

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. 15230

BE IT RESOLVED by the Council of the City of Alameda that City of Alameda Resolution No. 15230 is hereby rescinded; and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
- Base Reuse and Community Development Department
- City Attorney's Office
- City Clerk's Office
- City Council
- City Manager's Office
- City of Alameda Successor Agency Oversight Board
- Civil Service Board
- Claims Board
- Commission on Disability Issues
- Planning, Building & Transportation Department
- Finance Department
- Fire Department
- Golf Commission
- Historical Advisory Board
- Housing and Building Code Hearing and Appeals Commission
- Human Resources Department
- 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
Transportation Commission
Rent Review Advisory Committee

DESIGNATED POSITIONS
AND
DISCLOSURE CATEGORIES

<u>DESIGNATED POSITIONS</u>	<u>DISCLOSURE CATEGORY</u>
<u>Alameda Municipal Power</u>	
Buyer	A through F
Senior Energy Resource Analyst	A through F
Senior Human Resources Analyst	A through F
AGM – Engineering & Operations	A through F
AGM – Administration	A through F
AGM – Customer Resources	A through F
AGM – Energy Resource Planning	A through F
General Manager – Alameda Municipal Power	A through F
Engineering Manager	A through F
Financial Analyst	A through F
Financial Services Supervisor	A through F
Support Services Supervisor	A through F
Senior Customer Program Coordinator	A through F
Customer Services Supervisor	A through F
Customer Program Coordinator	A through F
Senior Electrical Engineer	A through F
Electrical Engineer	A through F
Utility Energy Analyst	A through F
Administrative Services Coordinator	A through F
Utility Info/Billing Systems Supervisor	A through F
Utility Project Manager	A through F
Line Superintendent	A through F
System Operations and Field Services Superintendent	A through F
Electrical Equipment Superintendent	A through F
Compliance Superintendent	A through F
Utility Project Manager	A through F
Engineering Manager	A through F
<u>Base Reuse and Community Development Department</u>	
Director	A through F
Redevelopment Manager	A through F
Development Manager	A through F
Management Analyst	A through F
Economic Development Manager	A through F
<u>City Attorney's Office</u>	
City Attorney*	
Assistant City Attorney, I/II	A through F

Risk Manager	A through F
<u>City Clerk's Office</u>	
City Clerk	A through F
Deputy City Clerk	A through F
Assistant City Clerk	A through F
<u>City Council</u>	
City Council Members*	
<u>City Manager's Office</u>	
City Manager*	
Assistant City Manager	A through F
Public Information Officer	A through F
<u>Civil Service Board</u>	
Board Members	A through F
<u>Claims Board</u>	
Board Members	A through F
<u>Commission on Disability Issues</u>	
Board Members	A through F
<u>Planning, Building & Transportation Department</u>	
Director	A through F
Planning Services Manager	A through F
Building Official	A through F
Supervising Building Inspector	A through F
Senior Code Compliance Officer	A through F
Code Compliance Officer	A through F
Permit Technician, I/II/III	A through F
Planner, I/II/III	A through F
Combination Building Inspector	A through F
Senior Combination Building Inspector	A through F
Senior Building Code Compliance Officer	A through F
Plans Examiner	A through F
Assistant Community Development Director	A through F
<u>Finance Department</u>	
Auditor	A through F
Treasurer*	
Finance Director	A through F
Finance Supervisor	A through F
Financial Services Manager	A through F

Fire Department

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

Golf Commission

Commission Members	A through F
--------------------	-------------

Historical Advisory Board

Board Members	A through F
---------------	-------------

Housing and Building Code Hearing and Appeals Commission

Commission Members	A through F
--------------------	-------------

Human Resources Department

Human Resources Director	A through F
Senior Management Analyst	A through F
Human Resources Manager	A through F
Senior Human Resources Analyst	A through F
Human Resources Analyst I/II	A through F

Information Technology

Information Technology Director	A through F
Information Technology Manager	A through F
Technology Services Coordinator	A through F

Library Board

Board Members	A through F
---------------	-------------

Library Department

Library Director	A through F
Supervising Librarian	A through F
Library Technician (Order Clerk)	A through F
Library Circulation Coordinator	A through F

Open Government Commission

Board Members	A through F
---------------	-------------

Pension Board

Board Members	A through F
---------------	-------------

Planning Board

Board Members*

A through F

Police Department

Chief of Police

A through F

Police Captain

A through F

Police Lieutenant

A through F

Management Analyst

A through F

Police Records Supervisor

A through F

Public Safety Communications Supervisor

A through F

Technology Services Coordinator

A through F

Public Art Commission

Commission Members

A through F

Public Utilities Board

Board Members

A through F

Public Works

Public Works Director

A through F

Deputy Public Works Director

A through F

City Engineer

A through F

Public Works Coordinator

A through F

Public Works Superintendent

A through F

Public Works Supervisor

A through F

Senior Civil Engineer

A through F

Supervising Civil Engineer

A through F

Associate Civil Engineer

A through F

Transportation Engineer

A through F

Survey & Construction Inspector Supervisor

A through F

Senior Construction Inspector

A through F

Construction Inspector

A through F

Administrative Management Analyst

A through F

Administrative Services Coordinator

A through F

Transportation Coordinator

A through F

Public Works Project Manager I/II/III

A through F

Recreation and Park Commission

Commission Members

A through F

Recreation and Parks Department

Recreation and Parks Director

A through F

Recreation Manager

A through F

Park Manager

A through F

Rent Review Advisory Committee
Board Members

A through F

Social Service Human Relations Board
Board Members

A through F

Successor Agency to Community Improvement
Commission of the City of Alameda
Governing Body

A through F

Transportation Commission
Commission Members

A through F

Consultants*

- * 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 officer's 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 18th day of December, 2018, 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 19th day of December, 2018.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM

Michael H. Roush, Interim City Attorney
City of Alameda