

EXPENSE REIMBURSEMENT, COMPENSATION AND ETHICS TRAINING POLICY

I. Policy Statement

The City of Alameda and its related Agencies recognize the constructive value of professional conferences, seminars, meetings and training and provides travel funds for officials, who attend such official events. Agency members shall be entitled to reimbursement for their reasonable, actual and necessary expenses associated with travel, meals, lodging and other actual and necessary expenses associated with attending such events in a manner and in the amounts as set forth in this policy. This policy shall apply to the City Council and members of the Community Improvement Commission, the Housing Authority Board of Commissioners and the Alameda Reuse and Redevelopment Authority. It shall also apply to the members of the following municipal legislative bodies: Civil Service Board, Commission on Disability Issues, Economic Development Commission, Film Commission, Golf Commission, Historic Advisory Board, Housing and Building Code Hearing and Appeals Board, Housing Commission, Library Board, Pension Board, Planning Board, Public Art Commission, Public Utilities Board, Recreation and Park Commission, Social Service Human Relations Board, and Transportation Commission.

This policy is formally adopted by the City Council, Community Improvement Commission, Housing Authority Board of Commissioners and Alameda Reuse and Redevelopment Authority and any changes thereto shall also be adopted by the Agencies.

II. Definitions

For purposes of this policy, the following definitions shall apply:

- A. "Agency" shall include the City, Community Improvement Commission, Housing Authority Board of Commissioners, and Alameda Reuse and Redevelopment Authority.
- B. "Member" shall include members of City Council, the Community Improvement Commission; the Housing Authority Board of Commissioners; Alameda Reuse and Redevelopment Authority; and municipal legislative bodies, i.e. Civil Service Board, Commission on Disability Issues, Economic Development Commission, Film Commission, Golf Commission, Historic Advisory Board, Housing and Building Code Hearing and Appeals Board, Housing Commission, Library Board, Pension Board, Planning Board, Public Art Commission, Public Utilities Board, Recreation and Park Commission, Social Service Human Relations Board, and Transportation Commission.

III. Authorized Expenses

Agency funds, equipment, supplies (including letterhead), titles, and staff time may only be used for authorized Agency business. Expenses incurred by Members engaging and/or participating in the following activities and/or events constitute authorized and reimbursable expenses (as long as other requirements of this policy are also met):

- A. Communicating with representatives of regional, state, national and local government and their various agencies and entities on Agency adopted or authorized policy positions;
- B. Attending educational seminars designed to improve Agency members' skill and information levels, including ethics training to fulfill the requirements of AB1234;
- C. Participating in regional, state, national, and local organizations related to the Agency's mission;
- D. Recognizing service to the Agency, e.g. thanking a longtime employee with a retirement gift or celebration of nominal cost;
- E. Attending local events which are directly related to the mission of the Agency e.g. Chamber of Commerce;
- F. Implementing an Agency-approved strategy for attracting or retaining businesses to the City, which will typically involve at least one staff member;
- G. Charitable events for institutions which have a purpose directly related to the Agency's mission; and
- H. All other expenditures, including international travel, with prior approval of the legislative body of the Agency.

IV. Unauthorized Expenses

The following expenditures incurred by Members in the course and scope of their official duties shall not be reimbursed without prior Agency approval:

- A. The personal portion of any trip;
- B. Political contributions or events;
- C. Family expenses, including those of a spouse/domestic partner when accompanying Member on official business, child or pet care;
- D. Entertainment Expenses, including theater, shows, movies (either in-room or at the theater), sporting events, golf, spa treatments, or other cultural events, etc.
- E. Non-mileage personal automobile expenses including repairs, insurance, gasoline, traffic and parking citations;
- F. Personal losses incurred while on Agency business.

V. Cost control

To conserve Agency resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. In the event that expenses are incurred which exceed these guidelines, the cost borne or reimbursed by the Agency will be limited to the costs that fall within the guidelines, unless prior approval from the Agency is obtained at a public meeting.

A. Transportation

All travel on Agency business shall be planned to provide for the most economical mode of transportation reasonably available. Reasonable travel modes include: Air, private car and city-owned car.

Travel expenses shall be allowed or reimbursed for days actually spent on Agency business, for programmed days of a conference or meetings, and for time spent in travel to and from these events.

Expenses shall be computed for the days of the conference or event attended and for travel days not to exceed one day before and after the event and shall be allowed only if time and/or travel schedules prohibit travel at reasonable hours on the actual beginning and ending days of a conference. Reasonable hours are defined as between 7 a.m. and 11 p.m. Reimbursement for more than one day of travel to and from the destination must be approved in advance by the Agency.

1. Air Travel

Allowable costs for air travel shall be calculated by using the shortest and most direct route with the least number of en-route stops. All air travel shall be booked as far in advance as possible, so as to receive the lowest fares possible except where the lowest fare is for an overnight flight, which may be chosen by the individual but is not required. Members shall use government and group rates for travel offered in conjunction with the event when available. A Member shall not be reimbursed for the cost of first class air travel except in extraordinary circumstances and approved by the Agency.

2. City Car

Use of a city-owned car by Member is considered more economical than a private car. However, such use is limited to the availability of a pool car and is not mandatory. There shall be no allowance or reimbursement for transportation when a City-owned vehicle is used. However, any out-of-pocket expenses, including gas or maintenance costs incurred in operating the vehicle shall be

reimbursed upon presentation of receipts attached to the Travel and Expense Claim Form and Report.

3. Use of Private Vehicle

- a. Official duties of the Mayor and City Council Members require travel within the nine bay area counties. Based on mileage data, the amount of 167 miles is deemed reasonable for reimbursement on a monthly basis. The present Internal Revenue Code rate will be used to calculate the dollar amount.
- b. For travel by other Members or outside the nine bay area counties, if a personal vehicle is used for travel, reimbursement shall be based on the lesser of the following two costs:
 - 1) The least cost round-trip air travel available, or
 - 2) The allowable per mile cost, as defined in the Internal Revenue Code (with annual adjustments in the Internal Revenue Code), from Alameda.
- c. Car Rental
If a car rental is necessary, reimbursement will be at rental rates that are equal or less than those available through the State's travel program (www.catravelsmart.com).
- d. Taxis/Shuttles
Taxis or shuttles fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.
- e. Miscellaneous costs.
Bridge fares and road tolls, etc. are also reimbursable.

B. Lodging

1. Local Accommodations

Except where necessary and where approved in advance by the Agency, when possible, at a publicly noticed meeting, the Members will not be reimbursed for hotel expenditures incurred for events occurring within a 50-mile radius of Alameda except where the event begins before 8 a.m. or ends after 10 p.m. In the event reimbursement is warranted, such reimbursement shall be only for the reasonable rate of said accommodations as set forth below.

2. Non-local Accommodations

All Members traveling outside the 50-mile radius of Alameda shall be reimbursed the reasonable cost of the lodging and may either receive funds in advance, use a City-issued credit card, or be reimbursed for personal funds expended upon return from the trip.

Reimbursable days for lodging requests should correspond to the foregoing travel policy regarding dates of arrival and departure. Members are authorized for reimbursement for hotel accommodations for single occupancy.

3. Reasonable Rates for Lodging

Where the lodging is in connection with a conference or other organized educational activity, reimbursable lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, providing that lodging at the group rate is available at the time of booking. If the group rate is not available, the Member shall be entitled to reimbursement for actual costs of lodging that is comparable in location and quality. Government rates must be requested.

Where lodging is necessary for an activity that is not related to a conference or other organized educational activity, reimbursement shall be provided at the rate established by the Internal Revenue Service for the community in which the activity takes place unless there are no lodging facilities in reasonable proximity to the activity which offer that rate at the time of booking. In the event there are no such lodging facilities available at the IRS reimbursement rate, reimbursement shall be at the actual lodging rate so long as the activity has been approved by the Agency. In the event there is not enough time to seek prior approval of the activity by the Agency, approval shall be sought and received as soon thereafter as reasonably possible. In the event the Agency does not approve the activity for which the expenditure was made, the Agency member shall not be reimbursed therefore.

VI. Miscellaneous Expenses Associated with Travel Outside Alameda

Members shall be entitled to reimbursement for miscellaneous expenses incurred in the performance of their duties and in the course and scope of their activities as Members and which are reasonably related to Agency business including:

- A. Actual cost of telecommunication and fax charges when Members are away from an Agency worksite.
- B. Actual cost of telephone expenses, however, Members should endeavor to use Agency-provided calling cards or Agency-issued cell phones, if possible. If personal telephone or cell-phone bills are submitted for reimbursement, reimbursement will be calculated based on a percentage of total calls.
- C. If Internet access is necessary for Agency-related business, reimbursement will be at a maximum of \$15 per day.

- D. Reasonable laundry and/or dry cleaning charges when necessarily related to the activity while traveling on City business.
- E. Other miscellaneous charges reasonably related and necessary to the activity, including gratuities, parking, shuttle and taxi charges.

VIII. Meals

Members shall be entitled to reimbursement for meals and associated gratuities in an amount equivalent to the per diem rate provided to Agency employees, however, they shall be required to submit actual receipts documenting the expense as set forth below. Where the community standards and/or prevailing restaurant costs of the area exceed the per diem rate, Members shall be reimbursed for the actual costs of such meals and associated gratuities. Alcohol and bar expenses shall not be compensated without prior approval by the legislative body of the Agency.

Where Members are attending a conference or other organized educational activity, and a meal or meals are provided as part of the activity, Members shall not be reimbursed for any separate meal unless dietary needs require that the Council member purchase a different meal and/or city-related business necessitates that the Agency member miss the hosted meal.

Members who host a meal or meals in conjunction with an Agency-related business activity, shall be reimbursed for the actual costs of the meal and associated gratuities in accordance with the IRS schedule for the community in which the meal is eaten.

VIII. Miscellaneous Expenses

The Mayor and Council Members may be supplied with various communication equipment and services including but not limited to cellular phones, facsimile connections and Internet connections. These services are deemed necessary for the public purposes of the Agency.

IX. Cash Advance Policy

From time to time, it may be necessary to request a cash advance to cover anticipated expenses while traveling or doing business for the Agency. Such request for an advance should be submitted to the City Manager's Office, at least 14 days prior to the need for the advance with the following information:

- A. The purpose of the expenditure(s);
- B. The benefits of such expenditures to the community;
- C. The anticipated amount of the expenditure(s) by type (for example, hotel rates, meal costs, transportation, etc.); and,
- D. The dates of the expenditure(s).

Any unused advance must be returned to the Agency treasury within two business days of the Member's return, along with an expense report and receipts documenting how the advance was used in compliance with this expense policy.

In the event there is uncertainty as to whether a request complies with this policy, a resolution will be sought from the Agency.

X. Expense Reports

In order to receive reimbursement Members shall complete and submit to the Finance Department a Travel and Expense Claim Form and Report ("Expense Report") within a reasonable time after incurring the expense and in any event no later than 30 days thereafter. The expense report shall be accompanied by all receipts documenting each expense, including those acquired by the use of an Agency credit card or through any cash advance. The Member shall verify that the expenses for which reimbursement is sought were incurred on behalf of the Agency in the performance of official duties and that they meet the policies established in this policy. Inability to provide such documentation in a timely fashion may result in the expense being borne by the Member. All expenses are subject to verification that they comply with this policy.

Members shall provide a brief report on meetings attended at the expense of the Agency at the next regular meeting of the relevant legislative body of the Agency. If multiple Members attended the same event, a joint report may be made.

All documents related to reimbursable expenditures, including but not limited to the Expense Report and actual receipts are public records subject to disclosure under the California Public Records Act. Any personal information including credit card numbers contained on any receipts may be redacted before publicly releasing such records.

XI. Credit Card Use

Use of an Agency-issued credit card shall be permissible for the reimbursable expenses listed herein. The credit card may not be used at any time for personal expenses, even if the Member subsequently reimburses the Agency.

XII. Policy Violations

Violations of this policy including falsifying expense reports may result in any or all of the following: (1) loss of reimbursement privileges, (2) demand for restitution to the Agency, (3) any other applicable state and federal penalties, including criminal prosecution. The Agency shall consider (1) or (2) above only at a publicly noticed Agency meeting at which a hearing shall be held to determine whether or not a Member has violated the policy and what the appropriate penalty shall be. The determination as to whether or not to hold such a hearing may be made only after a vote of a majority of the Agency members present at any meeting during which the matter is considered. The hearing shall not be a full adversarial evidentiary hearing, and there shall be no direct or

cross examination of witnesses except by the Members of the Agency. The Member who is being accused of violating the policy shall be entitled to present any evidence to the Agency as to the validity and propriety of expenditures for which reimbursement was sought. The Member being accused of violating the policy shall not participate in either the decision to hold the hearing or the decision on the hearing.

XIII. Compensation

The compensation of a Member of an Agency is set forth in the City Charter, or for any Agency not governed by the Charter, by action of the Agency at the amount authorized by state law. No other compensation shall be provided.

XIV. Ethics Training

In addition to the Members required by AB1234 to obtain ethics training, the Agencies shall require the following employees to meet the ethics training requirements of AB1234: City Manager, City Attorney, and City Clerk. Every person who completes the training shall record the date of training and the entity that provided the training. The Agency shall maintain records for five years. These records are subject to disclosure under the California Public Records Act.



ADMINISTRATIVE POLICIES AND PROCEDURES

number

HR

page

1 of 6

revision

Supersedes

Policy prohibiting Harassment and Discrimination, Policy Prohibiting Sexual Harassment and Harassment and Discrimination Action Steps and Harassment and Discrimination Procedures

SUBJECT

**PROHIBITING HARASSMENT, DISCRIMINATION &
RETALIATION**

approved by

Jill Keimach

effective date

12/1/2017

A. PURPOSE

The City of Alameda values diversity and is proud of its tradition of a collegial work environment where all individuals are treated with respect and dignity. The City is committed to maintaining equal opportunity in all employment actions and public services in compliance with all applicable federal and state laws. The City's Policy Prohibiting Harassment, Discrimination and Retaliation is intended to prohibit, eliminate and prevent unlawful harassment, discrimination and retaliation and its effects in the workplace. Harassment, discrimination and retaliation whether verbal, physical or environmental, is unacceptable and will not be tolerated at the City of Alameda.

B. OVERALL GUIDELINES

There shall be no harassment, discrimination, or retaliation in the City's employment policies and practices including pre and post-employment medical examinations and inquiries, recruitments, advertising, testing, certification, hiring, transfers, promotions, job assignment, training, compensation, benefits, leaves of absence, layoffs (including reemployment), terminations, and all other conditions of employment based on any protected classifications the definitions of which are outlined below. Any retaliation against a person for filing a complaint about discrimination, filing a charge of discrimination, or participated in an employment discrimination investigation, lawsuit, or the complaint resolution process is also prohibited. Individuals found to be in violation of this policy will be subject to appropriate sanction or disciplinary action up to and including termination.

C. GENERAL PROCEDURES

The following defines unlawful harassment, discrimination and retaliation and sets forth a procedure for filing, investigating and resolving internal complaints.

Definitions

Protected Classifications: This policy prohibits harassment, discrimination or retaliation against an employee, elected or appointed official, applicant, unpaid intern, volunteer, independent contractor,

or client based on their own or affiliation with a protected classification to include race, religion, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, pregnancy related condition, marital status, gender/sex, sexual orientation, gender identity, gender expression, age (40 and above), political affiliation or belief, military and veteran status, request for family care leave, request for leave for own serious health condition, and request for pregnancy disability leave and any other basis protected by State and Federal Law.

- A. Policy Coverage: This policy prohibits City employees, elected or appointed officials, applicants, unpaid interns, volunteers, independent contractors, or clients from harassing, discriminating or retaliating against anyone because: 1) of an individual's protected classification; 2) of the perception that an individual has a protected classification; or 3) the individual associates with a person who has or is perceived to have a protected classification.
- B. Discrimination: This policy prohibits treating individuals differently because of the individual's own or affiliation with a protected classification as defined in this policy.
- C. Harassment: may include, but is not limited to, the following types of behavior that is taken because of a person's own or affiliation with a protected classification:
1. Verbal or Speech: epithets, derogatory comments or slurs, and propositioning on the basis of a protected classification. This might include inappropriate comments on appearance, including dress or physical features, or dress consistent with gender identification, or race-oriented stories and jokes.
 2. Physical Acts: assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement. This includes pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.
 3. Visual Insults: derogatory posters, cartoons, emails, pictures or drawings related to a protected classification.
 4. Sexual Harassment: deliberate or repeated unsolicited attention of a sexual nature, which is unwelcome and may include: requests for sexual favors and other acts of a sexual nature, where submission is made a term or condition of employment, where submission to or rejection of the conduct is used as the basis for employment decisions, or where the conduct is intended to or actually does unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment.

Note that harassment is not limited to conduct that City employees take. Under certain circumstances, harassment can also include conduct taken by those who are not employees, such as elected officials, appointed officials, unpaid interns, volunteers, persons providing services under contracts, or even members of the public.

- D. Retaliation: Any adverse conduct taken because an applicant, employee, unpaid interns, volunteers, independent contractor or client has reported harassment or discrimination, or has participated in the complaint and investigation process described herein, is prohibited. "Adverse conduct" includes: taking sides because an individual has reported harassment or discrimination, spreading rumors about a complaint, shunning and avoiding an individual who reports harassment or discrimination, or real or implied threats of intimidation to prevent an individual from reporting harassment or discrimination. The following individuals are protected from retaliation:

1. Those who make good faith reports of harassment or discrimination;
2. Those who associate with an individual who is involved in reporting harassment or discrimination;
3. Those who participate in the complaint or investigation process.

Guidelines for Identifying Harassment

The following are general guidelines to help clarify what constitutes harassment in violation of this Policy:

- A. Harassment includes any conduct which would be "unwelcome" to an individual of the recipient's same protected classification and which is taken because of the recipient's own or affiliation with a protected classification.
- B. It is no defense that the recipient appears to have voluntarily "consented" to the conduct at issue. A recipient may not protest for many legitimate reasons, including the need to avoid being insubordinate or to avoid being ostracized.
- C. Simply because no one has complained about a joke, gesture, picture, physical contact, or comment does not mean that the conduct is welcome. Harassment can evolve over time. Small, isolated incidents might be tolerated up to a point. The fact that no one is complaining now does not preclude anyone from complaining if the conduct is repeated in the future.
- D. Visual, verbal, and/or physical conduct between two employees who appear to welcome it can constitute harassment of a third person (applicant, official, employee, citizen or contractor) who observes the conduct or learns about the conduct later. Conduct can constitute harassment or discrimination even if it is not explicitly or specifically directed at an individual.
- E. Conduct can constitute harassment in violation of this Policy even if the individual engaging in the conduct has no intention to harass. Even well intentioned conduct can violate this Policy if the conduct is directed at, or implicates a protected classification, and if an individual of the recipient's same protected classification would find it offensive (e.g., gifts, over attention, endearing nicknames).

Complaint Procedure

- A. Anyone who believes he or she has been harassed may object, but you are NOT required to confront the offender. Many victims find using this informal approach to be effective. While asking or telling the offender to stop sometimes improves the situation, you should only take this approach if you feel comfortable doing so. *You should also proceed with the next steps.*
- B. An employee, elected or appointed official, job applicant, unpaid intern, volunteer, independent contractor or client who believes he or she has been harassed may file a complaint verbally or in writing with any of the following (*There is no need to follow the chain of command*):
 1. Immediate supervisor;
 2. Any supervisor or manager within or outside of the department;

3. Department Director;

4. Human Resources Director.

- C. Any supervisor, manager or department director who receives a harassment complaint should notify the Human Resources Director immediately.
- D. Upon receiving notification of a harassment complaint, the Human Resources Director shall:
- 1) Authorize and supervise the investigation of the complaint and/or investigate the complaint. The investigation will include interviews with: 1) the complainant; 2) the accused harasser; and 3) other persons who have relevant knowledge concerning the complaint.
 - 2) Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, discrimination or retaliation giving consideration to all factual information, the totality of the circumstances, including the nature of the conduct, and the context in which the alleged incidents occurred.
 - 3) Report a summary of the determination as to whether harassment occurred to appropriate persons, including the complainant, the alleged harasser, the supervisor/manager, and the department director. If discipline is imposed, the level of discipline will not be communicated to the complainant.
 - 4) If conduct in violation of this Policy occurred, take and/or recommend to the appointing authority prompt and effective remedial action. The action will be commensurate with the severity of the offense.
 - 5) Take reasonable steps to protect the complainant from further harassment, discrimination or retaliation
 - 6) Take reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.
- E. The City takes a proactive approach to potential Policy violations and will conduct an investigation if its officers, supervisors, or managers become aware that harassment, discrimination or retaliation may be occurring, regardless of whether the recipient or third party reports a potential violation.
- F. Option to Report to Outside Administrative Agencies: An individual has the option to report harassment, discrimination or retaliation to the U.S. Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH). These administrative agencies offer legal remedies and a complaint process. The nearest offices are listed in the government section of the telephone book or employees can check the posters that are located on City bulletin boards for office locations and telephone numbers.

Confidentiality

Every possible effort will be made to assure the confidentiality of complaints made under this policy. Complete confidentiality cannot always occur, due to the need to fully investigate and the duty to take effective remedial action. As a result, confidentiality will be maintained to the extent possible. An individual who is interviewed during the course of an investigation is prohibited from discussing the substance of the interview, except as otherwise directed by the Human Resources Director. Any individual who discusses the content of an investigatory interview may be subject to discipline or other appropriate sanction. The City will not disclose a completed investigation report except as it deems

necessary to support a disciplinary action, to take remedial action, to defend itself in adversarial proceedings, or to comply with the law or court order.

Responsibilities

Managers, Supervisors and Department Directors are responsible for:

1. Informing employees of this Policy.
2. Treating others with respect and consideration.
3. Modeling appropriate behavior.
4. Taking all steps necessary to prevent harassment, discrimination or retaliation from occurring. *Supervisors and managers of employees are responsible for acts of harassment and discrimination in the work place, and may become **legally liable when the supervisor knows, or should have known**, of the conduct **but fails to take immediate and appropriate corrective action**.*
5. Receiving complaints in a fair and serious manner, documenting steps taken to resolve complaints.
6. Monitoring the work environment and taking immediate appropriate action to stop potential violations, such as removing inappropriate pictures or correcting inappropriate language.
7. Following up with those who have complained to ensure that the behavior has stopped and that there are no reprisals.
8. Informing those who complain of harassment or discrimination of his or her option to contact the EEOC or DFEH regarding alleged Policy violations.
9. Assisting, advising, or consulting with employees and the Human Resources Director regarding this Policy and Complaint Procedure.
10. Assisting in the investigation of complaints involving employee(s) in their departments and, if the complaint is substantiated, recommending appropriate corrective or disciplinary action in accordance with City Rules, up to and including discharge.
11. Implementing appropriate disciplinary and remedial actions.
12. Reporting potential violations of this Policy of which he or she becomes aware, regardless of whether a complaint has been submitted to the Human Resources Department or the department director.
13. Participating in periodic training and scheduling employees for training.

Each employee, unpaid intern, volunteer or independent contractor is responsible for:

1. Treating others with respect and consideration.
2. Modeling appropriate behavior.

3. Participating in periodic training.
4. Fully cooperating with the City's investigations by responding fully and truthfully to all questions posed during the investigation.
5. Maintaining the confidentiality of any investigation that the City conducts by not disclosing the substance of any investigatory interview, except as directed by the department director or Human Resources Director.
6. Reporting any act he or she believes in good faith constitutes harassment, discrimination, or retaliation as defined in this Policy, to his or her immediate supervisor, or department director, or Human Resources Director.

Dissemination of Policy

All employees shall receive a copy of this Policy when they are hired. The Policy will be reviewed and updated periodically to ensure compliance with all state and federal laws.

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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

City Attorney's Office

City Attorney*

Assistant City Attorney, I/II

Risk Manager

A through F

A through F

City Clerk's Office

City Clerk

Deputy City Clerk

Assistant City Clerk

A through F

A through F

A through F

City Council

City Council Members*

City Manager's Office

City Manager*

Assistant City Manager

Public Information Officer

A through F

A through F

Civil Service Board

Board Members

A through F

Claims Board

Board Members

A through F

Commission on Disability Issues

Board Members

A through F

Planning, Building & Transportation Department

Director

Planning Services Manager

Building Official

Supervising Building Inspector

Senior Code Compliance Officer

Code Compliance Officer

Permit Technician, I/II/III

Planner, I/II/III

Combination Building Inspector

Senior Combination Building Inspector

Senior Building Code Compliance Officer

Plans Examiner

Assistant Community Development Director

A through F

A through F

A through F

A through F

A through F

A through F

A through F

A through F

A through F

A through F

A through F

A through F

A through F

Finance Department

Auditor

Treasurer*

Finance Director

A through F

A through F

Finance Supervisor	A through F
Financial Services Manager	A through F
<u>Fire Department</u>	
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
<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 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
<u>Information Technology</u>	
Information Technology Director	A through F
Information Technology Manager	A through F
Technology Services Coordinator	A through F
<u>Library Board</u>	
Board Members	A through F
<u>Library Department</u>	
Library Director	A through F
Supervising Librarian	A through F
Library Technician (Order Clerk)	A through F
Library Circulation Coordinator	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>Police Department</u>	
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
<u>Public Art Commission</u>	
Commission Members	A through F
<u>Public Utilities Board</u>	
Board Members	A through F
<u>Public Works</u>	
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
<u>Recreation and Park Commission</u>	
Commission Members	A through F
<u>Recreation and Parks Department</u>	
Recreation and Parks Director	A through F
Recreation Manager	A through F

Park Manager	A through F
<u>Rent Review Advisory Committee</u> Board Members	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

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.)