

[Signature]
City Attorney

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OFFICE OF THE CITY CLERK
OAKLAND

2012 DEC -6 PM 3:06

OAKLAND CITY COUNCIL
RESOLUTION NO. 84143 C.M.S.

RESOLUTION APPROVING A CONFLICT OF INTEREST CODE FOR DESIGNATED EMPLOYEES AND CONSULTANTS OF THE PORT OF OAKLAND

WHEREAS, the Political Reform Act of 1974, as amended, (The "Act") requires that the Port of Oakland adopt a Conflict of Interest Code for designated employees of the Port of Oakland; and

WHEREAS, the Act provides that the City Council of the City of Oakland serves as the code-reviewing body for the Port of Oakland's Conflict of Interest Code; and

WHEREAS, the Board of Port Commissioners of the City of Oakland, by Port Ordinance No.2392, as amended, has adopted a Conflict of Interest Code for the Port of Oakland, which has an effective date of March 1, 1985; and

WHEREAS, Government Code 18730, Provisions of Conflict-of-Interest Codes states that the requirements of a conflict-of-interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest; and

WHEREAS, the Port of Oakland's Conflict of Interest Code was reviewed by the Port Attorney and it was determined that amendments were necessary; and

WHEREAS, on April 23, 2012, the Port Attorney, as authorized by the Board of Port Commissioners of the City of Oakland by Ordinance No. 3715, adopted a new Appendix A to replace the existing Appendix A to the Port of Oakland's Conflict of Interest Code; and

WHEREAS, the City Council has reviewed and considered the amendments to the Conflict of Interest Code of the Port of Oakland; now, therefore, be it

RESOLVED, that the City Council of the City of Oakland, sitting as the duly authorized Code-reviewing body for the Port of Oakland, having publicly reviewed and considered the Port's proposed new Appendix A to the Conflict of Interest Code, hereby approves the amendments to the Port of Oakland's Conflict of Interest.

IN COUNCIL, OAKLAND, CALIFORNIA DEC 18 2012, 20

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KERNIGHAN, NADEL, SCHAAF, KAPLAN and PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTIONS - 0

ATTEST: *[Signature]*
LaTonda Simmons
City Clerk and Clerk of the Council of the
City of Oakland, California

Attachment 1



PORT OF OAKLAND

MEMO

Approved for Dissemination Outside Port

TO: John Betterton, Secretary of the Board

FROM: David Alexander, Port Attorney by
Joshua Safran, Deputy Port Attorney *js*

DATE: April 23, 2012

RE: **Port Attorney-Approved Appendix A to Port of Oakland
Conflict of Interest Code (Designated Positions) - Port
Ordinance 3715**

Please find enclosed the Port Attorney-approved Appendix A to the Port of Oakland's Conflict of Interest Code, Designated Positions for 2011-2012. This Appendix A replaces all prior versions of Appendix A.



PORT OF OAKLAND

Board of Port Commissioners of the City of Oakland

Conflict of Interest Code

Designated Positions (2011-2012)

APPENDIX A

| DIVISION | JOB TITLE | Disclosure Category |
|-----------------|--------------------------------|----------------------------|
| Board | Commissioner | 1 |
| Board | Commissioner | 1 |
| Board | Commissioner | 1 |
| Board | Commissioner | 1 |
| Board | Commissioner | 1 |
| Board | Commissioner | 1 |
| Board | Commissioner | 1 |
| Board | Assist Secretary of the Board | 2,3,4,5 |
| Board | Secretary of the Board | 2,3,4,5 |
| Audit Services | Chief Audit Officer | 1,2,3,4,6 |
| Aviation | Administrative Analyst II | 2,3,4,5 |
| Aviation | Airport Business Manager | 2,3,4,5 |
| Aviation | AP Noise Abate/Envir Aff Supv | 2,3,4,5 |
| Aviation | AP Operations Mgr, Airside | 2,3,4,5 |
| Aviation | AP Operations Mgr, Landside | 2,3,4,5 |
| Aviation | AP Ops Supt, Landside | 2,3,4,5 |
| Aviation | AP Ops Supt, Landside | 2,3,4,5 |
| Aviation | AP Parking Operations Supt | 2,3,4,5 |
| Aviation | Assoc Aviation Project Manager | 2,3,4,5 |
| Aviation | Assoc Aviation Project Manager | 2,3,4,5 |
| Aviation | Assoc Aviation Project Manager | 2,3,4,5 |
| Aviation | Aviation Facilities Maint Mgr | 2,3,4,5 |
| Aviation | Aviation Marketing Manager | 2,3,4,5 |
| Aviation | Aviation Planning & Dev Mgr | 2,3,4,5 |
| Aviation | Aviation Security Manager | 2,3,4,5 |
| Aviation | Aviation Security Supt | 2,3,4,5 |
| Aviation | Aviation Senior Prop Rep | 2,3,4,5 |

| DIVISION | JOB TITLE | Disclosure Category |
|-----------------|--------------------------------|----------------------------|
| Aviation | Aviation Senior Prop Rep | 2,3,4,5 |
| Aviation | Aviation Sr Super Prop Rep | 2,3,4,5 |
| Aviation | Aviation Super Prop Rep | 2,3,4,5 |
| Aviation | Aviation Super Prop Rep | 2,3,4,5 |
| Aviation | Dir of Aviation | 2,3,4,5 |
| Aviation | Mgr of A/P Properties | 2,3,4,5 |
| Aviation | Port Assist Environ Planner | 2,3,4,5 |
| Aviation | Port Maintenance/Constr Supv | 2,3,4,5 |
| Aviation | Port Tech Support Analyst IV | 2,3,4,5 |
| Aviation | Senior Aviation Proj Mgr | 2,3,4,5 |
| Aviation | Senior Aviation Proj Mgr | 2,3,4,5 |
| Aviation | Sr AP Noise Abatement Spec | 2,3,4,5 |
| Aviation | Utilities Supervisor | 2,3,4,5 |
| Corporate Admin | Dir. Corp. Admin. Services | 2,3,4,5 |
| Corporate Admin | Executive Assistant (CAS Div) | 2,3,4,5 |
| Corporate Admin | Human Resource Supervisor | 2,3,4,5 |
| Corporate Admin | Human Resource Supervisor | 2,3,4,5 |
| Corporate Admin | Media/Public Relations Manager | 2,3,4,5 |
| Corporate Admin | Media/Public Relations Speclst | 2,3,4,5 |
| Corporate Admin | Port Assist Human Res Analyst | 2,3,4,5 |
| Corporate Admin | Port Assist Management Analyst | 2,3,4,5 |
| Corporate Admin | Port Equal Opportunity Officer | 2,3,4,5 |
| Corporate Admin | Port HR Operations Technician | 2,3,4,5 |
| Corporate Admin | Port Human Resource Technician | 2,3,4,5 |
| Corporate Admin | Training/Developmnt Specialist | 2,3,4,5 |
| Corporate Admin | Workers' Compensation Analyst | 2,3,4,5 |
| CRE | Commercial Real Estate Mgr | 1, 2,3,4,5 |
| CRE | Commercial Real Estate Mgr | 1, 2,3,4,5 |
| CRE | Commercial Rep V | 1,2,3,4,5 |
| CRE | Dir of Commercial Real Estate | 1,2,3,4,5 |
| CRE | Sr Commercial Real Estate Rep | 1, 2,3,4,5 |
| Engineering | Chief of Field Party | 2,3,4,5 |
| Engineering | Engineering Project Manager | 2,3,4,5 |
| Engineering | Port Assist Engineer(E&M Work) | 2,3,4,5 |

| DIVISION | JOB TITLE | Disclosure Category |
|-----------------|---------------------------------|----------------------------|
| Engineering | Port Associate Engineer (CW) | 2,3,4,5 |
| Engineering | Port Associate Engineer (CW) | 2,3,4,5 |
| Engineering | Port Associate Engineer (CW) | 2,3,4,5 |
| Engineering | Port Land Surveyor | 2,3,4,5 |
| Engineering | Port Permit Coord | 2,3,4,5 |
| Engineering | Port Principal Engineer | 2,3,4,5 |
| Engineering | Port Principal Engineer | 2,3,4,5 |
| Engineering | Port Principal Engineer | 2,3,4,5 |
| Engineering | Port Supervising Engineer (CW) | 2,3,4,5 |
| Engineering | Port Supervising Engineer (CW) | 2,3,4,5 |
| Engineering | Port Supervising Eng (E&M Work) | 2,3,4,5 |
| Engineering | Port Supervising Eng (E&M Work) | 2,3,4,5 |
| Engineering | Senior Account Clerk | 2,3,4,5 |
| Engineering | Utility Business Administrator | 2,3,4,5 |
| Engineering | Water Systems Engineer | 2,3,4,5 |
| Engineering | Director of Engineering | 2,3,4,5 |
| Env Prog & Plng | Dir of Environ Prog & Planning | 2,3,4,5 |
| Executive | Deputy Exec. Dir. of Operations | 1,2,3,4,5 |
| Executive | Executive Director | 1,2,3,4,5 |
| Executive | Government Affairs Specialist | 2,3,4,5 |
| Executive | Mgr, Governmental Affairs | 2,3,4,5 |
| Executive | Labor Advisor | 1,2,3,4,5 |
| Financial Svcs | Chief Financial Officer | 1,2,3,4,5 |
| Financial Svcs | Director of Finance/Controller | 2,3,4,5 |
| Financial Svcs | Manager, Debt Compliance | 2,3,4,5 |
| Financial Svcs | Mgr, Port Purchasing | 2,3,4,5 |
| Financial Svcs | Port Budget Coordinator | 2,3,4,5 |
| Financial Svcs | Port Principal Prog/Analyst | 2,3 |
| Financial Svcs | Port Risk Manager | 2,3,4,5 |
| Financial Svcs | Port Sys Planning Analyst | 2,3 |
| Financial Svcs | Port Tech Support Analyst IV | 2,3 |
| Maritime | Chief Wharfinger | 2,3,4,5 |
| Maritime | Dir of Maritime | 2,3,4,5 |
| Maritime | Harbor Facilities Maint Mgr | 2,3,4,5 |

| DIVISION | JOB TITLE | Disclosure Category |
|------------------|--------------------------------|----------------------------|
| Maritime | Mgr, Admin/Finance Services | 2,3,4,5 |
| Maritime | Mgr, Bus Devel and Intl Mrktng | 2,3,4,5 |
| Maritime | Port Facilities Security Off | 2,3 |
| Maritime | Port Supervisng Eng (E&M Work) | 2,3,4,5 |
| Maritime | Sr Maritime Projects Admin | 2,3,4,5 |
| Maritime | Sr Maritime Projects Admin | 2.3.4.5 |
| Port Attorney | Deputy Port Attorney | 2,3,4,5 |
| Port Attorney | Deputy Port Attorney III | 2,3,4,5 |
| Port Attorney | Deputy Port Attorney III | 2,3,4,5 |
| Port Attorney | Deputy Port Attorney IV | 2,3,4,5 |
| Port Attorney | Deputy Port Attorney IV | 2,3,4,5 |
| Port Attorney | Deputy Port Attorney IV | 2,3,4,5 |
| Port Attorney | Deputy Port Attorney V | 2,3,4,5 |
| Port Attorney | Assistant Port Attorney | 2,3,4,5 |
| Port Attorney | Port Attorney | 1,2,3,4,5 |
| SRD | Contract Compliance Officer | 2,3,4,5 |
| SRD | Contract Compliance Officer | 2,3,4,5 |
| SRD | Contract Compliance Supervisor | 2,3,4,5 |
| SRD | Director,Social Responsibility | 2,3,4,5 |
| SRD | Port Contract Compliance Mgr | 2,3,4,5 |
| SRD | Port Field Representative I | 2,3,4,5 |
| Corporate Admin | Human Resource Supervisor | 2,3,4,5 |
| External Affairs | Director of External Affairs | 2,3,4,5 |
| 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 Executive Director 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 comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director'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.

Attachment 2

Simmons

OAKLAND CITY COUNCIL

RESOLUTION NO. 80856 C.M.S.

OFFICE OF THE CITY CLERK
2007 OCT 2 11:25

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MTM

**RESOLUTION APPROVING A CONFLICT OF
INTEREST CODE FOR DESIGNATED
EMPLOYEES OF THE PORT OF OAKLAND**

WHEREAS, the Political Reform Act of 1974, as amended, (The "Act") requires that the Port of Oakland adopt a Conflict of Interest Code for designated employees of the Port of Oakland; and

WHEREAS, the Act provides that the City Council of the City of Oakland serves as the code-reviewing body for the Port of Oakland's Conflict of interest Code; and

WHEREAS, the Board of Port Commissioners of the City of Oakland, by Port Ordinance No. 2392, as amended, has adopted a Conflict of Interest Code for the Port of Oakland, which has an effective date of March 1, 1985; and

WHEREAS, the Port of Oakland's Conflict of Interest Code was reviewed by the Port Attorney and it was determined that amendments were necessary; and

WHEREAS, on September 3, 2002, the Board of Port Commissioners of the City of Oakland by Ordinance No. 3715 adopted an Ordinance amending and updating its Conflict of Interest Code; and

WHEREAS, the City Council has reviewed and considered the Conflict of Interest Code of the Port of Oakland; now therefore, be it

RESOLVED: that the City Council of the City of Oakland, sitting as the duly authorized Code-reviewing body for the Port of Oakland, having publicly reviewed and considered the Port's proposed Conflict of Interest Code, hereby approves the Conflict of Interest Code adopted by the Board of Port Commissioners of the City of Oakland

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 2 2007, 2007

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, REID, QUAN, KERNIGHAN AND PRESIDENT DE LA FUENTE- 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

Latonda Simmons
ATTEST:
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

PORT ORDINANCE NO. 3715

**AN ORDINANCE AMENDING PORT ORDINANCE NO. 2392
RELATING TO THE CONFLICT OF INTEREST CODE OF
THE BOARD OF PORT COMMISSIONERS OF THE CITY
OF OAKLAND**

BE IT ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. **Adoption of Code.**

In compliance with the Political Reform Act, Government Code sections 81000 et seq., the Board by Ordinance No. 2392 adopted a Conflict of Interest Code as specifically required by Government Code section 87300. The Fair Political Practices Commission (FPPC) adopted a regulation as 2 California Code of Regulations § 18730, which contains the terms of a standard conflict of interest code and which the FPPC recommends that local agencies incorporate by reference into conflict of interest codes. Such incorporation by reference is deemed valid code amendment within the meaning of Government Code section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect.

Section 2. **Amendment of Code.**

The terms of FPPC regulation contained in 2 California Code of Regulations § 18730 and any amendments to it duly adopted by the FPPC, along with the attached Appendix A in which employees are designated and the attached Appendix B in which disclosure categories are set forth, are hereby incorporated by reference into and substituted for the terms of the currently-in-effect Conflict of Interest Code of the Board of Port Commissioners of the City of Oakland. Exhibit A shall be amended from time to time to add or delete designated employees as approved by the Port Attorney and shall be maintained on file with the Secretary to the Board.

Designated employees shall file their statements of economic interests with the Secretary to the Board who will make the statements available for public inspection and reproduction as required by Government Code section 81008. Statements for all designated employees will be retained by the Secretary.

Section 3. Effective Date.

This amendment to the Conflict of Interest Code shall not take effect until it has been approved by the City Council, the code-reviewing body. The code-reviewing body will consider the proposed code in accordance with Government Code Section 87306 and when this code as amended is approved by the code-reviewing body, it shall be deemed adopted and shall be promulgated by the Port of Oakland.

In Board of Port Commissioners, Oakland, California, August 6, 2002. Passed to print for one day by the following vote: Ayes: Commissioners Ayers-Johnson, Kramer, Protopappas, Tagami, Uribe and President Kiang - 6. Noes: None. Absent: Commissioner Scates - 1.

John T. Betterton
Secretary of the Board

Adopted at a regular meeting held September 3, 2002

By the following Vote:

Ayes: Commissioners Ayers-Johnson, Kramer, Protopappas, Scates, Tagami, Uribe and President Kiang - 7


Noes: None

Absent: None



President.
Attest 

Secretary.

Approved as to form and legality:


Port Attorney

**Board of Port Commissioners of the City of Oakland
Conflict of Interest Code**

Designated Positions

APPENDIX A

| <u>Position</u> | <u>Category</u> |
|---|------------------------|
| Members of the Board of Port Commissioners | 1 |
| Airport General Manager | 4 |
| Airport Manager | 4, 5 |
| Airport Operations Manager, Airside | 4, 5 |
| Airport Operations Manager, Landside | 4, 5 |
| Airport Properties Operations Superintendent Airside | 4, 5 |
| Airport Security Manager | 4 |
| Art Director | 3 |
| Assistant Port Attorney | 3, 5 |
| Assistant Secretary to the Board | 2 |
| Audit Manager | 3 |
| Aviation Business Manager | 4 |
| Building Services Manager | 4 |
| Chief Audit Officer | 2 |
| Chief Engineer | 2 |
| Chief Financial Officer | 1 |
| Chief Technology Officer | 3 |
| Chief Wharfinger | 4, 5 |
| Commercial Real Estate Manager | 4, 5 |
| Commercial Representative IV | 4 |
| Commercial Representative V | 4 |
| Commercial Representative V-A | 4 |
| Contract Compliance Manager | 4 |
| Contract Compliance Supervisor | 4 |
| Customer Service Supervisor | 4 |
| Deputy Executive Director | 1 |
| Deputy Port Attorney | 4, 5 |
| Director of Administration | 2 |
| Director of Aviation | 2 |
| Director of Commercial Real Estate | 2 |
| Director of Communications | 2 |
| Director of Engineering | 2 |
| Director of Finance, Controller | 3 |
| Director of Information Technology & Chief Information Officer | 3 |
| Director of Maritime Activities | 2 |
| Director of the Office of Strategic and Policy Planning | 2 |

| <u>Position</u> | <u>Category</u> |
|--|-----------------|
| Director of Social Responsibility | 2 |
| Engineering Project Manager | 4 |
| Engineering Special Projects Administrator | 4 |
| ERDP Compliance Supervisor | 4 |
| Executive Director | 1 |
| Equal Opportunity Officer | 4 |
| General Manager, Operations and Marketing | 4 |
| General Manager, Central Facilities | 4 |
| Government Affairs Specialist | 4 |
| Human Resources Manager | 3 |
| Landside Operations Manager | 4, 5 |
| Landside Superintendent | 4 |
| Manager, Financial Planning | 3 |
| Manager, Risk Enterprise | 3 |
| Manager of Airport Properties | 4, 5 |
| Manager of Capital Program and Budget Services | 3 |
| Manager of Construction Pricing and Insurance Services | 3 |
| Manager of Environmental Planning & Permitting | 4, 5 |
| Manager of Governmental Affairs | 3 |
| Manager of Harbor Facilities Maintenance | 4 |
| Manager of Information Technology | 4 |
| Manager of North Field | 4, 5 |
| Manager of Planning & Development | 4, 5 |
| Manager of Port Dredging Programs | 4 |
| Manager of Purchasing Department | 3 |
| Manager of Systems and Programming | 4 |
| Maritime Marketing Manager | 4 |
| Organizational Development Manager | 3 |
| Port Accounting Manager | 4 |
| Port Attorney | 1 |
| Port Auditor | 1 |
| Port Construction Administrator | 4 |
| Port Employment Resources Coordinator | 4 |
| Port Environmental Assessment Supervisor | 4 |
| Port Facilities Security Officer | 4, 5 |
| Port Land Surveyor | 4, 5 |
| Port Maintenance & Construction Supervisor | 4 |
| Port Permit Coordinator | 5 |
| Principal Engineer, Construction Management | 4 |
| Principal Engineer, Maritime Project Design & Delivery | 4 |
| Principal Engineer, Aviation Project Design & Delivery | 4 |
| Principal Port Safety Administrator | 4 |
| Risk Manager | 4 |
| Safety Officer | 4 |

Position

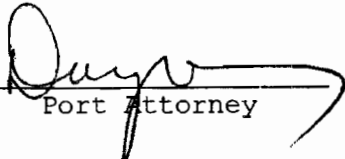
Category

| | |
|--|-----|
| Secretary of the Board | 2 |
| Senior Aviation Project Manager | 4 |
| Senior Management Assistant Marine/ Commercial Representative V-A | 4 |
| Senior Maritime Commercial Representative | 4,5 |
| Special Assistant to Executive Director - Airport Properties Expansion Program | 4 |
| Supervising Airport Properties Rep | 4,5 |
| Supervising Civil Engineer | 4 |
| Supervising Electrical Mechanical Engineer | 4 |
| Technical Support Analyst II | 4 |
| Trade Research Supervisor | 4 |
| Workers' Compensation Administrator | 2,3 |
| Consultants that make specific decisions or that serve in staff capacity negotiating purchases or making recommendations for purchases without substantive review*. | 4 |

*A Consultant shall disclose pursuant to the broadest disclosure category suitable to the area of decision-making or purchasing authority the consultant in engaged in on behalf of the Port.

Revised February 6, 2007.

Approved as to form and
legality this 7th day
of March, 2007.


Port Attorney

APPENDIX B

Disclosure Categories

The following disclosure categories are hereby established:

- Category 1: Persons in this category shall disclose all interests in real property in the City of Oakland, as well as investments, business positions and sources of income, including gifts, loans and travel payments.
- Category 2: Persons in this category shall disclose all investments, business positions and sources of income, including gifts, loans and travel payments.
- Category 3: Persons in this category shall disclose all investments, business positions, and sources of income, including gifts, loans and travel payments, from sources that provided leased, facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the Port.
- Category 4: Persons in this category shall disclose all investments and business positions, and sources of income, including gifts, loans and travel payments from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services of the type utilized by the employee's division.
- Category 5: Persons in this category shall disclose all investments, business positions, and sources of income, including gifts, loans, and travel payments from sources that are subject to the regulatory, permit, licensing or leasing authority of, or have an application for a license, permit or lease pending before the Port.