

**CITY OF ALBANY  
CITY COUNCIL AGENDA  
STAFF REPORT**

Agenda Date: December 5, 2022  
Reviewed by: NA

**SUBJECT:** Conflict of Interest Code Update

**REPORT BY:** Anne Hsu, City Clerk  
City Attorney Office

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**STAFF RECOMMENDATION**

That the Council adopt Resolution No. 2022-123, approving and adopting the amended Conflict of Interest Code pursuant to the Political Reform Act of 1974.

**BACKGROUND/DISCUSSION**

Pursuant to the Political Reform Act of 1974 (“Act”), Government Code Section 81000 et seq., requires all public agencies to adopt and maintain a Conflict of Interest Code (“Code”). The Act further requires that agencies regularly review (biennial basis) and update their Codes as necessary as directed by the code reviewing body or when change is necessitated by changed circumstances (Sections 87306 & 87306.5).

The Conflict of Interest Code is intended to ensure transparency in accordance with the Political Reform Act with regard to economic interests of elected officials, select City staff, and consultants. Staff worked with the City Attorney Office during the recent biennial review and found that amendments to the Code are necessary reflecting new positions that must be designated and staff position changes.

**SUSTAINABILITY CONSIDERATION**

N/A.

**FINANCIAL CONSIDERATION**

N/A.

**Attachments:**

1. Resolution No. 2022-123 with Appendix A



1 Recreation & Community Services Department  
2 Planning & Zoning Commission

3 2. Pursuant to Section 4(C) of the Code, all persons holding designated positions  
4 shall file their Statement of Economic Interests with the City Clerk to whom the City Council  
5 hereby delegates the authority to carry out the duty of filing officers. Statements of Economic  
6 Interest are a public record and as such the public may review and obtain copies in accordance  
7 with Government Code Section 81008.

8 3. The attached Appendix A accurately sets forth those positions which should be  
9 made reportable and is hereby made a part of this Resolution as attached and by reference as it  
10 sets forth word for word.

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PRESTON JORDAN, MAYOR  
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**APPENDIX A**

**DESIGNATED POSITIONS**

**DISCLOSURE CATEGORY**

City Council	Disclosure required by State; must comply with disqualification.
City Attorney	Disclosure required by State; must comply with disqualification.
City Treasurer	Disclosure required by State; must comply with disqualification.
Planning Commission	Disclosure required by State; must comply with disqualification.
City Manager	Disclosure required by State; must comply with disqualification.
Assistant City Manager	1, 2, 3, 4
City Clerk	2, 3
Deputy City Clerk	2, 3
Community Development Director	1, 2, 3, 4
Finance & Administrative Services Director	2, 3, 4
Finance Manager	2, 3, 4
Fire Chief	2, 3, 4
Police Chief	2, 3, 4
Public Works Director/City Engineer	1, 2, 3, 4
Program Manager	2, 3, 4
Recreation & Community Services Director	2, 3, 4
Human Resources Director	2, 3, 4
Risk Management Analyst	2, 3, 4
Media & Communications Manager	2, 3, 4

1	Information Technology Manager	2, 3, 4
2	Neighborhood Services Manager	2, 3, 4
3	Recreation & Community Services Manager	2, 3, 4
4	Planning Manager	1, 2, 3, 4
5	Building Inspector	1, 2, 3, 4
6	Senior Planner	1, 2, 3, 4
7	Associate Planner	1, 2, 3, 4
8	Public Works Manager	1, 2, 3, 4
9	CIP Program Manager	1, 2, 3, 4
10	Senior Engineer	1, 2, 3, 4
11	Associate Engineer	1, 2, 3, 4
12	Assistant Engineer	1, 2, 3, 4
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16	Consultants <sup>1</sup>	1, 2, 3, 4
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24	<sup>1</sup> Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code. The City shall utilize FPPC Form 805 with regard to filing requirements for consultants.	
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1 **DISCLOSURE CATEGORIES**

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3 **Category 1:** Designated persons in this category shall disclose interests in real property  
4 located within the City of Albany or within two (2) miles of the City limits, except for his/her  
5 principal place of residence.  
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8 **Category 2:** Designated persons in this category shall disclose investments in business  
9 entities which are located within or do business, plan to do business or have done business  
10 during the preceding two (2) period, within the jurisdiction of the City of Albany.  
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12 **Category 3:** Designated persons in this category shall disclose sources of income as  
13 defined by the Political Reform Act of 1974, as amended.  
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15 **Category 4:** Designated persons in this category shall disclose positions of management  
16 with business entities not otherwise reported which are located within, or do business, plan to  
17 do business, or have done business during the preceding two (2) year period, within the  
18 jurisdiction of the City of Albany.  
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