

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Adopting the City's)
Conflict of Interest Code)

RESOLUTION NO. 22-14166

WHEREAS, the Political Reform Act requires every local government agency to review its Conflict of interest Code biennially to determine whether or not the Code must be amended; and

WHEREAS, the Pittsburg City Council previously adopted Resolution No. 20-13833, adopting by reference the model Conflict of Interest Code set forth in Section 18730 of Title 2 of the California Code of Regulations; and

WHEREAS, the purpose of this Resolution is to amend the City's Conflict of Interest Code to reflect changed circumstances, including the addition, reclassification, and deletion of positions within the City as required by Government Code Section 87300 *et seq.*; and

WHEREAS, the City Council desires to adopt the model Conflict of Interest Code found in Section 18730 of Title 2 of the California Code of Regulations and designate the list of positions (attached hereto as Exhibit A) as an updated list of City positions that are subject to the filing requirements of the Pittsburg Conflict of Interest Code.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Pittsburg as follows:

Section 1. Rescind Prior Resolutions Adopting a Conflict of Interest Code

Any prior Resolution adopting a Conflict of Interest Code for the City of Pittsburg, including Resolution No. 20-13833, is hereby rescinded.

Section 2. Adoption of Conflict of Interest Code

The Political Reform Act, Government Code Section 81000, *et seq.*, requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard Conflict of Interest Code, which may be incorporated by reference and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings.

Therefore, the terms of Title 2 of the California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby adopted and incorporated by reference and, along with the attached Exhibit A in which public officials and employees are designated and Exhibit B in which disclosure categories are set forth, constitute the Conflict of Interest Code of the City of Pittsburg, which is considered the "agency" within the purview of this Code.

The designated officials, employees and consultants, as set forth in Exhibit A, shall be subject to the provisions of the Conflict of Interest Code and their respective disclosure categories.

Section 3. Annual Disclosure Statements

Persons holding designated positions shall file an annual statement no later than April 1st of each year. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year; provided however, that the period covered by an employee's first annual statement shall begin on the effective date of the Code or the date of assuming office, whichever is later.

Section 4. Filing Officer

The City Clerk is the filing official for Council Members, the City Manager, the City Attorney and Planning Commissioners. For the persons holding these positions, the City Clerk accepts the filing, retains a copy and forwards the original to the Fair Political Practices Commission in Sacramento. For all other persons holding designated positions, the City Clerk is the filing officer and retains the statements. The City Clerk shall make the statements available for public inspection and reproduction.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 19th day of September 2022 by the following vote:

AYES: Craft, Killings, Scales-Preston, White

NOES: None

ABSTAINED: None

ABSENT: Banales


Holland Barrett White, Mayor

ATTEST:

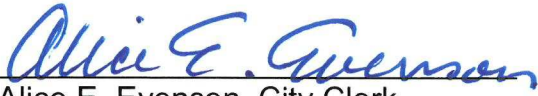

Alice E. Evenson, City Clerk

EXHIBIT "A"
CONFLICT OF INTEREST CODE
DESIGNATED POSITIONS
CITY OF PITTSBURG

<u>DESIGNATED POSITIONS</u>	<u>DISCLOSURE CATEGORY</u>
Accountant I and II	I
Administrative Analyst I and II	II
Administrative Officer	I
Administrative Specialist	I
Administrative Coordinator	I
Assistant City Clerk	I
Assistant City Manager	I
Assistant Director of Public Works	I
Assistant to the City Manager	II
Building Inspection Supervisor	I
Business License Coordinator	I
Chief Building Official	I
Chief of Police	I
City Clerk	I (or as required by law)
City Engineer	I
Code Enforcement Supervisor	I
Combination Building Inspector	I
Community Services Manager	I
Compliance Principal	I
Contract Analyst	I
Crime Analyst	I
Deputy Chief Information Systems Officer	I
Deputy City Clerk	I
Director of Community and Economic Development	I
Director of Community Services	I
Director of Finance	I
Director of Human Resources	I
Director of Recreation	I
Director of Public Works	I
Director of Records and Council Services	I
Economic Development Manager	I
Environmental Affairs Manager	I
Environmental Health and Safety Officer	I
Executive Assistant	II
Finance Division Manager	I
Financial Analyst	I
Harbormaster	I
Housing Manager	I
Housing Program Analyst	I
Housing Program Manager	I
Human Resources Analyst	II
Human Resources Specialist	I

Information Technology Manager	I
Planning Manager	I
Police Captain	I
Police Records Supervisor	I
Police Services Administrator	I
Power Company Manager	I
Public Works Superintendent	II, III
Purchasing Analyst	I
Redevelopment Project Manager	I
Revenue Operations Supervisor	I
Senior Administrative Analyst	I
Senior Civil Engineer	I
Senior Combination Building Inspector	I
Senior Financial Analyst	I
Senior Housing Program Analyst	I
Senior Human Resources Analyst	I
Senior Information Technology Analyst	I
Senior Planner	I
Utility Supervisor	I
Water Plant Superintendent	I
Water Plant Supervisor	I
Water Utilities Manager	I

EXHIBIT "B"
CONFLICT OF INTEREST CODE
DESIGNATED POSITIONS
AGENCIES AND COMMISSIONS

<u>DESIGNATED POSITIONS</u>	<u>DISCLOSURE CATEGORY</u>
SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT DISTRICT II	
Executive Director	I
General Manager	I
HOUSING COMMISSION	
Appointed Commissioners	I
PITTSBURG POWER COMPANY	
Executive Director	I
Director of Power	I
Power Company Manager	I
Administrative Analyst	II, III
SUCCESSOR AGENCY	
Executive Director	I
Development Manager	I
Administrative Analyst	II
CONSULTANTS	I
(Regardless of Department or Agency)	
REQUIRED BY STATUTE:	
Council Members	I
Planning Commissioners	I
City Manager	I
City Attorney	I
City Treasurer	I

EXHIBIT "B"
CONFLICT OF INTEREST CODE
DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the Designated Employees must disclose for each disclosure category to which he or she is assigned.

Designated Employees in Category "I" must report:

All investments, business positions in, and income from sources located in or doing business in the City and all interests in real property located in the City, including property located within a two-mile radius of the City or any property owned or used by the City of Pittsburgh.

Designated Employees in Category "II" must report:

All investments, business positions in, and sources of income of the type which provide services, supplies, materials, machinery or equipment of the type utilized by the City of Pittsburgh.

Designated Employees in Category "III" must report:

All investments, business positions in, and sources of income which are subject to the regulatory, permit or licensing authority of the City of Pittsburgh.

Disclosure by Consultants

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category (Category I) in the Conflict of Interest 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. The written determination shall include the basis for this determination and shall be maintained as a public record to the same extent as other disclosures made under the Conflict of Interest Code.



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565**

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Amending City's Conflict of Interest Code

MEETING DATE:

EXECUTIVE SUMMARY

Pursuant to the Political Reform Act, every local government is required to conduct a biennial review of its Conflict of Interest Code to determine its accuracy. As part of this year's biennial review, City staff determined that the City's Conflict of Interest Code must be amended to reflect new, reclassified and eliminated employee positions. Adoption of the resolution updating the City's Conflict of Interest Code will ensure that the Code accurately reflects all of the designated positions within the City which are required, by state law, to disclose financial interests.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

Adopt the attached resolution adopting an amended City Conflict of Interest Code.

BACKGROUND

The Political Reform Act requires the City to conduct a biennial review of its Conflict of Interest Code.

Section 18730 of Title 2 of the California Code of Regulations contains the terms of a standard Conflict of Interest Code which may be adopted and incorporated by reference as the Conflict of Interest Code of the City.

Government Code Section 87200 et seq. requires members of the City Council, Planning Commissioners, the City Manager, the City Attorney, City Treasurer and other public officials who manage public investments to disclose certain financial interests annually. The City's Conflict of Interest Code identifies all other positions within the City that participate in the making of governmental decisions. These designated individuals are required to disclose certain financial interests under state law.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

Upon review, City staff determined that the Code must be amended in order to accurately reflect the addition, reclassification, and deletion of certain City positions.

Limited organizational changes within certain City departments require the City to amend its Conflict of Interest Code to accurately designate City positions subject to state financial disclosure requirements.

The attached Resolution adopts the Fair Political Practices Commission's standard Conflict of Interest Code and amends the City's Conflict of Interest Code with a revised list of designated positions to reflect the City's current employment structure. The attached Resolution also proposes a required disclosure category for each of the designated positions.

ATTACHMENTS:

Resolution

Exhibit A – Designated Positions

Exhibit B – Disclosure Categories

Report Prepared By:
Alice E. Evenson, City Clerk