

ORDINANCE NO. ____-13

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
OAKLEY AMENDING AND UPDATING SECTION 2.9.008(a) AND ADDING
SECTION 2.9.008(c) OF THE OAKLEY MUNICIPAL CODE REGARDING THE
CITY'S CONFLICT OF INTEREST CODE**

The City Council of the City of Oakley does ordain as follows:

SECTION 1: Amendment.

Section 2.9.008(a) of the Oakley Municipal Code is hereby amended and replaced to read as follows:

"2.9.008 Designated Employees.

a. The persons holding the following listed positions are Designated Employees. Officers, employees, and independent contractors holding these positions are deemed to make, or participate in the making of, decisions which may foreseeably have a material effect on a financial interest. Therefore, these persons are subject to the Disclosure Categories as listed below:

<u>Designated Employee</u>	<u>Disclosure Categories</u>
Accounting Technician	Categories 3 and 5
Assistant to the City Manager	Categories 3 and 5
Assistant Engineer	Categories 2, 4 and 5
Associate Engineer	Categories 2, 4 and 5
Associate Planner	Categories 2, 4 and 5
Building Inspectors	Categories 2 and 5
Capital Projects Coordinator	Categories 2, 4 and 5
Chief Building Official	Category 1
Chief of Police	Category 1
City Clerk	Category 1
City Engineer / Public Works Director	Category 1
City Surveyor	Category 1
Code Enforcement Officer	Categories 2, 3 and 4
Code Enforcement Officer/Building Inspector	Categories 2, 3, 4 and 5
Community Program Coordinator	Category 4
Development Manager	Categories 2, 4 and 5
Economic Development Coordinator	Categories 1, 3, 4 and 5
Human Resources Administrator	Categories 4 and 5
Network Manager	Categories 4 and 5
Paralegal	Categories 2, 3 and 5
Parks and Landscape Supervisor	Categories 2, 4 and 5
Permit Center Manager	Categories 2, 4 and 5
Project Manager	Categories 2 and 4

Public Works Inspector	Categories 2 and 5
Recreation Manager	Category 1
Recreation Supervisor	Category 1
Recreation Technician	Categories 4 and 5
Senior Engineer	Categories 2, 4 and 5
Senior Planner	Categories 2, 4 and 5
Stormwater Coordinator	Categories 2 and 5"

SECTION 2: Addition.

Section 2.9.008(c) is hereby added to the Oakley Municipal Code to read as follows:

“c. Amendments to Designated Employees and Disclosure Categories. Amendments to Designated Employees and Disclosure Categories may be made by adoption of a resolution by the Oakley City Council.”

SECTION 3: Severability.

In the event any section or portion of this ordinance shall be determined to be invalid or unconstitutional, such section or portions shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

SECTION 4: California Environmental Quality Act (CEQA) Finding.

This ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to §§ 15060 (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060 (c)(3) the activity is not a project (as defined in § 15378) of the CEQA Guideline (Title 14, Chapter 3 of the California Code of Regulations) because it has no potential for resulting in physical change to the environment, directly or indirectly. This is an administrative policy making action of the City Council.

SECTION 5: Effective Date and Posting.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed office in the City Clerk’s Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2014 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Randy Pope, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date