

CONFLICT OF INTEREST CODE

OF THE

CITY OF SAN BERNARDINO

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(Amended March 3, 2021)

The Political Reform Act (Gov. Code § 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, (tit. 2 Cal. Code of Regs, § 18730), that contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing, Regulation 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the **City of San Bernardino** ("City").

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney and the City Treasurer, shall electronically file their annual statements of economic interests directly with the Fair Political Practices Commission. All other officials and designated positions required to submit a statement of economic interests shall file their statements with the **City Clerk** as the City's Filing Officer. All officials and designated positions required to submit a statement of economic Interests shall file their statements with the **City Clerk** as the Town's Filing Officer. The **City Clerk** shall make and retain a copy of all statements filed by the Mayor, members of the City Council, the City Manager, the City Attorney and the City Treasurer, and forward the originals of these statements to the Fair Political Practices Commission. The **City Clerk** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

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(Amended March 3, 2021)

PART “A”

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and all Other City Officials who manage public investments as defined by 2 Cal. Code of Regs. § 18700.3(b), are NOT subject to the City’s Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)]

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below are Other City Officials who manage public investments.¹ These positions are listed here for informational purposes only.

Finance Manager/Deputy City Treasurer

Investment Consultants

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS
GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Accounting Manager	5
Administrative Analyst (ALL)	5
Administrative Division Manager	5
Administrative Services Manager	5
Administrative Services Officer	5
Administrative Services Supervisor	5
Animal Control Manager	5
Applications Development Manager	5
Assistant Chief of Police	5
Assistant City Clerk	5
Assistant City Manager	1, 2
Assistant Planner	3, 5, 6
Assistant Purchasing Agent	4
Assistant to the Mayor	5
Associate Planner	3, 5, 6
Budget Officer	4
Building Inspector (ALL)	3, 5, 6
Building Maintenance Division Manager	3, 5
Building Official	3, 5, 6
Business Registration Manager	5, 6
CATV Broadcast Engineering Coordinator	5
Chief Assistant City Attorney	1, 2
Chief Building Official and Safety Division Manager	3, 5, 6

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Chief Deputy City Clerk	1, 2
Chief of Police	5
Chief of Staff	5
City Clerk	5
City Engineer	1, 2
Code Enforcement Division Manager	5
Code Enforcement Officer (ALL)	5
Community Development Block Grant (CDBG)/ Housing Program Assistant	5, 7
Community Development Block Grant (CBDG) Coordinator	5, 7
Community Intervention Program Manager	5, 7
Community Policing Specialist	5
Community Recreation Center Supervisor	5
Community Recreation Manager	5
Community Recreation Program Coordinator	5
Community Recreation Program Supervisor (Soccer)	5
Community Relations Supervisor Assistant to the City Manager	5
Community Services Officer Supervisor	5
Construction Inspector (ALL)	3, 6
Construction/Survey Manager	2, 5
Deputy City Attorney (ALL)	1, 2
Deputy City Clerk	5
Deputy City Manager	1, 2
Deputy Director City Engineer	1, 2
Deputy Director City Planner	1, 2
Deputy Director of Parks, Recreation & Community	1, 2
Deputy Director of Public Works-City Engineer	1, 2
Deputy Director of Finance Dept.	5
Deputy Engineer	1, 2

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Deputy General Manager	1, 2
Development Services Technician	5
Director of Animal Services	5
Director of Community & Economic Development	1, 2
Director of Finance	4
Director of Human Resources	5
Director of IT	5
Director of Parks, Recreation & Community Services	1, 2
Director of Public Works	1, 2
Director, Water Reclamation	3, 5, 6
Director, Water Utility	3, 5, 6
Economic Development Division Manager	1, 2
Electrical, Instrumentation, and SCADA Superintendent	5
Emergency Operations Manager	5
Engineering Assistant (ALL)	2, 3, 6
Engineering Associate	2, 5
Engineering Manager	2, 3, 5
Environmental Control Officer	2, 5
Environmental Projects Specialist	2, 5
Equipment Maintenance Manager	5
Equipment Maintenance Supervisor	5
Executive Staff Assistant to the City Council	5
Facilities & Fleet Maintenance Division Manager	5
Facilities Maintenance Supervisor	5
Fleet/Warehouse Supervisor	4
Forestry Supervisor	5
General Manager – Water	1, 2
GIS Administrator	5
Housing Compliance Officer	5

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Housing Manager	1, 2
HR Analyst	5
Human Resources Division Manager	5
HVAC Supervisor	5
IEMG Broadcast Engineering Coordinator	5
IT Operations Supervisor	5
Landscape Inspector I/II	3, 5
Landscape Maintenance District Supervisor	3, 5
Library Director	5
Library Administrative Supervisor	5
Library IT Manager	5
Maintenance Supervisor	5
Manager of Communications	5
Operations & Maintenance Division Manager	2, 5
Parks and Landscape Supervisor	5
Parks Construction Lead Worker	5
Parks Maintenance Division Manager	5
Parks Superintendent	3, 5
Planning Division Manager	2, 3, 5, 6
Plans Examiner	2, 3, 5, 6
Police Captain	5
Police Lieutenant	5
Police Personnel & Training Manager	5
Principal Engineer, Water Dept.	2, 3, 5
Principal Engineer, Public Works Dept.	2, 5
Principal Planner	2, 3, 5, 6
Procurement/Contract Support Services Division Manager	5
Project Manager	2, 3, 5
Project Manager of Community Development Programs	5

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Project Manager of Housing Programs	3, 5
Public Information Officer	5
Public Safety IT Manager	5
Purchasing Supervisor	4
Real Property Manager	1, 2
Real Property Specialist	1, 2
Recreation and Community Services Division Manager	5
Recreation Therapist	5
Retired & Senior Volunteer Program Manager	5
Risk Division Manager	5, 8
Senior Administrative Analyst	5
Senior Civil Engineer	2, 3, 5, 6
Senior Civil Engineer/Division Manager	2, 3, 5, 6
Senior Code Enforcement Officer	5
Senior Companion Program Manager	5
Senior HR/Risk Analyst	5
Senior Human Resources Technician	5
Senior Librarian	5
Senior Management Analyst	5
Senior Network Administrator	5
Senior Network Specialist	5
Senior Nutrition Food Services Supervisor	5
Senior Planner	2, 3, 5
Senior Plans Examiner	2, 3, 5, 6
Sewer Maintenance Supervisor	5
Street Signal/Lighting Supervisor	5
Supervising Animal Control Officer	5
Supervising Code Enforcement Officer	5
Survey Supervisor	3, 5

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<u>DESIGNATED POSITIONS' TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES ASSIGNED</u>
Traffic Engineer	2, 3, 5
Traffic Engineering Associate	2, 3, 5
Traffic Operations Systems Analyst	2, 3, 5
Treasury Supervisor	1, 2
Water Reclamation Maintenance Superintendent	5
Water Reclamation Operations Superintendent	5
Water Utility Distribution Superintendent	5
Water Utility Operations Superintendent	5
Water Utility Water Quality Control Officer	5

DESIGNATED BOARDS/COMMITTEES/COMMISSIONS

Oversight Board for the City of San Bernardino as Successor Agency to the Redevelopment Agency of the City of San Bernardino Board of Building Commissioners	1, 2
Personnel Commission	1, 2
Bureau of Franchises	1, 2
Board of Library Trustees	1, 2
Mobile Home Board	1, 2
Board of Police Commissioners	1, 2
Board of Water Commissioners	1, 2

Consultants

Consultants and New Positions²

² Individuals serving as a consultant as defined in FPPC Reg. 18700.3(a) or in a new position must file under the broadest disclosure category set forth in this Code subject to the following limitation:

The City Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to designate a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. 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.

PART "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.³ "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the City.

Category 1: All investments and business positions and sources of income, including gifts loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the City.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the boundaries of the City, including any leasehold, beneficial or ownership interest or option to acquire property.

Category 3: All investments and business positions in, business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the City.

Category 4: All investments, business positions and income from business entities and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the City.

Category 5: All investments, business positions and income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

Category 6: All investment and business positions in business entities and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, licensing authority of the designated employee's department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

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Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a nonprofit organization, if the source is of the type to receive grants or other monies from or through the City or its subdivisions.

Category 8: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, if such entities or sources have filed claims against the agency in the past 2 years, or have a claim pending before the agency.