

ALAMEDA COUNTY BOARD OF SUPERVISORS MINUTE ORDER

The following action was taken by the Alameda County Board of Supervisors on 10/04/2022

Approved as Recommended ☒

Other ☐

Unanimous ☐ Brown: ☐ Haubert: ☐ Miley: ☐ Valle: ☒ Carson: ☐ - ☒

Vote Key: N=No; A=Abstain; X=Excused

Documents accompanying this matter:

Documents to be signed by Agency/Purchasing Agent:

File No. 30752
Item No. 61

Copies sent to:

H.A.R.D., 1099 "E" Street, Hayward, CA 94541

Special Notes:



I certify that the foregoing is a correct copy of a Minute Order adopted by the Board of Supervisors, Alameda County, State of California.

ATTEST:
Clerk of the Board
Board of Supervisors

By: Rhonda Bailey
Deputy



Hayward Area Recreation and Park District

Board of Directors

Louis M. Andrade
Rick J. Hatcher
Paul W. Hodges, Jr.
Carol A. Pereira
Peter Rosen

General Manager

James Wheeler

September 20, 2022

Honorable Board of Supervisors
Administration Building
1221 Oak Street, Room 536
Oakland, CA 94612

RECEIVED

SEP 21 2022

**CLERK, BOARD
OF SUPERVISORS**

Re: 2022 Conflict of Interest Code Biennial Review

Dear Honorable Board of Supervisors:

The Hayward Area Recreation and Park District (H.A.R.D.) hereby requests your Board's approval of the attached H.A.R.D. Conflict of Interest Code, which has been amended by our Staff and legal counsel to reflect updates to H.A.R.D.'s Designated list of positions. The Code promulgated under the authority of the Political Reform Act, Government Code Section 81000 *et seq.*, was adopted by Resolution No. R-2223-23, by the H.A.R.D. Board of Directors at their meeting on September 19, 2022.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'James Wheeler', is written over a horizontal line.

James Wheeler
General Manager

JW:sn

Enclosures: Resolution R-2223-23, Hayward Area Recreation and Park District Conflict of Interest Code, Exhibit A – Designated Positions and Disclosure Categories

RECEIVED

SEP 21 2022

CLERK, BOARD OF SUPERVISORS

GENERAL MANAGERS OFFICE

Categories:

- (5) Elected Official(s) 1-4
- General Manager 1-5
- Human Resources Manager (**Add**) 1, 4, 5
- Human Resources Analyst (**Add**) 5
- Management Analyst (**Add**) 1, 2 & 4
- Assistant to the General Manager/Public Information Officer (**Add**) 1, 2 & 4
- Public Safety Manager (**Add**) 1 & 4
- Executive Assistant and District Clerk (**Add**) 4 & 5
- General Counsel *

ADMINISTRATIVE SERVICES DEPARTMENT

- Administrative Services Director 1 & 4
- Finance Manager 1 & 4
- Information System Administrator 1 & 4

CAPITAL PLANNING & DEVELOPMENT DEPARTMENT

- Capital Planning & Development Director 1-4
- Assistant Director of Capital Planning and Development (**Add**) 1-4
- Bond Program Administrative Coordinator (**Add**) 1-4
- Senior Bond Project Manager (**Add**) 1-4
- Bond Project Manager (**Add**) 1-4

PARKS & FACILITIES MAINTENANCE DEPARTMENT

- Parks & Facilities Maintenance Director (**Rename**) 1-4
- Park Services Specialist (**Add**) 1 & 5
- Maintenance & Construction Supervisor 1 & 4
- Park Supervisor 1 & 5
- Golf Course and Turf Supervisor 1 & 4

RECREATION, ARTS & COMMUNITY SERVICES DEPARTMENT

- Recreation, Arts & Community Services Director (**Rename**) 1 & 4
- Recreation Supervisor 1 & 5
- Recreation Coordinator I 5
- Recreation Coordinator II 5
- Customer Service Supervisor 1 & 5



The Board of Directors of
The Hayward Area Recreation and Park District

RESOLUTION NO. R-2223-23

**RESOLUTION UPDATING THE CONFLICT OF INTEREST CODE OF THE
HAYWARD AREA RECREATION AND PARK DISTRICT**

WHEREAS, Government Code Section 81000 et. seq. requires every agency to adopt and promulgate a Conflict of Interest Code; and
WHEREAS, the Political Reform Act requires every government agency to biennially review its Conflict of Interest Code for accuracy and to determine if it must be amended in relation to the terms of the Code, Disclosure Categories and a list of Designated Positions; and
WHEREAS, it is necessary to amend the Hayward Area Recreation and Park District's Conflict of Interest Code due to personnel changes; and
NOW, THEREFORE, BE IT RESOLVED, that the Hayward Area Recreation and Park District does hereby update the District's Conflict of Interest Code and includes the following positions in Exhibit A:

- (5) Elected Officials
- General Manager
- Human Resources Manager
- Human Resources Analyst
- Management Analyst
- Assistant to the General Manager/Public Information Officer
- Public Safety Manager
- Executive Assistant and District Clerk
- General Counsel
- Administrative Services Director
- Finance Manager
- Information System Administrator
- Capital Planning & Development Director
- Assistant Director of Capital Planning and Development
- Bond Program Administrative Coordinator
- Senior Bond Project Manager
- Bond Project Manager
- Parks & Facilities Maintenance Director
- Park Services Specialist
- Maintenance & Construction Supervisor
- Park Supervisor
- Golf Course and Turf Supervisor
- Recreation, Arts & Community Services Director
- Recreation Supervisor
- Recreation Coordinator I
- Recreation Coordinator II
- Customer Service Supervisor

DATE: September 19, 2022

INTRODUCED BY: Rick J. Hatcher

AYES: Andrade, Hatcher, Hodges, Pereira and Rosen

NOES: None
ABSTAIN: None
ABSENT: None

I certify that I am the duly authorized individual empowered to certify resolutions and that the foregoing is a true and correct copy of a resolution adopted by the Board of Directors of the Hayward Area Recreation and Park District on September 19, 2022.

Shaylynn Nelson
Certification Clerk

Carol A. Pereira
Carol A. Pereira, President
Paul W. Hodges, Jr.
Paul W. Hodges, Jr., Secretary



Hayward Area Recreation and Park District

CONFLICT OF INTEREST CODE

September 19, 2022

SECTION 1. Purpose.

The Conflict of Interest Code is promulgated under the authority of the Political Reform Act, Government Code Section 81000, et. seq., which requires all state and local government agencies to adopt and promulgate conflict of interest codes. Title 2 of the California Code of Regulations, Section 18730, as adopted by the Fair Political Practices Commission, contains the terms of a standard conflict of interest code, which may be incorporated by reference and may be amended by the Fair Political Practices Commission.

Therefore, the terms of Title 2 of the California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Exhibit "A" in which Elected Official(s), employees and designated consultants are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Hayward Area Recreation and Park District. Once approved by the County of Alameda, as the code reviewing body, this September 19th, 2022 Conflict of Interest Code shall supersede any previously adopted Conflict of Interest Code of the Hayward Area Recreation and Park District.

Where any provision of this Conflict of Interest Code is inconsistent with 2 CCR Section 18730 and as such section is duly amended or with any other provision of State law, such State law shall take precedence.

Designated positions shall file statements of economic interests with the District Clerk to the Elected Official(s) who will make the statements available for inspection and reproduction. (Government Code Section 81008).

EXHIBIT "A"
DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

The positions listed below are positions designated as set forth in Section 2 of the Code that includes elected official(s), employees and designated consultants which have been determined to make or participate in the making of decisions in which it may be reasonably foreseen that it will have a material financial effect on the individuals holding the designated position or on an economic interest of those individuals. Economic interests are separated into categories as set forth in Section 4 of the Code:

Category 1:

Sources of income (including gifts that exceed \$520), investments and business positions in business entities that are located in, that do business in, or own real property within the jurisdiction of the District.

Category 2:

Interests in real property located within the boundaries of the District or within one-half mile (0.5) mile of any land owned or used by the District outside of the District boundaries.

Category 3:

Sources of income, investments and business positions in business entities that engage in land development, construction or acquisition or sale of real property within the jurisdiction of the District.

Category 4:

Sources of income, investments and business positions in business entities that manufacture, sell or provide supplies, materials, books, vehicles, machinery, services or equipment of the type purchased or leased by the District.

Category 5:

Sources of income, investments and business positions in business entities that manufacture, sell or provide supplies, materials, books, vehicles, machinery, services or equipment of the type purchased or leased by the designated position's department or division.

*** Consultants:**

The General Manager will determine whether any retained consultants are to be included in the list of designated positions and the disclosure categories of each, based on the above factors.