



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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File #: 21-0412, Version: 1

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### 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 January 12, 2021 (Resolution No. 1041-21). After the adoption of the City's Conflict of Interest Code, the City Clerk in consultation with the Chief Information Officer and the Human Resources Department determined the Applications Analyst / Project Coordinator I/II and Senior Applications Analyst / Project Manager positions do not make governmental decisions and should not have been included in the Code as their job functions do not trigger the requirements of the Political Reform Act. As a result of that determination staff is asking that these positions be removed from the City's Conflict of Interest Code. Non-substantive changes, including alphabetizing the list of designated positions, are also included in this update.

#### **EXISTING POLICY**

Council Policy 7.3.7 - Standard Conflict of Interest Code

#### **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"