

Chapter 2 Conflict of Interest

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§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 online through the City's electronic filing system. 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

POSITION	DISCLOSURE CATEGORY
<u>City Attorney’s Office</u>	
Assistant City Attorney	1
Associate Attorney	1
<u>City Manager’s Office</u>	
Assistant City Manager	1, 5
Assistant to the City Manager	
City Clerk	1
Deputy City Clerk	1
Deputy City Manager	1,5
<u>Community Development Department</u>	
Building Inspector	4
Chief Building Official	4, 5
Code Enforcement Officer	1
Code Enforcement Supervisor	1
Community Development Director	1, 5
Economic Development Manager	1, 5
Housing-Community Development Block Grant Manager	1, 5
Planning Manager	1, 5
Permits Center Coordinator	4

Principal Planner	4, 5
Planner I	4,5
Planner II	4,5
Project Specialist I	4, 5
Project Specialist II	4, 5
Senior Building Inspector	4
Senior Engineer	4, 5
Senior Planner	4, 5
Senior Project Specialist	4, 5
Supervising Building Inspector	4, 5

Engineering/Transportation Department

City Engineer	1, 5
Engineering Inspectors	4, 5
Engineering and Transportation Director	1, 5
Engineering Manager	1, 5
Senior Engineer	1, 5
Supervising Engineering Inspector	4, 5

Finance Department

Assistant Finance Director	1
Financial Services Manager	1
Purchasing Technician	1

General Administrative Positions

Management Analyst I	1
Management Analyst II	1
Administrative Specialist I	1
Administrative Specialist II	1
Administrative Specialist III	1
Consultant*	1

Senior Management Analyst	1
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Information Technology Department

Assistant Information Technology Manager	2
Chief Technology Officer	1
<u>Innovation Technology Analyst</u>	2

Human Resources Department

Human Resources Analyst	2
Human Resources Director	1
<u>Senior Human Resources Analyst</u>	2

Human Services Department

<u>Recreation and Human Services Manager</u>	1
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Library Department

Library Director	1
Library Services Manager	2

Police Department

Assistant Police Chief	1
Police Captain	1
Police Chief	1
Police Support Services Manager	1

Public Works Services Department

Deputy Public Works Director	1
Environmental Services Supervisor	2
Environmental Protection Specialist I	2
Environmental Protection Specialist II	2
Public Works Director	1
Water Pollution Control Manager	2

Recreation & Human Services Department

Recreation and Human Services Director	1
Recreation and Human Services Manager	1

Arts Commission

Entire Board	2
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Board of Zoning Adjustments

Entire Board	1
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Human Services Commission

Entire Commission	2
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Library-Historical Commission

Entire Commission	2
<u>Rent Review Board</u>	
Entire Board	2
<u>Community Advisory Budget Task Force</u>	
Entire Board	1
Community Police Review Board	
Entire Board	1

* 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, REGULATORY / PERMIT / LICENSING / GRANT AUTHORITY,

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. Shall also disclose sources of income or business entities that 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. Shall also disclose 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

CATEGORY 2 – PURCHASING DECISION FOR CITY AND DEPARTMENTS

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 or by the 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

Editor's Note:

Former Title 4, Chapter 2, City Clerk: Fireworks Stand Permit, was removed and former Title 25, Chapter 1, Conflict of Interest Code: Administrative Regulations, was editorially renumbered to be Title 4, Chapter 2, City Clerk, Conflict of Interest, during the 2005-06 republication. Legislative history for former Title 25, Chapter 1: Resolution No. 80-18, 02/04/1980 [§25.1.100]; Resolution No. 90-204, 09/17/1990 [§25.1.100]; Resolution No. 92-253, 09/08/1992 [§25.1.100]; Resolution No. 95-10, 01/07/1995 [§25.1.100]; Resolution No. 96-186, 12/16/1996 [§25.1.100]; Resolution No. 98-130, 10/05/1998 [§25.1.100]; Resolution No. 2000-156, 10/02/2000 [§25.1.100]; Resolution No. 2003-084, 03/17/2003 [§25.1.100]. Appendix C was revised administratively on 02/27/2008 to reflect changes that FPPC made to the Form 700.

Resolution No. 2015-029, 02/17/2015, repealed and replaced Chapter 2, Conflict of Interest, which removed existing Appendix A and relettered Appendices B and C to be Appendices A and B, respectively.

Resolution No. 2016-146, 11/07/2016, repealed and replaced Chapter 2, Conflict of Interest.

Resolution No. 2018-075, 7/16/2018, repealed and replaced Chapter 2, Conflict of Interest.

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—4.2.105, Appendices A, B]; Resolution No. 2016-146, 11/07/2016 [§§4.2.100—4.2.115, Appendices A, B]; Resolution No. 2018-075, 7-16-2018

[§§4.2.100—4.2.115, Appendices A, B] ; Resolution No. 2021-097, 6-28-2021
[§§4.2.100—4.2.115, Appendices A, B]