



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 22-0590, 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. Those 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 must be amended. Amendments are necessary if qualifying positions have been added or deleted from the City's classification plan and salary resolution. Amendments to revise titles of existing positions, or to revise disclosure categories are also required.

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 March 30, 2021 (Resolution No. 1044-21). Consistent with requirements of the Political Reform Act, the City conducted a biennial review of its Conflict of Interest Code. Staff determined that an amendment is necessary to reflect various changes to classifications that have occurred in the last two years.

This update also includes changes to the language pertaining to consultants retained by the City to more closely align the City's Conflict of Interest Code with Fair Political Practices Commission (FPPC) Regulation 18700.3 (Consultant, Public Official Who Manages Public Investments: Definitions). Based on this FPPC rule, a consultant is a designated employee when the consultant makes governmental decisions or serves in a staff capacity and participates in making a governmental decision.

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, at the Sunnyvale Public Library, Senior Center, Community Center and in the Department of Public Safety Lobby. In addition, the agenda and report are available at the Sunnyvale Public Library, 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: Jaqui Guzmán, Deputy City Manager

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENT

1. Proposed Resolution and Exhibit "A"
2. Conflict of Interest Code List Updates-Redlines
3. 2022 Local Agency Notice