



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 21-0075, Version: 1

REPORT TO COUNCIL

SUBJECT

Adopt a Resolution Amending the City of Sunnyvale Local Conflict of Interest Code

BACKGROUND AND DISCUSSION

The Political Reform Act requires that every state and local agency adopt a local conflict of interest code that identifies all officials and employees within the agency who make governmental decisions based on the positions they hold. Individuals in the designated positions must then disclose their financial interests as specified in the agency's conflict of interest code.

Every local government agency is required to review its Conflict of Interest Code biennially to determine if the Code is accurate, or alternatively, that the Code must be amended. Amendments are necessary to include new qualifying positions which have been added to or delete obsolete positions from the City's classification plan and salary resolution, to revise titles of existing positions, or to revise disclosure categories. Local governmental agencies may also amend their Conflict of Interest Code at any other time to make the same types of changes.

The City's Conflict of Interest Code applies to the City, as well as designated "City agencies" (i.e., the Successor Agency to the Former Redevelopment Agency of the City of Sunnyvale and the Sunnyvale Financing Authority) and their officers and employees.

The City's Conflict of Interest Code was last amended on September 29 (Resolution No. 1024-20). During discussions leading up to adoption of Resolution No. 1024-20, multiple councilmembers questioned if some decisions made by the Arts Commission would qualify its members for the Conflict of Interest Code. Staff concur that these decisions are consistent with requirements of the Political Reform Act, and have identified the position of Member, Arts Commission for addition to the Conflict of Interest Code. This position has been identified for inclusion in the Conflict of Interest Code due to the decision-making authority provided the Arts Commission by Sunnyvale Municipal Code Section 19.52.050 (Art Permit). Consequently, staff is recommending that the City's Conflict of Interest Code be amended.

EXISTING POLICY

Council Policy 7.3.7 - Standard Conflict of Interest Code
Sunnyvale Municipal Code Section 19.52.050 (Art Permit)

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental, organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

None.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Adopt a Resolution amending the City of Sunnyvale Local Conflict of Interest Code.

Prepared by: David Carnahan, City Clerk

Reviewed by: Teri Silva, Assistant City Manager

Reviewed by: Jaqui Guzmán, Deputy City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENT

1. Proposed Resolution and Exhibit "A"