

RESOLUTION NO. 5376-18

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
AMENDING CONFLICT OF INTEREST CODE OF NON-ELECTED OFFICIALS
AND DESIGNATED EMPLOYEES OF THE CITY OF UNION CITY
BY AMENDING APPENDICES B AND C**

WHEREAS, under California Government Code Section 87306(a): Every agency shall amend its Conflict of Interest Code, subject to the provisions of Section 87303, when change is necessitated by changed circumstances, including the creation of new positions which must be designated pursuant to subdivision; and


WHEREAS, amendments or revisions shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent; and

WHEREAS, there is a need to amend the Conflict of Interest Code Appendices, Designated Positions and Disclosure Categories, because of organizational changes that have occurred since the 2016 biennial review; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Union City, does hereby amend Appendices B and C, attached hereto and made a part hereof, of the Conflict of Interest Code of the non-elected officials and designated employees of the City of Union City.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Union City at a regular meeting held on the 11th day of September, 2018 by the following vote:


AYES: Councilmembers Duncan, Gacoscos, Singh, Vice Mayor Ellis, Mayor
Dutra-Vernaci
NOES: None
ABSENT: None
ABSTAIN: None


CAROL DUTRA-VERNACI
Mayor

ATTEST:


ANNA M. BROWN
City Clerk

APPROVED AS TO FORM:


KRISTOPHER J. KOKOTAYLO
City Attorney

APPENDIX "A"

The following officials are exempt from local filing as they file Conflict of Interest Statements with the California Fair Political Practices Commission pursuant to Government Code Sections 87200 and 87201:

Mayor
City Council Members
Planning Commissioners
City Manager
City Attorney
Finance Director

APPENDIX “B”

<u>DESIGNATED POSITIONS</u>	<u>DISCLOSURE CATEGORY</u>
<u>Finance and Information Technology</u>	
Accountant	1, 2, 3, 4, 5, 6, 7, 8
Finance Director	See Appendix “A”
Management Analyst I/II/III	1, 2, 3, 4, 5, 6, 7, 8
IT Manager	1, 2, 3, 4, 5, 6, 7, 8
Budget Manager/Purchasing Agent	1, 2, 3, 4, 5, 6, 7, 8
Revenue Collections Manager	1, 2, 3, 4, 5, 6, 7, 8
Senior Accountant	1, 2, 3, 5, 6, 7, 8
Senior Systems Analyst	1, 2, 3, 4, 5, 6, 7, 8
Supervising Accountant	1, 2, 3, 5, 6, 7, 8
<u>City Attorney</u>	
City Attorney	See Appendix “A”
Deputy/Assistant City Attorney	1, 2, 3, 4, 5, 6, 7, 8
<u>City Council and Commissions</u>	
City Council Members	See Appendix “A”
Human Relations Commissioners and Alternates	1, 2, 3, 4, 5, 6, 7, 8
Mayor	See Appendix “A”
Park & Recreation Commissioner and Alternates	1, 2, 3, 4, 5, 6, 7, 8
Planning Commissioners and Alternates	See Appendix “A”
Public Art Board Members	1, 2, 3, 4, 5, 6, 7, 8
Senior Citizens Commissioners and Alternates	1, 2, 3, 4, 5, 6, 7, 8
<u>City Manager</u>	
City Clerk	1, 2, 3, 4, 5, 6, 7, 8
City Manager	See Appendix "A"
Communications & Marketing Manager	1, 2, 3, 4, 5, 6, 7, 8
Deputy City Clerk	1, 2, 3, 4, 5, 6, 7, 8
Deputy City Manager	1, 2, 3, 4, 5, 6, 7, 8
Human Resources Analyst I/II/III	1, 2, 5, 6, 7, 8
Human Resources Director	1, 2, 3, 4, 5, 6, 7, 8
Management Analyst I/II/III	1, 2, 3, 4, 5, 6, 7, 8
Management Assistant to the City Manager	1, 2, 3, 4, 5, 6, 7, 8
Recycling and Solid Waste Program Manager	1, 2, 3, 4, 5, 6, 7, 8
Recycling Programs Coordinator	1, 2, 3, 4, 5, 6, 7, 8
Solid Waste/Recycling Coordinator	1, 2, 5, 6, 7, 8
Supervising Personnel Analyst	1, 2, 5, 6, 7, 8
Web Manager	1, 2, 3, 4, 5, 6, 7, 8

Economic and Community Development

Assistant Planner	1, 2, 3, 4, 5, 6, 7, 8
Associate Planner	1, 2, 3, 4, 5, 6, 7, 8
Building/Code Compliance Inspector	1, 2, 3, 4, 5, 6, 7, 8
Chief Building Official	1, 2, 3, 4, 5, 6, 7, 8
Economic & Community Development Director	1, 2, 3, 4, 5, 6, 7, 8
Economic Development Manager	1, 2, 3, 4, 5, 6, 7, 8
Environmental Programs Inspector	1, 2, 3, 4, 5, 6, 7, 8
Environmental Programs Manager	1, 2, 3, 4, 5, 6, 7, 8
Housing & Community Development Coordinator	1, 2, 3, 4, 5, 6, 7, 8
Management Analyst I/II/III	1, 2, 3, 4, 5, 6, 7, 8
Planning Manager	1, 2, 3, 4, 5, 6, 7, 8
Senior Building Inspector	1, 2, 3, 4, 5, 6, 7, 8
Senior Planner	1, 2, 3, 4, 5, 6, 7, 8

Community and Recreation Services

Community and Recreation Services Director	1, 2, 3, 4, 5, 6, 7, 8
Community and Recreation Services Manager	1, 2, 5, 6, 7, 8
Recreation Program Coordinator	1, 2, 5, 6, 7, 8
Senior Recreation Supervisor	1, 2, 5, 6, 7, 8
Recreation Supervisor	1, 2, 5, 6, 7, 8
Youth and Family Services Manager	1, 2, 3, 4, 5, 6, 7, 8
Youth Employment Coordinator	1, 2, 3, 4, 5, 6, 7, 8

Police

Police Captain	1, 2, 3, 4, 5, 6, 7, 8
Police Chief	1, 2, 3, 4, 5, 6, 7, 8
Police Lieutenant	1, 2, 3, 4, 5, 6, 7, 8
Police Sergeant	1, 2, 5, 6, 7, 8

Public Works

City Engineer	1, 2, 3, 4, 5, 6, 7, 8
Principal Civil Engineer	1, 2, 3, 4, 5, 6, 7, 8
Public Works Director	1, 2, 3, 4, 5, 6, 7, 8
Public Works Superintendent	1, 2, 3, 4, 5, 6, 7, 8
Public Works Grounds Supervisor	1, 2, 3, 4, 5, 6, 7, 8
Public Works Streets Supervisor	1, 2, 3, 4, 5, 6, 7, 8
Transit Manager	1, 2, 5, 6, 7, 8

Successor Agency to the Community Redevelopment Agency

Chairperson	1, 2, 3, 4, 5, 6, 7, 8
Board Members	1, 2, 3, 4, 5, 6, 7, 8
Executive Director (City Manager)	1, 2, 3, 4, 5, 6, 7, 8
Secretary (City Clerk)	1, 2, 3, 4, 5, 6, 7, 8
Treasurer (Finance Director)	1, 2, 3, 4, 5, 6, 7, 8

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 description of the consultant’s duties should be submitted to and reviewed by the City Manager and, based upon that description, the City Manager should determine in writing the extent of the particular consultant’s disclosure requirements. The City Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

APPENDIX "C"

The following employees are clerical, secretarial, manual, or ministerial employees who do not make or participate in the making of decisions:

Finance and Information Technology

Finance Specialist I/II/III
Payroll Technician

City Council and Commissions

Youth Commissioners

City Manager

Digital Marketing Specialist

Citywide (All Departments)

Administrative Assistant I, II, III
Intern
Office Specialist I/II/III (incl part time)

Economic & Community Development

Building/Code Compliance Inspector Trainee
Building Permit Technician/Clerk

Community and Recreation Services

Case Manager
Facilities Maintenance Attendant
Intervention Counselor I/II
Lead Outreach Worker
LS Maintenance Worker
Preschool Site Supervisor
Program Coordinator
Program Manager
Project Specialist
Recreation Admin Tech
Recreation Aide I/II
Recreation Leader
Senior Recreation Leader
Street Outreach Worker

Police

Community Resources Coordinator
Community Service Aide
Dispatcher Clerk

! Office Coordinator
Police Cadet
Police Office Assistant
Police Officer
Police Officer Trainee
Police Records Supervisor
Police Reserve Officer
Property Clerk
Property Supervisor
Public Services Officer
Recruit Officer II
Senior Systems Analyst
Transportation Officer

Public Works

Engineer I/II/III (Civil)
Environmental Analyst I/II
Facilities Maintenance Worker
Fleet Parts Specialist
Lead Heavy Equipment Mechanic
Lead Facilities Maintenance Worker
Maintenance I, Parks & Grounds
Maintenance I, Streets
Maintenance II
Maintenance II, Parks & Grounds
Maintenance II, Streets
Maintenance Trainee, Parks & Grounds
Maintenance Trainee, Streets
Project Specialist
Public Works Inspector
Senior Public Works Inspector
Special Projects Coordinator
Street Sweeper Operator
Transit Planner
Vehicle/Equipment Technician
Vehicle/Heavy Equipment Mechanic

APPENDIX “D”

GENERAL PROVISIONS

When a designated employee is required to disclose investments and sources of income, he or she need only disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is considered to be doing business with the jurisdiction if it owns real property within the jurisdiction. When a designated employee is required to disclose interest in real property, he or she need only disclose real property which is located in whole or in part within, or not more than two miles outside of, the boundaries of the jurisdiction, or within two miles of any land owned or used by the local government agency.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Appendix “A” and “B”.

DISCLOSURE CATEGORIES

- Category 1: All investments and sources of income.
- Category 2: All interest in real property
- Category 3: All investments, interests in real property and sources of income subject to the regulatory, permit or licensing authority of the department.
- Category 4: Positions held and investments in business entities and sources of income which engage in land development, construction or the acquisition or sale of real property.
- Category 5: Positions held and investments in business entities and sources of income of the type which, within the past two years, have contracted with the City of Union City to provide services, supplies, materials, machinery or equipment.
- Category 6: Positions held and investments in business entities and sources of income of the type which, within the past two years, have contracted with the designated employee's department to provide services, supplies, materials, machinery or equipment.
- Category 7: Positions held and investments in business entities located in the City of Union City proper or in any land or facilities used, owned, or operated by the City of Union City.
- Category 8: Positions held and investments in business entities or investments with natural persons that have contractual obligations or privileges with the City of Union City.