurs for any City Council citizen appointment, and six (6) months or less will remain in the citizen appointment term following a thirty (30)-day recruitment, the City Clerk will request the City Council give direction on whether to recruit or leave the appointment position vacant. When more than six (6) months will remain in the appointment term following a 30-day recruitment, recruitment will be initiated and notice of the vacancy will be posted not later than twenty (20) days after the vacancy occurs in the office of the City Clerk, at the Moorpark Library, on the City's website, on the local government channel, and at the City Community Center (in compliance with the Maddy Act requirements). Advertisement of the citizen appointment opportunity will be initiated by the City Clerk in the same manner as for an expiring term, unless the City Council determines that the vacancy will not be filled due to the length of the remaining term of office.
5. The City Clerk shall maintain a resource list of citizens who have expressed an interest in serving as appointees on advisory boards, commissions and committees and will mail an application at the time of the next advertisement.
6. In order to be considered for City Council appointment to a board, commission, or committee, the applicant must be a resident of the City of Moorpark and shall also be a registered voter, in the City of Moorpark, with the following exceptions:
  - A. There is no registered voter requirement for Teen Council.
  - B. An applicant for the Moorpark Arts Commission must reside within the City, the City's Area of Interest, the Moorpark Unified School District boundaries, or own a business within the City of Moorpark.

7. Applicants for the Arts Commission, Parks and Recreation Commission, ~~and Planning Commission, and Library Board~~ are required to attend a regular or special City Council meeting ~~in December of each even-numbered year, as scheduled by the City Clerk, to make a brief presentation on qualifications and interest in the appointment (not to exceed three minutes). A presentation will not be required if after recruitment a determination is made by the City Clerk that only the incumbents for the expiring appointments have reapplied. In this case, the City Clerk shall proceed with scheduling an agenda item for City Council appointment. The City Council may direct the City Clerk to conduct further recruitment prior to appointment.~~

When presentations for Commission and Library Board applicants are scheduled, failure of any applicants to make a presentation shall result in disqualification for appointment. Use of PowerPoint will be permitted if the City Clerk has been provided with the PowerPoint file no less than 24 hours prior to the presentation.

The City Clerk shall schedule the presentations for the applicants for the Commissions at one or both of the December regular meetings in an even numbered year, or at a special meeting, as directed by the Mayor. Failure to make a presentation shall result in disqualification for appointment. The City Council may by majority vote extend the date for the presentations to the next calendar year. The City Clerk shall schedule the presentations for the applicants for Library Board at a regular or special meeting of the City Council, prior to the new term of office beginning in July (as established by State law).

~~Applicants for the Library Board are required to attend a regular or special City Council meeting prior to appointment in July of each year to make a brief presentation (not to exceed three minutes) on qualifications and interest in the appointment. Failure of any applicants to make a presentation shall result in disqualification for appointment. Use of PowerPoint will be permitted if the City Clerk has been provided with the PowerPoint file no less than 24 hours prior to the presentation.~~

8. As per Government Code Section 40605, the Mayor shall make all appointments to boards, commissions and committees.
9. The procedure for appointments shall be as follows:
- A. The Mayor shall solicit suggested nominees from members of the Council.
  - B. Prior to making a motion for appointment, the Mayor shall announce the names of all persons he/she intends to nominate, and in the order to be nominated, for a board, commission, or committee.
  - C. The Mayor shall then make a motion putting forth each individual name to be approved for appointment.
  - D. A second shall be required.

- E. The Council shall vote on each appointment individually.

**Policy 2.3: Reports from Appointees**

1. Reports are required from appointees to the following:  
Area Agency on Aging  
Area Housing Authority  
Citizens Transportation Advisory Committee  
Air Pollution Control District Advisory Committee
2. A report shall be required for each scheduled meeting of the agency, authority, district, commission or committee and is due in written form to the City Council five (5) days following the meeting. An e-mail report is acceptable.

In lieu of a written report, an oral report may be presented to the Council under the public comment portion of the next regularly scheduled City Council meeting after the meeting of the agency, authority, district, etc.

3. Where the City is represented by more than one person, the appointees shall coordinate and collaborate their efforts so that only one report is presented to the Council.
4. If neither the appointee nor alternate is in attendance at a meeting of the agency, authority, district, etc., or if the meeting is canceled, that will be reported to the Council by the appointee(s) as prescribed above.

**Policy 2.4: Ethics Training**

All City Councilmembers, Planning Commissioners, Parks and Recreation Commissioners, Arts Commissioners, Library Board Members, and any other member of the legislative body (as defined by Government Code Section 54952) that receives any type of compensation, salary, or stipend or reimbursement of expenses, shall attend ethics training within twelve (12) months of assuming office and receive no less than two (2) hours of said training within two (2) years of assuming office and every two (2) years thereafter, as required by Government Code Section 53235 et seq. All City management staff shall be required to either attend ethics training scheduled by the City Clerk, or complete authorized internet training, and obtain a certification of completion once every odd numbered calendar year. In addition to City management staff, the City Manager may designate other City employees and/or contract staff that will also be required to attend ethics training.

In January of every year, the City Clerk shall provide the City Council, Planning Commission, Parks and Recreation Commission, Arts Commission, and Library Board with information on training available to meet the requirements of this policy and applicable state law. Within the first three months of each odd numbered year, the City Clerk shall schedule group ethics training and will invite the members of the City Council, all Commissioners, all Board

Members, all City Management staff, and all other City Manager designated employees and contract staff to attend. Any member of the City Council, Commissioner, Board Member, management employee, designated employee, or designated contract staff unable to attend the scheduled group ethics training shall be required to complete other ethics training that complies with requirements of Government Code Section 53235 et seq. The City Clerk shall maintain a record of completion on the required ethics training, for each person, consistent with applicable state law.

**Policy 2.5: Conflict of Interest Appraisal and City Attorney Opinions**

1. Conflict of Interest Appraisals shall be allowed to provide proof and rebut the presumption that the financial effect of a governmental decision on real property, in which a public official has an economic interest, is presumed to be material (Section 18705.2 of Title 2, Division 6, California Code of Regulations), as provided below:
  - A. Two conflict of interest appraisals shall be allowed per year per Councilmember if real property in which a Councilmember has an economic interest is the subject of a City Council decision or if any part of that real property is located within 500 feet of the boundaries (or proposed boundaries) of the real property which is the subject of the governmental decision.
  - B. One conflict of interest appraisal shall be allowed per year per Planning Commissioner, if real property in which a Planning Commissioner has an economic interest is the subject of a Commission decision or if any part of that real property is located within 500 feet of the boundaries (or proposed boundaries) of the real property which is the subject of the governmental decision.
  - C. One conflict of interest appraisal shall be allowed per year per for the City Manager, if real property in which the City Manager has an economic interest is the subject of a City government decision or if any part of that real property is located within 500 feet of the boundaries (or proposed boundaries) of the real property which is the subject of the governmental decision.
  - D. One conflict of interest appraisal shall be allowed per year for the Community Development Director, if real property in which the Community Development Director has an economic interest is the subject of a City government decision or if any part of that real property is located within 500 feet of the boundaries (or proposed boundaries) of the real property which is the subject of the governmental decision.
2. The amount of funding for conflict of interest appraisals shall be a budgetary consideration determined during the budget process as the Council looks at actual projects that are likely to be considered during the following fiscal year.

3. Costs incurred for City Attorney Opinions are restricted to be under \$5,000.00. Any amount \$5,000.00 or higher would require City Council approval.

**Policy 2.6: Policy against Harassment, Discrimination, and Retaliation**

1. Purpose and Policy.

A. Purpose. The City of Moorpark is committed to providing a work environment which is free of harassment or discrimination because of ~~gender, gender identity or expression, genetic characteristics or information, race, color, national origin, ancestry, religion, creed, sex, physical or mental disability, medical condition, marital status, veteran status, sexual orientation, age,~~ gender; gender identity or expression; genetic characteristics or information; race; color; national origin; ancestry; religion; creed; sex; physical or mental disability; medical condition; marital status; military or veteran status; sexual orientation; age; victim of domestic violence, sexual assault, or stalking; or any basis protected by applicable federal, state, or local law. The City is also committed to providing a work environment free from retaliation because of an employee's opposition to unlawful harassment or discrimination or participation in an employment discrimination or harassment investigation, proceeding, or hearing. In keeping with this commitment, this Policy strictly prohibits harassment, discrimination, and retaliation of this nature. Behavior or actions which result in or establish an environment of such harassment, discrimination, or retaliation are strictly prohibited.

B. Policy. The City maintains a strict policy prohibiting all types of harassment or discrimination because of ~~gender, gender identity or expression, genetic characteristics or information, race, color, national origin, ancestry, religion, creed, sex, physical or mental disability, medical condition, marital status, veteran status, sexual orientation, age,~~ gender; gender identity or expression; genetic characteristics or information; race; color; national origin; ancestry; religion; creed; sex; physical or mental disability; medical condition; marital status; military or veteran status; sexual orientation; age; victim of domestic violence, sexual assault, or stalking; or any basis protected by applicable federal, state, or local law. The City also maintains a strict policy prohibiting retaliation because of an employee's opposition to unlawful harassment or discrimination or participation in an employment discrimination or harassment investigation, proceeding, or hearing. All such harassment, discrimination, or retaliation is prohibited. This policy applies to all employees involved in the operations of the City and prohibits harassment by any employee of the City including supervisors, co-workers, volunteers, and by anyone doing business with the City. If harassment or alleged harassment occurs on the job by someone not employed by the City, the applicable procedures in this policy should be followed as if the harasser were an employee of the City.

2. Definitions.

- A. **Discrimination.** Discrimination is any action or conduct by which an employee is treated differently or less favorably than other employees similarly situated to him/her for the sole reason that he/she is a member of a legally protected category, such as ~~genetic characteristics or information, race, color, national origin, ancestry, religion, creed, sex, physical or mental disability, medical condition, marital status, veteran status, sexual orientation, age, gender, gender identity or expression; genetic characteristics or information; race; color; national origin; ancestry; religion; creed; sex; physical or mental disability; medical condition; marital status; military or veteran status; sexual orientation; age; victim of domestic violence, sexual assault, or stalking; or stalking; or~~ any basis protected by applicable federal, state, or local law. For example, it would be discrimination for an individual to be denied employment or terminated from employment because that individual has a disability or is 40 years of age or older.
- B. **Harassment.** Harassment is unwelcome verbal, visual, or physical conduct that creates an intimidating, offensive, or hostile work environment or that interferes with work performance when such conduct is based on an employee's ~~genetic characteristics or information, race, color, national origin, ancestry, religion, creed, sex, physical or mental disability, medical condition, marital status, veteran status, sexual orientation, age, gender, gender identity or expression; genetic characteristics or information; race; color; national origin; ancestry; religion; creed; sex; physical or mental disability; medical condition; marital status; military or veteran status; sexual orientation; age; victim of domestic violence, sexual assault, or stalking; or stalking; or~~ any basis protected by applicable federal, state, or local law. Such conduct constitutes harassment when:
- 1) Submission to the conduct is made either an explicit or implicit condition of employment;
  - 2) Submission to or rejection of the conduct is used as the basis for an employment decision; or
  - 3) The harassment unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.
- C. **Harassment Examples.** Harassing conduct can take many forms and includes, but is not limited to, slurs, jokes, statements, gestures, pictures, computer images, or cartoons regarding an employee's ~~gender, genetic characteristics or information, race, color, national origin, ancestry, religion, creed, sex, physical or mental disability, medical condition, marital status, veteran status, sexual orientation, age, gender, gender identity or expression; genetic characteristics or information; race; color; national origin; ancestry; religion;~~

creed; sex; physical or mental disability; medical condition; marital status; military or veteran status; sexual orientation; age; victim of domestic violence, sexual assault, or stalking; or any basis protected by applicable federal, state, or local law.

D. Sexual Harassment.

- 1) Sexual harassment is unwanted sexual advances; requests for sexual favors; or visual, verbal or physical conduct of a sexual nature when:
  - a) Submission to such conduct is made a term or condition of employment; or
  - b) Submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or
  - c) Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.
  
- 2) This definition includes many potential forms of offensive behavior. The following is a list of some examples:
  - a) Unwanted sexual advances.
  - b) Offering employment benefits in exchange for sexual favors.
  - c) Making or threatening reprisals after a negative response to sexual advances.
  - d) Visual conduct: leering, making sexual gestures, or displaying of sexually explicit jokes.
  - e) Verbal sexual advances or propositions.
  - f) Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body or dress, sexually degrading words to describe an individual, suggestive or obscene letters, notes or invitations.
  - g) Physical conduct: touching, assault, impeding or blocking movements.
  - h) Retaliation for threatening to or reporting harassment.

- i) Sexual harassment can occur between members of the same or opposite sex. Sexual harassment on the job is unlawful whether it involves co-worker harassment, harassment by a supervisor or manager, or harassment by anyone doing business with or for the City.

E. Supervisor. Any employee having authority to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, or to adjust their grievances, or to effectively recommend that action, if, in connection with the foregoing, the exercise of that authority is not merely of a routine or clerical nature, but requires the use of independent judgment.

3. Mandatory Training.

A. All Employees. A copy of this Policy will be given to all employees of the City on the first day of employment, and acknowledgment will be required as described in Section 10 of this Policy. This Policy shall be redistributed to all employees following any amendment action, and acknowledgment will be required as described in Section 10.

B. Supervisory Employees.

- 1) All supervisors will be trained once every two (2) years, as scheduled by the City's Human Resources/Risk Management Division, on matters relating to the prevention, reporting, and investigation of harassment, discrimination, and retaliation. Further, individuals appointed to supervisory positions from a non-supervisory position or as a new employee shall receive training within six (6) months of their hiring or assumption of the supervisory position.
- 2) Supervisory training will last for a minimum of two (2) hours.
- 3) Supervisory training will be conducted in a classroom or other interactive setting and will, at a minimum, cover the following topics:
  - a) Information and practical guidance regarding federal and state statutory laws about harassment, including sexual harassment;
  - b) Information about the correction of harassment and the remedies available to victims of harassment; and
  - c) Practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation.

4. Preventing Harassment and Discrimination. The City's complaint procedure provides for a prompt, thorough and objective investigation of every harassment or discrimination claim, appropriate disciplinary action against one found to have engaged in unlawful harassment or discrimination, and appropriate remedies to any victim of harassment or discrimination. Employees should follow the following procedure to notify the City of alleged harassment and/or discrimination:

A. Submitting a Complaint. Employees who believe they have been harassed or discriminated against on the job, including by persons doing business with or for the City, must provide a verbal or written complaint to his/her supervisor, department head, Personnel Officer, Human Resources Analyst, or the City Manager as soon as possible. If the reported conduct involves a person in the employee's direct chain of command or if for any reason the employee feels uncomfortable making a report to his/her direct supervisor or department head, the report must be made to the Personnel Officer, Human Resources Analyst, or the City Manager. If the complaint involves the City Manager, the complaint should be reported to the Personnel Officer or in his/her absence, directly to the City Attorney. Complaints regarding the City Manager will be forwarded by the Personnel Officer or City Attorney to the City Council for consideration during closed session. Complaints regarding a member of the City Council must be reported to the City Manager or the City Attorney.

The complaint should include details of the incident(s), names of individuals involved, and the names of any witnesses. Supervisors and/or department heads must immediately refer all harassment and discrimination complaints to the Personnel Officer, Human Resources Analyst, or City Manager.

B. Investigation of Complaints. All incidents of alleged harassment and discrimination that are reported must be investigated. The City will undertake and/or direct a prompt, thorough, and objective investigation of the harassment or discrimination allegations. The investigation will be completed and a determination regarding the harassment or discrimination alleged will be made and communicated to the employee(s) who complained and the accused harasser(s). If the City determines that harassment or discrimination has occurred, the City will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment or discrimination. If a complaint of harassment or discrimination is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken. The City will also take appropriate action to remedy any loss to the employee resulting from the harassment or discrimination. The City Attorney's office will notify the complainant in writing regarding action taken against the person responsible for the harassment or discrimination. The City Attorney's office will also instruct the complainant to immediately report recurring or continuing harassment, discrimination, or retaliation.

- C. Employees may be placed on a paid administrative leave during an investigation until the conclusion of discrimination or harassment investigation.
  - D. All employees should note that the failure to use the City's complaint procedure may have an adverse effect on any claim under this Policy if such claims are litigated.
  - E. If a complaint is found to be a malicious false accusation, the employee who brought forth the complaint will be subject to disciplinary action.
5. Confidentiality. The City will take all reasonable steps available to maintain the confidentiality of all complaints of harassment and discrimination as well as all information gathered during the investigation. However, employees may not make an anonymous complaint and the City cannot guarantee absolute confidentiality as disclosure of information is necessary to complete the investigation. All employees involved in the investigation of harassment or discrimination complaints will be admonished to keep all information related to the investigation confidential, and that revealing such information is grounds for discipline.
6. Employee's Duty to Disclose Benefits Received. Employees are hereby informed that no supervisor, manager, or officer of the City, or other person or entity doing business with the City, is authorized to expressly or impliedly condition the receipt or denial of any benefit, compensation, or other term or condition of employment on an employee's consent to any sexual demand. To the contrary, all employees are instructed that they must refuse such demands and report them promptly either to his/her supervisor, department head, Personnel Officer, Human Resources Analyst, or City Manager. Any employee who is found to have obtained any benefit from the City because he/she submitted to an unreported sexual demand will be disciplined appropriately, and may be subject to reimbursing the City for the value of any benefits received. Any employee making such a demand will also be subject to discipline.
7. Anti-Retaliation Policy. The City prohibits retaliation against any employee because of the employee's opposition to a practice the employee reasonably believes to constitute employment discrimination or harassment; or because of the employee's participation in an employment discrimination or harassment investigation, proceeding, or hearing. Any retaliatory adverse action because of such opposition or participation will not be tolerated; and may also be unlawful.
- A. Examples of Opposition. Opposition to perceived harassment or discrimination includes, but is not limited to, threatening to file or filing harassment and/or discrimination complaint with the Equal Employment Opportunity Commission ("EEOC"), the Department of Fair Employment and Housing ("DFEH"), union or court, or complaining or protesting about alleged harassment or discrimination to a supervisor, manager, co-worker or other official. Opposition also includes a complaint or protest made on behalf of another employee or made by the employee's representative.

- B. **Examples of Participation.** The City will not tolerate retaliation against any individual because he/she has filed a charge, testified, assisted, or participated in any manner in an investigation, proceeding, hearing or litigation under federal or state harassment or discrimination statutes or at other hearings regarding protected employee rights, such as an application for unemployment benefits. The City also prohibits retaliation against somebody closely related to or associated with the employee exercising such rights.
  
- C. **Examples of Adverse Actions.** For purposes of this Policy, an adverse action can include, but is not limited to, the following acts, when the act is taken because of the employee's opposition to harassment or discrimination, or because of the employee's participation in an employment discrimination or harassment investigation, proceeding, or hearing: disciplinary actions, negative performance evaluations, undesirable transfer, undesirable assignments, negative comments, unwarranted criticism, actions that harm the employee outside the workplace, undesirable change in benefits, undesirable change in work schedule, unwarranted exclusion from meetings or events, or undesirable change in work duties.
  
- D. **The City's Complaint Procedure.** The City's complaint procedure provides for a prompt, thorough and objective investigation of any claim of retaliation because of opposition to alleged discrimination or harassment, or participation in a proceeding regarding alleged discrimination or harassment. Employees who believe that they have been retaliated against because of their opposition to an employment practice which they reasonably believe to be discriminatory harassing, or because of their participation in a hearing or proceeding regarding alleged harassment or discrimination should follow the following procedure to notify the City of retaliation:
  - 1) **Submitting a Complaint.** Employees who believe they have been retaliated against because of opposition to alleged discrimination or harassment, or participation in a proceeding regarding alleged discrimination or harassment, must provide a verbal or written complaint to his/her supervisor, department head, Personnel Officer, Human Resources Analyst, or the City Manager as soon as possible. If the reported conduct involves a person in the employee's direct chain of command, or if for any reason the employee feels uncomfortable making a report to his/her supervisor or department head, the report must be made to the Personnel Officer, Human Resources Analyst, or the City Manager. If the complaint involves the City Manager, the complaint should be reported to the Personnel Officer, or in his/her absence, directly to the City Attorney. Complaints regarding the City Manager will be forwarded by the Personnel Officer or City Attorney to the City Council for consideration during closed session. Complaints

regarding a member of the City Council must be reported to the City Manager or the City Attorney.

The complaint should include details of the incident(s), names of individuals involved, and the names of any witnesses. Supervisors and/or department heads must immediately refer all retaliation complaints to the Personnel Officer, Human Resources Analyst, or City Manager.

- 2) Investigation of Complaints. All complaints of prohibited retaliation which are reported to the City will be investigated. The City will undertake and/or direct a prompt, thorough and objective investigation of the retaliation allegations. The investigation will be completed and a determination regarding the alleged retaliation will be made and communicated to the employee who complains and to the person(s) accused of retaliation.
- 3) If the City determines that an individual has suffered adverse action in retaliation for opposition to alleged harassment or discrimination, or participation in a proceeding related to alleged harassment or discrimination, the City will take effective remedial action appropriate to the circumstances. The City will also take action to deter any future retaliation. If a complaint of unlawful retaliation is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken. The City Attorney's office will notify the complainant in writing regarding action taken against the person responsible for the retaliation. The City Attorney's office will also instruct the complainant to immediately report recurring or continuing harassment, discrimination, or retaliation.
- 4) Employees may be placed on a paid administrative leave during an investigation until the conclusion of a retaliation investigation.
- 5) All employees should note that the failure to use the City's complaint procedure may have an adverse effect on any claim under this Policy if such claims are litigated.
- 6) If a complaint is found to be a malicious false accusation, the employee who brought forth the complaint will be subject to disciplinary action.

E. Confidentiality. The City will take all reasonable steps available to maintain the confidentiality of all complaints of retaliation as well as all information gathered during the investigation. However, employees may not make an anonymous complaint and the City cannot guarantee absolute confidentiality as disclosure of information is necessary to complete the investigation. All employees involved in the investigation of retaliation complaints will be admonished to

keep all information related to the investigation confidential, and that revealing such information is grounds for discipline.

8. **Additional Enforcement Information.** In addition to the City's internal complaint procedure, employees should also be aware that the EEOC and the DFEH investigate and prosecute complaints of harassment, discrimination, and/or retaliation in employment. You can contact the EEOC as follows: Los Angeles District Office, 255 East Temple, 4th Floor, Los Angeles, California 90012; 800-669-4000. You can contact the DFEH as follows: Los Angeles Office, 611 West Sixth Street, Suite 1500, Los Angeles, California 91117; 800-884-1684. Additional information can be found on the EEOC's website ([www.eeoc.gov](http://www.eeoc.gov)) and/or the DFEH's website ([www.dfeh.ca.gov](http://www.dfeh.ca.gov)).
9. **Documentation.** All harassment, discrimination, and retaliation complaint investigations and corrective actions shall be documented by the Human Resources/Risk Management Division and/or City Attorney. The documentation shall include a summary of the investigation and an explanation of the appropriateness of the corrective actions. All related files shall be retained by the Human Resources/Risk Management Division until such time as file destruction is approved by the City Council in accordance with records retention requirements. A record of a harassment complaint will not be included in an employee's personnel file if the complaint is found to be unwarranted or a false accusation after conducting an investigation.
10. **Employee/Volunteer/Contractor Acknowledgment of Receipt of Policy against Harassment, Discrimination, and Retaliation.** All employees shall be given a copy of this Policy on the first day of employment, shall be given the time to read the Policy during their new employee orientation meeting, and shall be required to sign a form acknowledging the following:

I acknowledge receipt of the City of Moorpark Policy against Harassment, Discrimination, and Retaliation. I understand that it is my responsibility to read and comprehend its contents. If I have any questions, I shall submit any questions in writing to the Personnel Officer or Human Resources Analyst within seven (7) days of receipt of the Policy and signing the acknowledgment form.

The City Manager or his/her designee may determine that certain volunteers and contractors shall also be required to receive, read, and acknowledge receipt of the City of Moorpark Policy against Harassment, Discrimination, and Retaliation.

This Policy shall be redistributed to all employees and applicable volunteers and contractors following any amendment, and no less than once every two years, with reading and receipt acknowledgment required as described above.

## **Policy 2.7: Drug-Free Workplace**

M. If an employee of a City contractor violates this Policy, the City may require remedial measures and may initiate suspension or termination of the contractor agreement, subject to the provisions of the agreement.

6. Questions regarding social media issues and this Policy may be directed to an employee's supervisor, department head, or the Personnel Officer.

**Policy 2.20: Moorpark City Library Materials Selection**

1. Mission

The Moorpark City Library (Library) provides information, lifelong learning, inspiration and enjoyment to people of all ages through reading and technology. This Materials Selection Policy sets guidelines used by the Library for the selection of books and other print and electronic materials.

2. General Governing Factors

The selection of materials for the Library is governed by four factors:

A. The needs of the individual and of the community.

B. The individual merit of each work.

C. The existing collection, budget and services of the Library.

D. The Library adheres to the *Library Bill of Rights* and *The Intellectual Freedom Statement* (copy is available at the Moorpark Library Circulation Desk and at the City Clerk's office).

3. Principles of Selection

A. The Library aims to obtain and make readily accessible materials that fill the cultural, educational and leisure needs of City residents.

B. Materials are selected from a number of sources. The basic consideration for the selection of any item is whether it is of proven or potential interest to the community served.

C. Additional criteria include:

- Availability and cost of the material
- The amount of similar material already in the collection
- The availability of the material elsewhere in the community
- The physical makeup of the material
- Opinions expressed by critics or reviewers

- \_\_\_\_\_ Local interest or demand

D. In selecting materials to reflect the diversity of the needs and interests of the residents of Moorpark, it should be recognized that some materials chosen may be offensive or trivial to some persons while being meaningful or significant to others. The Library does not endorse or agree with all opinions expressed in the materials in the collection.

E. Materials shall be made as accessible as possible to the public. The Library does not serve as censor of the reading of any person. The Library recognizes the importance in an open and democratic society of allowing individuals to form their own opinions on issues and, therefore, acquires materials that may be of a controversial nature.

F. Responsibility for the use of Library materials by minors rests with their parents or legal guardians. The selection of materials for the Library will not be governed by the possibility that these materials may come into the possessions of minors.

#### 4. Responsibility for Selection

A. The initial responsibility for materials selection lies with the Library staff working within the area of service to children, young adults, and adults. The general public may recommend material for consideration.

B. In making selections, Library staff shall do so in a manner based on principle rather than personal opinion, reason rather than prejudice, and judgment rather than censorship. The spirit of selection should be inclusive rather than exclusive. Variety and balance of opinion are sought whenever possible.

C. The Moorpark Library City Representative shall be the City Manager or City Manager designee (City Representative), who shall be responsible for overseeing the development of the Library collection by the City Librarian according to the principles set forth in this policy. The City Librarian shall execute best practices in librarianship when developing the Library collection and shall be responsible for collection development.

D. The Moorpark City Librarian and City Representative shall present an informational item to the Library Board each July identifying suggested allocation of collection budget resources to various types of materials for the Fiscal Year beginning July of that same year. Collection statistics for the prior Fiscal Year shall be included within the Moorpark City Library Annual Report that is presented to the Library Board at the August meeting. The Library Board will provide suggestions to the City Librarian and City Representative who have final decision making authority on collection development.

5. Placement of Materials in the Library

A. The Public has free access to all Library materials consistent with this policy.

B. Placement of materials within the Library will be made by the City Librarian.

Criteria include:

- Assigned Classification
- Format
- Susceptibility to loss or damage
- Rarity or cost

C. The Library staff labels materials for placement only, not to predispose the user for or against any materials.

6. Bindery / Book Mending

Only those materials of local significance, of long-term importance to the collections, or heavily used items will be bound, rebound, or mended as needed.

7. Gifts – Funds

Donations of funds are welcome and must be documented by the City. Donated funds must be immediately sent to the City of Moorpark Finance Department for deposit and accounting on the day received or the next business day if received on a weekend or after 5:00 pm. The City reserves the right to make the final decision on use of donations of funds towards library enhancements.

8. Gifts - Materials

Donations of materials to enrich the collection are welcome. Donated materials are received by the Moorpark Friends of the Library and the Library staff reserves the right to review all donated materials to determine if any of the materials are to be added to the collection. If the donated materials do not meet the selection criteria to be added to the library collection, the materials become the property of the Moorpark Friends of the Library.

9. Withdrawal of Materials

Damaged, worn, obsolete, superseded, or unused items may be withdrawn from the Library upon the written recommendation of the City Librarian with the written approval of the City Representative.

Weeding and/or disposal of library materials shall be at the discretion of the City Representative. Recommendation regarding resale, donation, or disposal of weeded material will be made by the City Librarian and approved by the City Representative prior to undertaking the following procedural options:

- A. Materials determined worthy of re-sale or donation shall be offered to the Friends of the Moorpark City Library for the purpose of sale(s) with all proceeds to benefit the Moorpark City Library. Items that remain unsold are the responsibility of the Moorpark Friends of the Library who will dispose of the material.
- B. If the Friends of the Moorpark Library do not accept the discards worthy of re-sale or donation, the City, at its sole discretion, shall hold book sales or donate the material to non-profit, charitable organizations as determined by the City Representative.
- C. Books determined not worthy of re-sale or donation will be appropriately disposed of by the City as determined by the Moorpark City representative. Any material that can be recycled will be recycled.

10. Reconsideration of Materials

Persons objecting to the content of materials in the Library shall be invited to state their objection in writing and addressed to the Moorpark City Library. Any request for reconsideration will be reviewed by the City Librarian in consultation with the City Representative. The decision of the City Librarian shall be final.

**Policy 2.21: Moorpark City Library Internet and Computer Use and Patron Agreement**

1. Introduction

The Moorpark City Library (Library) provides the opportunity for public access to the Internet, which allows individuals of all ages the freedom to explore and expand their knowledge beyond the traditional "walls" of the Library.

The following policy governs the use of public computer resources in the Moorpark City Library, including public Internet access, library workstations and library laptop computers, non-Internet applications, wireless access (Wi-Fi), and remote use of the library's technology offerings.

Before using any public workstation at the Moorpark City Library, patrons agree to abide to this "Moorpark City Library Internet and Computer Use Policy and Patron Agreement". By signing for a library card for their children under the age of 18, parents or legal guardians acknowledge that their children will be allowed access to the Internet if the parent or legal guardian gives permission on the library card application.

Library patrons that access the City's wireless network (Wi-Fi) while using their own wireless capable devices will be required to affirmatively acknowledge a wireless user agreement prior to each use.

2. Internet Content

The Internet is an unregulated, global resource that contains materials that some persons may find offensive. While the City will take precautions to regulate internet access by minors on the City's library computers, the City is not responsible for anything that any library user may see or read while in the Library that the user or, in the case of minors, the user's parents or legal guardian, may find offensive. The City is not responsible for a minor that brings into the library a wireless capable device that permits access to Wi-Fi, which is unfiltered and unsecured. The City urges parents or legal guardians to accompany their children while visiting the Library to ensure that their children are safe at all times.

3. Internet Users

Internet users are expected to act in a responsible, ethical, and legal manner. Users may not use Library computers to access Internet sites that depict or transmit material that violates state or federal law. The Library is not responsible for the content of retrieved information. Library users are responsible for critically evaluating the quality and accuracy of material obtained from the Internet. Internet filter software is not infallible and even when using filtering tools minors may be exposed to explicit material.

The Library expressly disclaims and shall have no liability for any direct, indirect, or consequential damages related to information obtained from the Internet. All users shall expressly assume the risk of receiving incorrect, inaccurate, defective, fraudulent, or unlawful information while accessing the Internet through any equipment or service offered by the City of Moorpark.

Wireless Internet users must agree to the wireless network user agreement, the wording of which shall be approved by the City Manager or his/her designee, before accessing the Library's network with their own wireless capable devices.

To protect their privacy, Internet users are advised to log off at the end of their session.

4. Internet Access

Access on most of the Library computers is filtered as to sexually explicit content. Adult patrons, by default, have unfiltered access for themselves. A parent or legal guardian for children under the age of 18 shall designate, upon completing and signing the library card application in the presence of Library staff, whether they authorize unfiltered access to the Internet. Without this authorization, no minor shall be issued a card with unfiltered Internet access.

Users whose conduct while using public computer systems is disruptive or interferes with the use of the Library by others, will be asked to modify their behavior or, if unable to modify their behavior, will be asked to leave the Library.

The City Library reserves the right to revoke or suspend computer privileges in the case of failure to comply with this policy or the violation of local, state, or federal law. The Library may suspend privileges by a minor without notification to the parent or legal guardian. In addition, unlawful activities will be reported to the Ventura County Sheriff's department and dealt with appropriately.

5. Wireless Network (Wi-Fi) Security Warning and Disclaimer

- A. The Moorpark City Library cannot guarantee the safety of data transmitted across its Wi-Fi.
- B. The Moorpark City Library assumes no responsibility for the configurations, security, or changes to personal data files resulting from a connection to the Wi-Fi; the safety of equipment (patrons should keep equipment with them at all times); nor the availability of a wireless connection (there is no guarantee that users will be able to make a wireless connection).
- C. Library staff does not provide technical assistance of any kind nor does Library staff touch patron's personal technology equipment.
- D. The City's Wireless Internet Network Policy (Policy 2.14) applies to the Moorpark City Library use. All users with portable computers or devices capable of receiving wireless signals will be required to acknowledge they have read the City's wireless network user agreement prior to each use.

6. Rules of Conduct for Internet and Computer Use

- A. Library workstations are available for one hour per day per user. Sessions may be extended if no other patrons are waiting for workstations. Library staff may designate one or more computers for use as online homework tutoring stations and may allow an exemption from the one-hour rule on any such computer for this use between the hours of 3:00 p.m. and closing Monday through Thursday.
- B. One workstation will be designated as the "express" computer terminal. This computer will be specifically for quick use and limited to 15 minutes at a time.
- C. Use of a workstation is on a first-come/first-served basis.
- D. Users can sign up to use a workstation on a next-available basis. Requests for specific computers cannot be honored.

- E. Only one person at a time may use a workstation. Exceptions may be made at the discretion of Library staff.
- F. Printing may not be available at all workstations. The printing fee shall be set by resolution of the City Council, and customers are not permitted to supply their own paper. Printers may not be used for other purposes or attached to other computers.
- G. Library laptop usage and procedures shall be at the discretion of Library staff and the City Representative and may change at any time.
- H. Users are prohibited from interfering with the performance of the network. Users must not reconfigure workstations, "hack" passwords, gain entry to closed areas of the network, or introduce computer viruses. Users are responsible for any hardware or software damage they cause. Tampering with hardware or software is considered vandalism and may result in legal action (violation of California Penal Code Section 502 et. seq.).
- I. Users may not use the workstation or laptops for illegal activity, including violating copyright laws or software license agreements.
- J. Users may not install their own software programs or attach personal hardware to Library computers other than a Universal Serial Bus (USB) for saving documents.
- K. Users must not interfere with the work of others and must respect one's right to privacy.
- L. The Library upholds the right of confidentiality and privacy for all users; however, the Library reserves the right to monitor the use of its Internet services and review any electronic data on the Library's lines (including e-mail communications) if necessary for the proper operation of the Library or to ensure compliance with this policy and/or local, state, or federal laws. Sign-in logs for Internet use are not retained as permanent records by the Library.
- M. Absolute privacy for patrons using electronic resources in the Library cannot be guaranteed. There exists a possibility of inadvertent viewing by other patrons, either by watching the user's screen or because a user may leave the screen unattended.
- N. The Library does not provide individual e-mail accounts to users; however, users with existing e-mail accounts may access their accounts or users may register for free e-mail services available on the Internet. The Library assumes no responsibility and shall have no liability for any claim or damage resulting from the provision of such access to users.

O. Use of the Library's computers is a privilege. Users must end their sessions, log out, and leave the workstations or laptops when asked to do so by Library staff.

7. Supervising Computer Use by Children

The Library does not serve *in loco parentis* (in the place of a parent). Librarians cannot provide supervision of children as they explore the Internet. The responsibility for what minors read or view on the Internet rests with parents or legal guardians.

The following are recommended guidelines for parents and legal guardians to ensure that children have positive online experiences, whether at home or at the Library.

A. Use the Internet as a family. Join your children in Internet exploration.

B. Explore the wide range of available information and tell your children about sites you consider inappropriate for them.

C. Provide guidelines for your children on the amount of time they spend online, just as for television viewing.

D. Instruct children NEVER to give out personal information (name, address, password, telephone number, credit card number) online.

E. Teach children to be good online consumers. As with print information, consider the source, date and accuracy of online information.

F. Parents or legal guardians and children are encouraged to read "Child Safety on the Information Highway" and "Teen Safety on the Information Highway" available free at any library location or at [www.safekids.com](http://www.safekids.com) and [www.safeteens.com](http://www.safeteens.com).

8. Policy May Be Revised

The City of Moorpark reserves the right to revise this policy from time to time. If revised, a copy of the current policy will be available at the Library Circulation Desk and in the City Clerk's office. All patron use of the Library Internet workstations must be in compliance with the current policy whether or not a patron has signed or read the revised policy.

**Policy 2.22: Moorpark City Library Circulation**

The following policy governs the terms by which materials may be borrowed from the Moorpark City Library.

1. Library Card Registration

Any person residing in California may borrow materials free of charge from the Moorpark City Library. Cardholders are responsible for all material checked out on their card.

The Moorpark City Library Card application may be revised from time to time. Changes will be submitted by the City Librarian and reviewed and approved by the City Representative before changes are implemented. Library Card applications shall be made available in both English and Spanish.

Library Cards for Adults. Any person 18 years of age or older applying for a Moorpark City Library card must show proof of identity and residence. Post office boxes are acceptable as mailing addresses; however, proof of residence is required to obtain a card. Acceptable identification may be any of the following:

- A. California driver's license
- B. California identification card
- C. Check imprinted with name and address
- D. Official mail (postmarked with current address)
- E. Current bill imprinted with name and address
- F. Current monthly rent receipt
- G. Tax payment receipt

Restricted Temporary Library Cards for Teenagers without Parental or Legal Guardian Signature. Patrons 12 years of age through 17 years of age are classified as teenagers in this policy. Teenagers do not need a parent's or legal guardian's signature to get a restricted, temporary, one-time use card; however, a parent or legal guardian must sign the application in person, in the presence of Library staff, for the teenager to obtain their permanent card, which allows continued checkout of material, use of the public computers, and the ability to check out digital videos (DVDs, etc.). In order to obtain a temporary, one-time use card, the teenager must be a Moorpark resident or attend a Moorpark School. To obtain their temporary card, the teenager must present a picture ID verifying residency or attendance at a Moorpark School. The temporary, one-time use card allows teenagers to check out two written material items only. Library staff will provide the teenager with a letter for their parent or legal guardian which explains the temporary card.

Library Cards for Children. Children are eligible for a library card as soon as they can print both their first and last names on the applicant signature line. In the event a

child is unable to print, and at least 4-years of age, parental or legal guardian signature will be accepted. The minor's date of birth is required on the application.

The signature of a parent or legal guardian, in person at the Library, is required on applications of children under 12 years of age and for permanent library cards for youth ages 12 through 17.

Once the library card application is signed, the user agrees to follow the rules and regulations of the Library. New cardholders are limited to borrowing two items on the day the card is issued. When those items are returned, the cardholder may borrow with full privileges if their account is in good standing.

## 2. Confidentiality of Library Records

California State law (*Government Code*, Title I, Division 7, Chapter 3.5, Sections 6254 (j) and 6267) protects the confidentiality of library patrons. Library staff will always operate in a manner that conforms to the requirements of the law in the handling of patron records and accounts. According to this statute, Library staff may not release information to any other party regarding any item borrowed by any other person, including information released to a parent or legal guardian regarding what items their child has checked out.

As permitted by the above-cited statute, Library staff may release information on a cardholder's account to a third party if the cardholder has provided a written notice allowing the third party access to the cardholder's account information. A cardholder may authorize another party to pick up and check out materials by sending his or her library card along with the written request or notice with the third party. Held items can be checked out only to the card that was used to place the hold whether or not another card is associated with the cardholder who made the request.

Demographic information may be gathered in order to plan Library services. This information is used anonymously and is not disclosed in any way that would identify the person registering. All information provided on the registration form is protected by the statute cited above.

## 3. Non-Resident Cardholders

Persons residing outside of the State of California may obtain a Moorpark City Library card by paying a non-resident fee as determined by resolution of the City Council. Payment of this fee will entitle the cardholder to the same borrowing privileges enjoyed by all other Library card holders.

## 4. Loan Periods

Reference the Moorpark City Council Policies Resolution adopting a Library Fine and Fee Schedule (a copy of the current Schedule will be available at the Library

Circulation Desk) for details regarding loan periods. For purposes of this policy, new bestseller material shall remain in that category no longer than six (6) months. DVDs and bestseller items will be available for a one-week check-out period with no renewals and will not be available for holds. New bestseller items will be clearly labeled and shelved separate from other materials.

Loan periods for inter-library loaned materials will be determined by the lending institution and are generally non-renewable.

Reference materials and microforms must be used in the Library and are not available for checkout. These materials may be loaned to other libraries for in-library use only.

5. Renewals

All items, with the exception of DVDs and identified new bestseller books can be renewed once for the standard loan period for the item unless the item is on hold for another cardholder. Patrons may renew overdue items provided they pay any outstanding fees before renewing.

Cataloged materials that are eligible for renewal may be renewed at the Moorpark City Library Circulation Desk, from any Library computer, via the Internet, or by phone.

6. Number of Items per Library Card

Reference the Resolution adopting the Moorpark City Library Fine and Fee Schedule for details regarding borrowing limitations for specific material and fines and fees.

7. Parental/Legal Guardian Control of Minors' Access to Video and DVDs

The Library will honor written requests by a parent or legal guardian that their minor children not be permitted to borrow any DVD or may be permitted to borrow only DVDs from the Children's Collection as marked on the library card application for the child.

8. Reserves and Interlibrary Loan

Holds may be placed to reserve items by completing a hold request form on the online catalog. Users will be notified via e-mail or by phone when items are available. Items will be held for one week from the date of notification of the users.

Items not owned by the Moorpark City Library may be requested from other libraries by filling out an "Interlibrary Loan Request" at the Library. Library users are also welcome to fill out a "Suggestion for Purchase" form, available at the library or on-line

at the library website, for items not currently in the collection. A librarian will review each of these suggestions.

9. Overdue, Lost, and Damaged Material

Library users assume full responsibility for the return of materials, in good condition, on or before the due date noted on the receipt. Fees accrue for each day the Library is open. Fees vary by item type.

Media materials should not be returned in the book drop. There are two drops, one for books and one for media (CDs, DVDs, Audio Books, etc.). Patrons are advised to return media to the circulation desk or place media in the media designated book drop. Patrons will be charged for media materials that have been damaged from being returned in the book drop marked for books.

Library users assume full responsibility for loss or damage to materials they check out. Damage includes, but is not limited to, stained and/or torn covers or pages, writing in or on materials, liquid damage, missing pages, missing pieces, scratched discs, and dirty or damaged cases or damaged parts. Charges for materials lost or damaged beyond repair will be the price shown in the Library's automated catalog, either the actual cost or a default cost for the type of item plus a processing fee (reference the Moorpark City Library Fine and Fee Schedule), and accrued fees (if applicable). In the cases of unusual circumstances, it will be left to the City Librarian under direction of the City Representative to assess charges for lost or damaged materials other than as specified by the Moorpark City Library Fine and Fee Schedule.

In lieu of paying for a lost item, a patron may replace the lost material with like material of equal or greater quality. The City Librarian has final authority to determine the acceptability of the substitute item. The cardholder is still responsible for the processing fee and any fees accrued. Charges for damaged materials that can be repaired will be determined on a case-by-case basis by the City Librarian under the direction of the City Representative.

For materials borrowed for a Moorpark patron from another library (interlibrary loan materials), the replacement cost is determined by the lending library. The cardholder is still responsible for fees accrued.

It is the responsibility of the cardholder to return borrowed items on time. Overdue notification is done as a courtesy only. Overdue items are considered lost 30 days after the due date and applicable fees will be assessed. Patrons are encouraged to keep check out receipts and check item due dates on the account on-line as they are responsible for all fees whether or not they receive a notice.

User accounts with fees totaling \$5.00 or more will be suspended and blocked from further use until fees are paid. In financial hardship cases, the City Librarian may

work with the patron to provide an alternate payment plan and will note such arrangements on the patron record for tracking purposes.

10. Recovering Overdue Materials

Moorpark City Library will send an overdue notice to a patron 14 days after an item is due. At 28 days after the item is due, a second notice and bill is sent to the patron requesting that either: 1) the item be returned and fees paid; or 2) the patron can pay the cost of the item, which shall be identified as lost, plus a processing fee established by Resolution of the City Council. At 14 days following the second notice, delinquent accounts with a value of over \$50.00 shall be referred by the City to a collection agency. An additional delinquent account fee shall be added to the cardholder's account and shall be established by Resolution of the City Council.

**SECTION 3. POLICIES ADMINISTERED BY CITY MANAGER'S OFFICE**

**Policy 3.1: City Manager Approval of Cellular Telephone Reimbursement for Designated Competitive Service Employees**

The City Manager may approve a monthly cellular (cell) phone allowance of \$45.00 for a Competitive Service employee whose duties, as determined by the City Manager, necessitate access to a cell phone. Employees receiving a cell phone allowance shall be subject to compliance with cell phone standards to be approved by the City Manager. Such standards shall include, but not be limited to, the cell phone company to be used, the service area, and voice mail and paging capabilities. In addition to the monthly allowance, the City shall reimburse the designated Competitive Service employees up to a maximum of \$125.00 every two years upon submittal of an invoice showing proof of payment for a new cell phone that is in compliance with the established cell phone standards. City Manager approval is required prior to an employee receiving the monthly allowance and the cell phone acquisition reimbursement.

(Cell Phone reimbursement provisions for Management employees are addressed in the City's Management Benefits resolution.)

**Policy 3.2: Authorization for City Manager to Approve Small Claims Court Filing and Civil Compromise for City Claim against Another Party Having a Value Not to Exceed \$5,000.00, and Authorization for City Manager to Allow, Settle and/or Compromise any Claim Filed against the City Having a Value Not to Exceed \$50,000.00**

It is the City Council's policy that the City Manager shall have the authority to approve the filing of a small claims court action, with the City as the plaintiff, when money is owed the City. The City Manager shall also have the authority to settle and/or compromise any claim of the City against another party, when the value of the City's claim does not exceed \$5,000.00.

requirements set forth in the City Program. Notwithstanding the above, certain exceptions to these requirements may be authorized as follows:

- A. The City Manager may waive bidder pre-qualification for any Project, provided a report is forwarded to the City Council at least ten (10) days prior to the Notice Inviting Bids, stating the reasons for, and/or the benefits resulting from, such a waiver; and
  - B. The City Council may waive these requirements for any Project.
3. Project Specific Program vs. Annual Program

The DIR "model documents" describe two separate programs: a) one for "project specific" bidder pre-qualification; and b) one for an annual bidder pre-qualification process. The City Program shall set forth a project specific bidder pre-qualifications process. However, should it be determined by the City Manager that it would be in the best interest of the City to administer an annual bidder pre-qualifications process for a number of Projects, the City Program shall be modified for such purpose, provided all such revisions and modifications are consistent with the requirements of the DIR model documents.

4. Evaluation Committee

Pre-qualification packages shall be reviewed and scored by an Evaluation Committee. The Evaluation Committee for each Project or annual process shall consist of one (1) to three (3) staff members or consultants retained for such purpose, as determined by the City Manager or his/her designee.

5. Appeals Panel

The Appeals Panel shall consist of one or more staff members or consultants retained for such purpose, as determined by the City Manager, provided that no member of the Evaluation Committee shall sit on the Appeals Panel. Further appeal shall be to the City Council in accordance with Section 2.04.080 of the Municipal Code.

**Policy 3.5: First-Time Home Buyer Affordable Housing Program**

Periodically, the City will make available for sale one or more attached or detached dwelling units to very low, low, or moderate income persons/households as further defined below as part of its First-Time Home Buyer Affordable Housing Program (Program). This policy sets forth the primary criteria for eligibility for participation in said Program and determining priority for participant selection. This policy also sets forth the primary criteria and parameters for retaining the affordable units as affordable for the longest feasible period, but in no event less than forty-five (45) years; equity sharing requirement upon resale; and establishes the requirement that upon resale the affordable dwelling unit is sold to a City approved buyer in the same income category as the original buyer at the time of the initial sale.

Other criteria to determine participant eligibility and to ensure compliance with this policy, including but not limited to purchase agreement documents, shall be established by the City Manager prior to the advertisement of the availability of one or more affordable dwelling units as part of the Program.

1. Home Buyer Qualification Guidelines

- A. Low Income (less than 80 percent of Ventura County median income based on household size); Very Low Income (less than 50 percent of Ventura County median income based on household size); and when applicable Moderate income (less than 120 percent of Ventura County median income based on household size).
- B. First time home buyers (no previous home or mobilehome ownership).
- C. First priority for City of Moorpark residents who have lived in the City of Moorpark for no less than one year prior to Program application deadline (Category 1).
- D. Second priority to people who have worked within the City of Moorpark for no less than one year prior to Program application deadline (Category 2).
- E. Third priority all others (Category 3).
- F. Five percent (5%) minimum down payment, based on sales price [No more than two percent (2%) of affordable sales price may be a qualified gift with remainder from borrower's own funds; under certain circumstances, down payment assistance loan, not to exceed one percent (1%) of affordable sales price, with four percent (4%) from borrower's own funds.]
- G. Non-occupant co-borrowers are not allowed and no more than two related or unrelated people can take title of an affordable unit.

2. Selection Process

- A. Advertisement of program and orientation meetings on City website, City government channel, and distribution of a press release and other means as determined by the City Manager.
- B. Mandatory attendance of all interested buyers at an orientation meeting.
- C. Pre-screening applications offered at orientation meetings.
- D. Neighborhood Housing Services of America (NHTSA) or other City-approved underwriting guidelines to be used, subject to additional City requirements.

**Policy 4.5: Enforcement of Section 8.14.140 (Prohibition Against Maintaining Graffiti on Private Property) of the Moorpark Municipal Code on Properties Maintained for Single-Household and Two-Household (Duplex) Residential Use**

In recognition that graffiti removal can be an excessive burden on residential property owners, additional steps in code compliance will be taken to assist these property owners in removing the graffiti as follows:

1. A standard code compliance letter will be sent to the owner of property maintained for single-household or two-household (duplex) residential use indicating the timeframe by which the graffiti must be removed consistent with Section 8.14.140 of the Moorpark Municipal Code:

For graffiti that can only be seen from a public alley or from public or private property not accessible by the general public, twenty-one (21) days from the date the notice is mailed, shall be given to abate the graffiti. In all other cases, five (5) days from the date the notice is mailed shall be given to abate the graffiti;

2. If the property owner has not abated the graffiti within the timeframe stated in the letter, code compliance staff will attempt to contact the property owner in person or by telephone to discuss the matter and arrange for a date by which the property will be brought into compliance. If personal contact is unsuccessful, a standard second code compliance letter will be sent to the property owner. Once contact has been made or a letter has been sent, City staff will allow seven (7) days for the graffiti to be abated before taking further action consistent with Policy 4.3; and
3. Community Development staff will assemble and maintain a list of volunteer organizations and individuals who are willing to abate graffiti on private property. The list will include a disclaimer prepared to the satisfaction of the City Manager and City Attorney that the City will assume no responsibility for any work performed by the listed volunteers and any agreement between the property owner and the volunteers is a private matter. The list will be provided to the property owners if, in their contact with City staff, there is an indication that assistance is needed in abating the graffiti.

**SECTION 5. POLICIES ADMINISTERED BY FINANCE DEPARTMENT**

**Policy 5.1: Meeting, Training, Conference, and Professional Association Membership Expense Reimbursement**

On various occasions it will be necessary for City officials, elected and appointed, and staff to attend meetings, seminars, training, and/or conferences on City business, and join professional associations related to the business of the City. Such occasions fall basically into the following categories:

1. Meetings/Seminars/Training Sessions, which do not Require Overnight (Lodging) Accommodations;
2. Meetings/Seminars/Training Sessions which Require Lodging or an Expenditure Exceeding \$250.00;
3. Staff Travel – Special Meetings or Training for which Funds Are Not Appropriated;
4. Legislative Body Authorized Expense Procedures; and
5. Mileage Reimbursement for City Appointees to Boards, Commissions, and Committees.

This policy is intended to identify the procedures for receiving approval for travel and reimbursement of expenses. The City Manager may issue further rules for City employees that are consistent with this policy.

1. Meetings/Seminars/Training Sessions, which do not Require Overnight (Lodging) Accommodations (one day or less and return)
  - A. The costs of registration, meals, parking and mileage for private vehicle use are allowable City expenses, and Department Heads, Assistant City Manager, and City Manager shall be required to pre-approve City reimbursement for employees they supervise.
  - B. Department Heads, Assistant City Manager, and City Manager may not approve attendance unless funds have been budgeted and are available for the subject purpose.
  - C. Wherever possible, registration fees will be paid in advance by the City. The individual attending shall typically advance mileage and parking costs.
  - D. Upon return to the City, the individual attending shall complete a petty cash reimbursement form for total costs less than ~~\$50.00~~100.00, or a "Travel Authorization and Reconciliation Report" form (available on City Share/City Share/Finance/Forms) when total costs exceed ~~\$50.00~~100.00. The reimbursement form shall be submitted to the Department Head, Assistant City Manager, or City Manager for approval, as applicable.
  - E. Meal and travel expenses will be reimbursed consistent with the more detailed policy language included, below, for subsections 2.E. and 2.F. of this policy, with the exception that rental car reimbursement is not permitted for one day or less training with no lodging.

2. Meetings/Seminars/Training Sessions, which Require Lodging or an Expenditure Exceeding \$250.00

A. Allowable Expenditures. The costs of registration, lodging, meals, parking, and mileage for private vehicle use are allowable City expenses. Attendance at City expense shall be subject to the advance approval of the City Manager, if funds have been appropriated for the travel. Otherwise, attendance shall require approval and an appropriation of funds by the City Council.

B. Travel Expense Report. A "Travel Authorization and Reconciliation Report" form (available on City Share/City Share/Finance/Forms) is to be completed for each employee traveling. The Department Head must approve the form, indicating that sufficient funding is included in the budget. Once approved by the Department Head, the report is to be submitted to the City Manager for approval at least one week prior to the City Council Meeting preceding the date of the Conference/Training Session. The City Manager shall either approve/disapprove the travel or refer to the City Council and recommend attendance/non-attendance based on the availability of funds, proposed content of the meeting, and other meetings in the same general subject area, which may be scheduled later during the budget year.

Following City Manager or City Council approval, the Department Head must ensure the form is submitted to the Finance staff in a timely manner.

C. Registration. Registration will be paid in advance by regular warrant whenever possible. A registration form shall be completed by the department and submitted to the Finance Department with the approved Travel Authorization and Reconciliation Report form. Finance will process the warrant and mail the registration form.

D. Lodging.

1) The City will pay lodging expenses for City employees during business travel requiring one or more overnight stays.

2) The City will pay for lodging for the evening preceding or subsequent to a meeting or business event when the employee would have to travel at unreasonably early or late hours to reach his or her destination. Payment for pre-event lodging shall require City Manager approval and will typically not be approved if the total miles of travel from City Hall to the site of the event are less than 75 miles.

3) Costs for lodging must be reasonable, based on availability of hotels and proximity to conference/training location. Lodging costs shall not exceed the maximum group rate published by the conference or activity

sponsor, provided that lodging at the group rate is available to the employee at the time of booking.

- 4) Receipts are required.
- 5) Lodging may be guaranteed or paid by a City credit card. If overnight accommodation has received prior approval in accordance with 2.B. of this policy, Department Heads may use their City credit card to charge lodging for themselves, other employees in their department, and/or commissioners.
- 6) If overnight accommodation has received prior approval in accordance with 2.B. of this policy, lodging may be guaranteed or paid by a personal credit card, with a reimbursement request to be submitted after the training or conference.
- 7) When requesting a check for lodging, an employee shall attach a copy of the approved Travel Authorization and Reconciliation Report form. The request shall typically be submitted to the Finance Department no less than three (3) weeks prior to travel. Finance will process the warrant and give it to the Department Head to give to the appropriate employee.

E. Meals.

- 1) The traveler may receive a per-diem allowance for meals plus tips. The per diem allowance shall conform to the currently allowed Internal Revenue Service (IRS) allowance for the city of travel and does not require substantiation with receipts. Regarding partial days, travel beginning on or before 7:00 a.m. qualifies for breakfast. A return time beyond 1:30 p.m. qualifies for lunch. Return times beyond 7:00 p.m. qualify for dinner. Travelers will not be reimbursed for the cost of a lunch or dinner meal, if such meal is already paid for and provided as part of the conference expenses, and the per-diem allowance will be reduced accordingly, per the IRS published allowance, with the exception that the cost for breakfast will be reimbursed if the conference includes only a light continental breakfast, and the traveler provides a receipt for the additional breakfast expense. Breakfast shall be considered to occur between 12:00 midnight and 11:00 a.m.; lunch 11:00 a.m. to 4:00 p.m.; and dinner 4:00 p.m. to 12:00 midnight at the time zone of the location of the meal.
- 2) The City will pay reasonable and customary gratuities and tips during City business travel. Tips for meals are included in the standard per diem rate.

- 3) If no per diem rate is published for the city of travel, or if the traveler prefers, receipts may be submitted for food and tips up to \$50.00 per day based on the limits of \$10.00 for breakfast, \$15.00 for lunch and \$25.00 for dinner. The City credit card may be used to pay for meal costs, and receipts must be submitted upon return.
- ~~4) Advance payments of per diems are permitted for multi-day conferences only. A request for a per diem advance shall be submitted to the Finance Department, typically no less than three (3) weeks prior to travel. Finance will process the warrant and give it to the department head to give to the appropriate employee.~~

F. Travel.

- 1) Use of air, train, private car or bus shall be selected on the basis of the most reasonable and appropriate method, taking into consideration distance, time, and total costs to the City after all expense items are tabulated, including travel time and salary costs. Travel for all personnel shall be in coach class or equivalent service.
- 2) While traveling, the use of rental vehicles is to be discouraged. Hotel courtesy buses, local shuttle services or public transportation, if available, should be utilized between airports and meeting locations. If a shuttle service is used from home to the airport, bus, or train terminal, the cost for the shuttle shall not exceed the cost for personal vehicle mileage reimbursement plus parking (if the trip originates or ends at the employee's residence, personal vehicle mileage reimbursement shall be calculated based upon the number of miles between the travel destination and either the employee's designated work location or residence, whichever is the shortest distance). Taxi service shall be used only when no other convenient, less costly mode of transportation is available. Rental vehicles may be approved in advance by the City Manager when no other transportation is available, or when alternate transportation would be more expensive or impractical. When rental vehicles are used, the least expensive vehicle practical will be used. Payment for air travel is to be made by City credit card at the time of booking. If a travel agency will invoice for the payment, that method may be used. Employees may also use personal credit cards and then request reimbursement from the City.
- 3) Employees pre-approved to use personal vehicles for travel will be reimbursed for mileage at the then current IRS mileage rate; however, the total expense of said travel shall not exceed the combined total of the round-trip air fare to the destination, plus the private vehicle mileage expense to and from the airport and appropriate parking fees. Use of a privately owned vehicle on City business requires the driver to possess

The General Fund balance may be assigned for amounts the City Council intends to use for a specific purpose. It is the City Council's policy that assignments of fund balance for a fiscal year must be approved by the City Council prior to the fiscal year end, June 30th. Any changes to assignments must also be made by the City Council.

It is the City Council's policy to spend Classified Fund Balance in the following order when amounts in more than one classification are available for a particular purpose:

- 1) Restricted Fund Balance – amounts constrained to specific purpose by their providers through constitutional provisions or enabling legislation. Examples include grants, bond proceeds and pass-through revenue from other levels of government.
- 2) Committed Fund Balance – amounts constrained to specific purpose by resolution of the City Council.

The City Council has designated the following Committed Fund Balance: Library Fund (1010) for the purpose of providing library services.

- 3) Assigned Fund Balance -- amounts which are intended to be used for a specific purpose, expressed by the City Council.

The City Council has designated the following Assigned Fund Balances for the future design and construction of infrastructure improvement projects: Capital Projects (4000), City Hall Improvement (4001), Police Facilities (4002), Equipment Replacement (4003), Special Projects (4004), Moorpark Highlands (4010), MRA 2001 Bond Proceeds (2904), MRA 2006 Bond Proceeds (2905).

- 4) Unassigned Fund Balance – amounts available for any purpose in the General Fund.

### **Policy 5.9 Credit Card Acceptance and Processing**

The purpose of this policy is to establish standards for accepting and processing credit card payments and maintaining the security of confidential credit card ~~data~~information. The method is to implement reasonable policies and procedures that will prevent the improper use or disclosure of customer credit card ~~information~~information.

Compliance with this policy will:

- Provide reasonable assurance that all credit card transactions are properly authorized, timely settled, and accurately and completely recorded;

- Monitor for errors, both unintentional and intentional, including fraud; and
- Protect the security, confidentiality and integrity of cardholder information.

This policy is further intended to ensure compliance with Payment Card Industry (PCI) standards, as required by Visa and Mastercard. Failure to comply with PCI standards may result in unnecessary costs to the City and/or revocation of merchant status allowing for the acceptance of credit cards.

1. Authorized Transactions

The following revenue transaction types are authorized as credit card payments. The full itemized list of City of Moorpark Authorized Credit Card Transactions is maintained by the Finance Department as approved by the City Manager.

- |   |  |
|---|--|
| A. Parking Citations  | L. SB473 Building Standards Fees   |
| B. Business Registrations/Permits   | M. Imaging Fees  |
| C. Zoning Clearances  | <u>N. Fines &amp; Penalties (e.g. Social Host, Library Fines and Fees)</u>   |
| D. Encroachment Permits   | <u>N.O. Class Registration (e.g. classes and camps)</u>  |
| E. Residential Building Permits   | <u>O.P. Security Deposits &amp; Room Rentals</u>   |
| F. Home Occupation Permits  | <u>P.Q. Recreation League Fees</u>   |
| G. Sign/Banner Permits  | <u>R. Temporary Use Permits</u>  |
| H. Non-Residential Plan Checks  | <u>Q.S. Event Ticket Sales</u>   |
| I. Non-Residential Building Permits (tenant improvements, commercial equipment, high pile storage and MEP mechanical, electrical and plumbing | <u>R.T. Other transaction types approved in writing by City Manager except development impact fees which may not be authorized</u> |
| J. SMIP Fees  |  |
| K. NPDES Fees   |  |

2. Authorized City Staff

The following personnel are authorized to accept-process credit card transactions: Administrative Assistants, Administrative Secretary, Secretary I and II, Receptionist, Community Development Department personnel, Recreation Assistant, Recreation Superintendent, Recreation Supervisor, Recreation Coordinator I, II, and III, Recreation Leader II and III, Finance Department personnel, and other City staff authorized in writing by the City Manager.

3. Authorized Persons Employed by Library Services Contractor (Library contract staff)

Moorpark City Library contract staff, as approved in writing by the City Manager, shall be authorized to process credit card transactions.

34. Transaction Control Requirements

The City accepts Visa and Mastercard and Discover credit cards as a form of payment of amounts due to the City. Debit cards with Visa or Mastercard logos are also accepted and processed only as credit cards. ~~The City will accept transactions through the credit card machine at the designated front counter of City Hall.~~ It is important that Library contract staff adhere to the processes to ensure the accurate processing and recording of transactions and guard against erroneous or fraudulent transactions.

45. City Hall Front Counter City Manager Approved City Credit Card Machines and Transaction Restrictions

A. One Credit-card swipe machine shall be placed at each of these following locations: 1) the front counter at City Hall for use by authorized City staff; 2) Arroyo Vista Recreation Center for use by authorized City staff; and 3) the Moorpark City Library Circulation Desk for use by authorized City staff and Library contract staff. However, a

B. The Cardholder's customer's credit card should be visible to the customer cardholder at all times during the every transaction.

C. Transactions of less than \$10.00 and transactions outside of the transaction types listed within this policy shall be denied and the transaction shall not be completed.

D. Transactions less than \$5,000.00 can be processed without City Manager written approval. Transactions of \$5,000.00 or greater must have prior City Manager written approval.

A.E. Prior to swiping the credit card:

1) Verify the credit card against a photo identification card making sure the name on the credit card matches name on the photo identification card and that the photo on the photo identification card matches the Cardholder.

2) Verify that the card is not visibly altered or mutilated.

23) Verify that the credit card expiration date has not passed. Expired credit cards are not accepted for payment.

34) Verify that the credit card has been signed by the cardholder.

~~4) Confirm that the transaction amount is not less than the minimum limit of \$10.00 and that the transaction type is within policy.~~

~~Transactions less than \$5,000.00 can be processed without City Manager written approval. Transactions greater than \$5,000.00 must have prior City Manager written approval.~~

F. Swipe the Cardholder's card. If the credit card's magnetic strip cannot be read, the card number should be manually keyed into the credit card terminal. To reduce the risk of access to confidential credit card data, manual imprints of the card shall not be made.

GG. After swiping the credit card:

1) A signature must be obtained on the credit card payment slip and compared to the signed credit card and a driver license or other identification which includes a photograph photo identification card. In the event of unmatched signatures, the credit card transaction must be voided and the credit card returned to the customer.

2) Obtain and enter the Approval Code / Authorization number on the receipt paperwork. If the authorization network (via the credit card machine) sends a "decline" or "no match" response, the credit card payment was not processed and the card must not be accepted.

3) Confirm that the amount charged to the credit card matches the transaction.

4) Attach the signed credit card slip to the supporting documentation. Give an unsigned copy to the cardholder.

~~D. If the credit card's magnet c strip cannot be read, the card number should be keyed into the credit card terminal. To reduce the risk of access to confidential credit card data, manual imprints of the card should not be made.~~

~~E. Obtain an Approval Code / Authorization number and enter the code on the receipt paperwork. If the authorization network (via the credit card machine) sends a "decline" or "no match" response, the credit card must not be accepted.~~

FH. In all circumstances of declined or unaccepted transactions, return the credit card to the customer and offer to accept another method of payment. Customers disputing the decline or non-acceptance of the credit card should be referred to their bank which issued the credit card.

~~G.~~ Credit/Refund Transactions: Per the merchant card processing agreement, the City will not make a ~~cash~~cash refunds, but will deliver a credit for a refund (or adjustment to the cardholder account) within three (3) business days of the refund (or adjustment). The Cardholder will receive a copy/notification of the credit transaction at the time the refund (or adjustment) is made. In certain cases, a refund may be processed as a check and will be refunded within thirty (30) days.

~~H.~~ Confirm that the amount charged to the credit card matches the transaction.

~~I.~~ Cash back transactions are not authorized.

~~J.~~ Attach the signed credit card slip to the supporting documentation. Give an unsigned copy to the cardholder.

56. Telephone and Mail Transactions

The City shall accept credit card information by telephone and U.S. Mail for Arroyo Vista Recreation Center and Library customers only. In order to protect the Cardholder from unauthorized disclosure of credit card information via telephone transactions, credit card numbers ~~should~~shall not be written down by authorized City staff or authorized Library contract staff on City applications or registration forms, and must be manually keyed into the credit card terminal or computer software system. Confirm the three digit verification code on the back of the credit card for phone orders.

7. On-line Transactions

On-line credit card transactions shall be allowed through the City Manager approved third party payment processors. All on-line credit card transactions through the City website or third party proprietary software agreements must be securely redirected to the approved third party merchant payment processors where cardholders will complete their transactions. The Finance Department and Information Systems division shall work together to assure secure connections and proper security of credit card information through the on-line transaction process.

68. Settlement and Deposit of Credit Card Payments

A. The transaction history report from the credit card machine will be printed daily and be reconciled to the total receipts by authorized City staff or authorized Library contract staff.

B. The settlement batch, transaction history and reconciliation reports and supporting documentation will be reconciled by the Finance Department on the following business day.

- C. Deposits are generally settled within three business days, depending upon the credit card type. If a report indicates a settlement was declined it shall be researched by the Finance Department and the customer contacted to obtain an alternate form of payment.

79. Merchant Fees and Other Credit Card Charges

Merchant fees for all authorized credit card transactions shall be paid by the City.

Other credit card charges, such as disputed items related to a specific transaction will be researched by the Finance Department and appropriate action taken with prior written approval by the Finance Director or Budget and Finance Manager. This will ensure proper reconciliation for the merchant account.

810. Safeguarding of Confidential ~~Data~~-Information

To the extent that the City may have possession of credit card records, including but not limited to, receipts, credit card numbers, expiration date, card type and bank information, such credit card records are exempt from public disclosure, and shall not be disclosed by the City unless required via Court subpoena or in writing by the City Attorney.

Any credit card documents not remitted to the Finance Department before the close of the business day must be secured to prevent against loss and/or theft of confidential customer ~~data~~information, provided the documents shall be remitted to the Finance Department ~~in as early as practicable~~ the morning of the next business day.

Full credit card numbers are not to be recorded, maintained or viewable in any computer systems, receipts, or reports.

To the extent required by law and/or service agreements, the City will notify credit card customers of any breach of security which has placed the confidential credit card information at risk.

Credit card transactions shall not be accepted in the event of a power outage or other processing service interruption, so as to prevent the loss and/or theft of confidential customer ~~data~~information. In the event of a service interruption to the credit card machine, notification should be made to the Finance Director to determine the cause and restoration of the service.

The City Information Systems Division along with the Finance Department will maintain a secure firewall configuration network, computer, and transmission security measures to protect cardholder data.

~~The City will not use v~~Vendor-supplied defaults for system passwords and other

security parameters will not be used.

The City Information Systems Division will regularly test security systems and processes.

911. Payment Card Industry (PCI) Compliance

The City Finance Department will annually renew and update the PCI Self-Assessment Questionnaire (SAQ) as required.

**SECTION 6. POLICIES APPLICABLE TO PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT**

**Policy 6.1: Flag Etiquette**

1. The Flag of the United States of America and the Flag of the State of California will be displayed at each municipal facility which has an appropriate flagpole.
2. The National and State Flags are to be displayed daily from the start of the business day through the close of the business day during the normal work week. Flags may be flown 24 hours per day if appropriately lighted.
3. Flag etiquette allows the flag to be displayed during inclement weather provided it is made of all-weather material (such as the flags the City uses). If it rains after raising of the flag, the flag will remain on the pole. If it is raining prior to raising the flag, the flag will not be raised; however, it may be raised later, weather permitting, and remain until close of the business day.
4. Flags will be flown at half-staff as follows:
  - A. When ordered by the President or the Governor of the State in the event of the death of a present or former official as follows:

President, former or President	30 days from the day of death
Vice President, the Chief Justice or Retired Chief Justice of the United States or the Speaker of the House of Representatives	10 days from the day of death
Associate Justice of the Supreme Court; a	Day of death to day of interment

Household income includes all sources of income for the family, including wages, public assistance, alimony, child support, etc.

4. The following documents are required to verify household income:
  - A. Official letter from the Moorpark Unified School District confirming qualification for the current annual school year lunch program; or
  - B. Current Federal tax return, current paycheck stub, and official documentation of child support, alimony, public assistance, or any other monies or income received.
5. Scholarships are awarded on a fiscal year basis, July 1 through June 30, and there is no carry over to the next fiscal year if not used by June 30.
6. The maximum scholarship award is \$100.00 per qualifying child and \$400.00 per qualifying household per fiscal year. If the applicant is requesting to use the awarded scholarship for a program fee that exceeds the scholarship limit, the balance of the program fee not funded by the scholarship would need to be paid to complete enrollment and permit participation.
7. Fees paid by scholarship awards cannot be refunded or transferred. Scholarship awards do not cover the annual registration fee for day camps nor the lab fees associated with other programs. Scholarship awards may not be applied to a prior registration or payment.
8. Current City employees, members of the City Council, and appointees to the Parks and Recreation Commission and their family members are not eligible for the City's Youth Scholarship Program. For the purpose of this policy, "family members" is defined as follows: mother, father, grandfather, grandmother, aunt, uncle, cousin, sister, brother, son, daughter, step-son, step-daughter, son-in-law, daughter-in-law, nephew, niece, grandchild, mother-in-law, father-in-law, brother-in-law, sister-in-law, spouse as defined as a partner in marriage (California Civil Code Section 4100), and domestic partner as defined by California Family Code Section 297 and including the requirement for the filing of a Declaration of Domestic Partnership with the Secretary of State. In addition, "family members" shall be defined to include non-blood relatives as a result of a subsequent marriage commonly referred to as a step-relative, including but not limited to step-mother, step-father, step-sister, step-brother, step-son, step-daughter, step-grandchild, step-mother-in-law, step-father-in-law, step-brother-in-law, and step-sister-in-law.

#### **Policy 6.11 Sports Field Rental Policy**

1. Purpose

The purpose and intent of the City Council in adopting the Sports Field Rental Policy (Policy) is to establish guidelines for staff in determining appropriate rental use of City sports fields and to manage rental use of sports fields to allow for proper maintenance. This Policy is consistent with the Rules and Regulations Governing City Park Rentals adopted by separate Council resolution. This Policy does not apply to use by Youth Sports Organizations, which have a use agreement approved by the City Council.

2. Rental Use of Sports Fields in Neighborhood Parks

Rental use of sports fields in neighborhood parks shall be limited to the following:

- A. Only at the following neighborhood parks: Campus Canyon Park; Mammoth Highlands Park; Miller Park; Mountain Meadows Park; Peach Hill Park; and Poindexter Park.
- B. Group 2 and Group 3 Renters with a total attendance of ~~20~~49 or less.
- C. Group 2 and Group 3 Renters with a total attendance of 100 or less, when the rental of athletic fields is in conjunction with a picnic pavilion or other park facility and the use is for family and friends only.
- D. Rental use by Youth Sports Organizations that is not included in their respective agreements, when the rental has a total attendance of 49 or fewer.
- E. All other rental use must be approved in writing by the City Manager or his/her designee.

3. Rental Use of Sports Fields at Arroyo Vista Community Park

- A. Rental use of sports fields at Arroyo Vista Community Park, including for soccer, football, and softball, shall be managed on a rotating schedule to be established in writing by the Parks and Recreation Director or his/her designee no less than quarterly each year. The intent of the rotating rental use schedule is to permit appropriate maintenance of the fields.
- B. Tournaments (other than tournaments held by Youth Sports Organizations as allowed under a current use agreement) shall be restricted to the months of January through April.
- C. All other tournament dates and rental use must be approved in writing by the City Manager or his/her designee.

**Policy 6.12 High Street Arts Center Ticket Donation and Discounting Policy**

1. Purpose

The purpose and intent of the City Council in adopting the High Street Arts Center Ticket Donation and Discounting Policy (Policy) is to govern the use of complimentary Ticket donations or price discounting in furtherance of public purposes for events or performances held at the High Street Arts Center. From time to time, requests are received from various entities for High Street Arts Center event or performance Tickets to be donated or sold at a discounted price for fundraising purposes. In addition, the City may offer to provide complimentary or discounted Tickets in exchange for financial donations in furtherance of public purposes. The use of complimentary or discounted Tickets is a privilege extended by the City and not the right of any person to which the privilege may be extended from time to time.

This policy shall not be applicable if the City and/or Successor Agency to the Redevelopment Agency of the City of Moorpark approves an operating agreement for the High Street Arts Center.

2. Definitions.

- A. "City" or "City of Moorpark" shall mean and include the City of Moorpark, the Successor Agency and Successor Housing Agency of the Redevelopment Agency of the City of Moorpark, any other affiliated agency created or activated by the Moorpark City Council, and any departments, boards, and commissions thereof.
- B. "City Official" means every member, officer, employee or consultant of the City of Moorpark, as defined in Government Code Section 82048 and Fair Political Practices Commission (FPPC) Regulation 18701. In addition for the purposes of this Policy, such term shall include, without limitation, any City Council member, City commission or board member or other appointed official, any employee of the City, and shall also include any employee of a consultant under contract to the City, who is required to file an annual Statement of Economic Interests (FPPC Form 700) with the City.
- C. "Event" means admission to a facility, event, show, or performance for an entertainment, amusement, recreational or similar purpose.
- D. "Ticket" shall mean any ticket or pass which provides any form of admission privilege to an Event.

3. Ticket Administrator

The City Manager or his/her designee(s) shall be the Ticket Administrator for purposes of implementing and interpreting the provisions of this policy, and as such shall not be eligible to receive any donated Ticket distributed pursuant to this policy.

4. Approved Public Purposes for Complimentary or Discounted Tickets