

CITY OF ALAMEDA RESOLUTION NO. ____

AMENDING RESOLUTION NO. 9460 TO REFLECT CURRENT POSITIONS AND ENTITIES TO BE INCLUDED IN THE CITY OF ALAMEDA'S CONFLICT OF INTEREST CODE AND RESCINDING RESOLUTION NO. 15661

BE IT RESOLVED by the Council of the City of Alameda that City of Alameda Resolution No. 15661 is hereby rescinded; and

BE IT FURTHER RESOLVED by the Council of the City of Alameda that Paragraph 2 of the Conflict of Interest Code set forth in Resolution No. 9460 be amended thereof to read:

2. The terms of 2 Cal. Adm. Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code for the following departments and agencies:

- Alameda Municipal Power
- Community Development Department
- City Attorney's Office
- City Clerk's Office
- City Council
- City Manager's Office
- Civil Service Board
- Claims Board
- Commission on Persons with Disabilities
- Planning, Building & Transportation Department
- Finance Department
- Fire Department
- Golf Commission
- Historical Advisory Board
- Housing and Building Code Hearing and Appeals Commission
- Human Resources Department
- Information Technology
- Library Board
- Library Department
- Open Government Commission
- Pension Board
- Planning Board
- Police Department
- Public Art Commission
- Public Utilities Board
- Public Works Department
- Recreation and Park Commission

Recreation and Park Department
Social Service Human Relations Board
Successor Agency to Community Improvement Commission of the City of
Alameda
Transportation Commission

DESIGNATED POSITIONS
AND
DISCLOSURE CATEGORIES

<u>DESIGNATED POSITIONS</u>	<u>DISCLOSURE CATEGORY</u>
<u>Alameda Municipal Power</u>	
Account Manager	A through F
Administrative Services Coordinator	A through F
AGM – Administration	A through F
AGM – Customer & Energy Resources	A through F
AGM – Engineering & Operations	A through F
Customer Services Supervisor	A through F
Electrical Engineer	A through F
Engineering Manager	A through F
Engineering Manager	A through F
Financial Services Supervisor	A through F
General Manager – Alameda Municipal Power	A through F
Line Superintendent	A through F
Procurement Analyst	A through F
Safety Officer	A through F
Senior Account Manager	A through F
Senior Electrical Engineer	A through F
Senior Energy Resource Analyst	A through F
Senior Human Resources Analyst	A through F
Superintendent of Electrical Equipment & System Control	A through F
Support Services Manager	A through F
Utility Energy Analyst	A through F
Utility Information Technology Manager	A through F
Utility Project Manager	A through F
<u>City Attorney’s Office</u>	
Assistant City Attorney, I/II	A through F
Assistant City Prosecutor, I/II	A through F
Chief Assistant City Attorney	A through F
City Attorney*	
Deputy City Prosecutor, I/II	A through F
Deputy City Attorney, I/II	A through F
Management Analyst	A through F
Risk Manager	A through F

*Reporting requirements covered by other law.

City Clerk's Office

Assistant City Clerk	A through F
City Clerk	A through F
Deputy City Clerk	A through F

City Council

City Council Members*	
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City Manager's Office

Assistant City Manager	A through F
City Manager*	
Communications & Legislative Affairs Officer	A through F

Civil Service Board

Board Members	A through F
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Claims Board

Board Members	A through F
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Community Development Department

Assistant Director	A through F
Base Reuse Manager	A through F
Community Development Program Manager	A through F
Development Manager	A through F
Development Services Division Manager	A through F
Director	A through F
Economic Development Manager	A through F
Management Analyst	A through F

Commission on Persons with Disabilities

Board Members	A through F
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Finance Department

Auditor	A through F
Finance Director	A through F
Finance Supervisor	A through F
Financial Services Manager	A through F
Treasurer*	A through F

Fire Department

Deputy Chief	A through F
Division Chief	A through F
E.M.S. Education Coordinator	A through F
Fire Administrative Services Supervisor	A through F
Fire Captain	A through F
Fire Chief	A through F

*Reporting requirements covered by other law.

Senior Fire Code Compliance Officer	A through F
<u>Golf Commission</u> Commission Members	A through F
<u>Historical Advisory Board</u> Board Members	A through F
<u>Housing and Building Code Hearing and Appeals Commission</u> Commission Members	A through F
<u>Human Resources Department</u> Human Resources Analyst I/II Human Resources Director Human Resources Manager Senior Human Resources Analyst Senior Management Analyst	A through F A through F A through F A through F A through F
<u>Information Technology</u> Information Technology Director Information Technology Manager Technology Services Coordinator Technology Systems Coordinator	A through F A through F A through F A through F
<u>Library Board</u> Board Members	A through F
<u>Library Department</u> Library Circulation Coordinator Library Director Library IT Systems Analyst Library Technician (Order Clerk) Supervising Librarian	A through F A through F A through F A through F A through F
<u>Open Government Commission</u> Board Members	A through F
<u>Pension Board</u> Board Members	A through F
<u>Planning Board</u> Board Members*	A through F
<u>Planning, Building & Transportation Department</u> Assistant Director/Building Official City Planner	A through F A through F

*Reporting requirements covered by other law.

Code Compliance Officer	A through F
Combination Building Inspector	A through F
Director	A through F
Permit Technician, I/II/III	A through F
Planner, I/II/III	A through F
Planning Services Manager	A through F
Plans Examiner	A through F
Senior Building Code Compliance Officer	A through F
Senior Code Compliance Officer	A through F
Senior Combination Building Inspector	A through F
Senior Transportation Coordinator	A through F
Supervising Building Inspector	A through F
<u>Police Department</u>	
Administrative Management Analyst	A through F
Chief of Police	A through F
Police Captain	A through F
Police Lieutenant	A through F
Police Records Supervisor	A through F
Public Safety Communications Supervisor	A through F
Technology Services Coordinator	A through F
<u>Public Art Commission</u>	
Commission Members	A through F
<u>Public Utilities Board</u>	
Board Members	A through F
<u>Public Works</u>	
Administrative Services Coordinator	A through F
Associate Civil Engineer	A through F
Construction Inspector	A through F
Deputy Public Works Director/City Engineer	A through F
Program Specialist I/II	A through F
Public Works Coordinator	A through F
Public Works Director	A through F
Public Works Project Manager I/II/III	A through F
Public Works Superintendent	A through F
Public Works Supervisor	A through F
Senior Civil Engineer	A through F
Senior Construction Inspector	A through F
Supervising Civil Engineer	A through F
Survey & Construction Inspector Supervisor	A through F
Transportation Engineer	A through F
<u>Recreation and Park Commission</u>	

Commission Members	A through F
<u>Recreation and Parks Department</u>	
Park Manager	A through F
Recreation and Parks Director	A through F
Recreation Manager	A through F
Recreation Supervisor II	A through F
<u>Social Service Human Relations Board</u>	
Board Members	A through F
Successor Agency to Community Improvement <u>Commission of the City of Alameda</u>	
Governing Body	A through F
<u>Transportation Commission</u>	
Commission Members	A through F
<u>Consultants*</u>	

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The City Manager may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

DISCLOSURE CATEGORIES

An investment, interest in real property, or income is reportable if the business entity in which the investment is held, the interest in real property, or the income or source of income may foreseeably be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

An investment, interest in real property, or source of income or gift does not have a foreseeable material effect on an economic interest of the designated employee unless the business, real property or source of income or gift may foreseeably require legislative action or permits from the City of Alameda or may foreseeably enter into contracts or leases with or make sales of real property or goods or services to or be sold to the City of Alameda, a department thereof or the Housing Authority of the City of Alameda.

In general, that which a reasonable person would predict, anticipate, or expect beforehand, can be said to be "foreseeable". The term requires the application of reasonable judgment to assess the degree of likelihood that a decision made or participated in will as financial interest. Where the likelihood is sufficiently great that a reasonable person would predict or anticipate an effect on a financial interest, the effect of the decision is foreseeable. Clearly, in the context of designating positions within a Conflict of Interest Code, "foreseeable" means greater probability than "conceivable", yet less probability than "certainly".

CATEGORY A - INVESTMENTS

All direct or indirect investments of the designated employee valued over \$2,000 in a business entity, including any parent, subsidiary or related business, either (1) located in Alameda or (2) doing business in Alameda.

CATEGORY B - INTERESTS IN REAL PROPERTY

All direct or indirect interests over \$2,000 of the designated employee in real property located in Alameda.

CATEGORY C - INCOME (OTHER THAN GIFTS AND LOANS)

All direct or indirect income of the designated employee aggregating \$500 or more from any one source, during the reporting period.

CATEGORY D - LOANS

Outstanding loans and loans received by the designated employee from one source, aggregating \$500.00 or more during the reporting period.

CATEGORY E - GIFTS

Gifts to the designated employee from one source, which total \$50 or more during the reporting period.

CATEGORY F - TRAVEL PAYMENTS, ADVANCES AND REIMBURSEMENTS

Travel payments to the designated employee from one source, which total \$470 or more during the reporting period. Reportable travel payments include advances and reimbursements for travel and related lodging and subsistence.

INCOMPATIBLE ACTIVITIES

(A) No officer or employee shall engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his/her duties as an officer or employee or with the duties, functions or responsibilities of his/her appointing power or the agency. No officer or employee shall perform any work, service or counsel for compensation outside of his/her employment where any part of his/her efforts will be subject to approval by any other officer, employee, board of commission of his/her employing body.

(B) An employee or officers outside employment, activity or enterprise is prohibited if that:

(1) Involves the use for private gain or advantage of his/her departmental time, facilities, equipment and supplies; the badge, uniform, prestige or influence of the departmental office or employment;

(2) Involves receipt or acceptance by the officer or employee of any money or other consideration from anyone other than the City for the performance of an act which the officer or employee, if not performing such act, would be required or expected to render in the regular course or hours of his/her employment as a part of his/her duties as a local agency officer or employee;

(3) Involves the performance of an act in other than his/her capacity as an officer or employee which act may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other officer or employee of the department by which he/she is employed;

(4) Involves such time demands as would render performance of his her duties as an officer or employee less efficient.

This Appendix C shall apply to all employees, officers and agents within the agencies covered by the Code.

(This Appendix does not incorporate by reference the definitions of the Political Reform Act and the regulations adopted pursuant thereto. Interpretations of Government Code Section 1126 are applicable and interpretations of the Political Reform Act may apply.)

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a special meeting assembled on the ____ day of June 2022, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of June 2022.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM

Yibin Shen, City Attorney
City of Alameda