

Chapter 2 Conflict of Interest

[Added text is shown in *italics and underscore*; deleted text is shown by ~~strikeout~~.]

§4.2.100: LEGAL REQUIREMENT. Under the Political Reform Act, California Government Code Sections 81000 et seq., all public agencies are required to adopt a conflict of interest code. This code designates positions required to file Statements of Economic Interests (Form 700), and assigns disclosure categories specifying the types of interest to be reported. The Form 700 is a public document intended to alert public officials and members of the public to the types of financial interests that may create conflicts of interests.

§4.2.105: ADOPTION OF CONFLICT OF INTEREST CODE. Fair Political Practices Commission (FPPC) Regulation 18730 in Title 2, Division 6 of the California Code of Regulations is adopted and incorporated into this Chapter by reference. FPPC Regulation 18730, together with the designated positions set forth in Appendix A and the disclosure categories set forth in Appendix B, constitutes the formation and promulgation of the City’s conflict of interest code.

§4.2.110: FILING OF FORM 700. All designated officials and employees shall file the required Form 700 pursuant to provisions of this Chapter with the City Clerk, the City’s filing officer. Failure to timely file the required Form 700 may result in disciplinary action by the relevant department head and/or in the imposition of administrative, criminal, and civil sanctions as provided in California Government Code Sections 81000-91014.

§4.2.115: PUBLIC INSPECTION AND REPRODUCTION. Every Form 700 filed pursuant to this Chapter shall be open for public inspection and reproduction in the Office of the City Clerk during regular business hours.

APPENDIX A—DESIGNATED POSITIONS

<u>POSITION</u>	<u>DISCLOSURE CATEGORY</u>
<u>City Attorney's Office</u>	
Assistant City Attorney	1
Associate Attorney	1
<u>City Manager's Office</u>	
Administrative Analyst I	1
Assistant City Manager	1, 5
Assistant Information Services Manager	2
Assistant to the City Manager	1, 5
City Clerk	1
Consultant	1
Deputy City Clerk	1
Deputy City Manager	1,5
Human Resources Director	2

Human Resources Manager	2
Information Services Manager	2
Senior Human Resources Analyst	2

Community Development Department

Administrative Analyst	1, 5
Building Inspector	4
Business Economic Development Manager	1, 5
Chief Building Official	4, 5
Chief Innovation Officer	1, 5
Consultant	
Code Enforcement Officer	1
Community Development Director	1, 5
Deputy Community Development Director	1, 5
Housing-CDBG Manager	4, 5
Planning Manager	1, 5
Permits Center Coordinator	4
Principal Planner	4, 5
Project Specialist I	4, 5
Project Specialist II	4, 5
Senior Building Inspector	4
Senior Engineer	4, 5
Senior Project Specialist (Senior Planner)	4, 5
Supervising Building Inspector	4, 5

Engineering/Transportation Department

Administrative Analyst/ Manager	5
City Engineer	1, 5
Engineering Inspectors	4, 5
Sidewalk Inspectors	4, 5
Engineering and Transportation Director	1, 5
Principal Engineer	1, 5
Senior Engineer	1, 5
Supervising Engineering Inspector	4, 5

Finance Department

Administrative Specialist III Risk Management Analyst)	2
Assistant Finance Director	
Budget and Compliance Manager	
Finance Director	2
Deputy Finance Director	1
Police Business Manager	1
Purchasing Technician	

Library Department

Library Director	2
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Library Services Manager 3

Police Department

Police Captain 1

Police Chief 1

~~Police Business Manager 1~~

Public Works Services Department

Administrative Analyst I 3

Administrative Analyst II 3, 4

Administrative Specialist III (Solid Waste & Recycling Specialist) 4

~~Consultant 1~~

Deputy Public Works Services Director 1

Environmental Services Supervisor 4

Environmental Protection Specialist I 4

Environmental Protection Specialist II 4

~~Facilities and Open Space Manager 3~~

Public Works Services Director 1

~~Street Maintenance Manager 3~~

Water Pollution Control Manager 3, 4

~~Sustainability Manager 2,3,4~~

Recreation & Human Services Department

~~Administrative Specialist III 1~~

~~Recreation and Human Services Assistant Director 1~~

Recreation and Human Services Director 1

~~Recreation and Human Services Manager 1~~

Arts Commission

Entire Board 4, 5

Board of Zoning Adjustments

Entire Board 1

Human Services Commission

Entire Commission 4

Library-Historical Commission

Entire Commission 4

Rent Review Board

Entire Board 5

Consultants as defined by FPPC Regulation 18701 *

*A consultant's disclosure category is determined by the responsible department head in consultation with the City Attorney based on the scope of services or duties.

NOTE: Members of the City Council, members of the Planning Commission, City Manager, City Attorney and Finance Director are required under California Government Code Section 87200 to file full disclosure of economic interests (Disclosure Category 1).

APPENDIX B DISCLOSURE CATEGORIES

CATEGORY 1 – BROAD RESPONSIBILITIES

All designated employees and officials in this category shall disclose all sources of income, all interests in real property, and all investments and business positions in business entities.

Employees in this category must complete **all** schedules on the Form 700 Statement of Economic Interests Form:

- Schedule A-1: Investments
- Schedule A-2: Investments, Income, and Assets of Business Entities/Trusts
- Schedule B: Interest in Real Property
- Schedule C: Income, Loans, and Business Positions
- Schedule D: Income – Gifts
- Schedule E: Income – Travel Payments, Advances, and Reimbursements

CATEGORY 2 – PURCHASING DECISION FOR CITY

All designated employees in this category shall disclose investments, business positions and sources of income from business entities which provide services, supplies, materials, machinery or equipment of the type utilized by the City of San Leandro.

Employees in this category must complete the following schedules on the Form 700 Statement of Economic Interests Form:

- Schedule A-1: Investments
- Schedule A-2: Investments, Income, and Assets of Business Entities/Trusts
- Schedule C: Income, Loans, and Business Positions
- Schedule D: Income – Gifts

CATEGORY 3 – PURCHASING DECISION FOR DEPARTMENT

All designated employees in this category shall disclose investments, business positions and sources of income from business entities which provide services, supplies, materials, machinery or equipment of the type utilized by the designated employee's department or division.

Employees in this category must complete the following schedules on the Form 700 Statement of Economic Interests Form:

- Schedule A-1: Investments
- Schedule A-2: Investments, Income, and Assets of Business Entities/Trusts

- Schedule C: Income, Loans, and Business Positions
- Schedule D: Income – Gifts

CATEGORY 4 – REGULATORY / PERMIT / LICENSING / GRANT AUTHORITY

All designated employees and officials in this category shall disclose all investments, business positions and sources of income from business entities, and interests in real property, which are subject to the regulatory, permit or licensing authority of the City of San Leandro, or which may receive grants from the City of San Leandro.

Employees in this category must complete **all** schedules on the Form 700 Statement of Economic Interests Form:

- Schedule A-1: Investments
- Schedule A-2: Investments, Income, and Assets of Business Entities/Trusts
- Schedule B: Interest in Real Property
- Schedule C: Income, Loans, and Business Positions
- Schedule D: Income – Gifts
- Schedule E: Income – Travel Payments, Advances, and Reimbursements

CATEGORY 5 – REAL PROPERTY DECISION

All designated employees and officials in this category shall disclose all investments, business positions and sources of income from business entities which engage in land development, construction or the acquisition or sale of real property, and all interests in real property.

Employees in this category must complete **all** schedules on the Form 700 Statement of Economic Interests Form:

- Schedule A-1: Investments
- Schedule A-2: Investments, Income, and Assets of Business Entities/Trusts
- Schedule B: Interest in Real Property
- Schedule C: Income, Loans, and Business Positions
- Schedule D: Income – Gifts
- Schedule E: Income – Travel Payments, Advances, and Reimbursements

Legislative History:

Resolution No. 2006-123, 11/20/2006 [§§4.2.100-4.2.105]; Resolution No. 2006-128, 12/04/2006 [§§4.2.100-4.2.105]; Resolution No. 2008-144, 12/15/2008 [Appendices A, B, C]; Resolution No. 2011-005, 01/18/2011 [Appendices A, B, C]; Resolution No. 2013-033, 03/18/2013 [Appendices A, B, C]; Resolution No. 2015-029, 02/17/2015 [§§4.2.100-4.2.115, Appendices A, B, C]