



COUNCIL AGENDA: 9/13/2022
FILE: 22-1328
ITEM: 2.8

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

SUBJECT: CONFLICT OF INTEREST CODE
BIENNIAL UPDATE

FROM: Toni J. Taber, CMC
City Clerk

DATE: September 9, 2022

COUNCIL DISTRICT: CITYWIDE

RECOMMENDATION

Adopt a resolution amending the Conflict of Interest Code for the City of San José.

OUTCOME

The recommended action ensures compliance with the California Political Reform Act and updates the list of those officers and employees in designated positions who are required to file the California Fair Political Practice Commission (FPPC) Form 700- Statement of Economic Interests for the City of San Jose.

BACKGROUND

The Political Reform Act requires all public officials, employees, and consultants who make or participate in the making of government decisions to disclose any economic interests that could be affected by those decisions. The City Council has previously adopted by resolution a Conflict of Interest Code for the City of San Jose, which sets forth reporting requirements for all City departments and certain boards and commissions. Per the California Government Code, the Conflict of Interest Code must be updated biennially of each even-numbered year.

ANALYSIS

The City Council last adopted its biennial Conflict of Interest Code on [September 29, 2020](#). As part of the 2022 biennial review, City departments have identified additional changes, including newly created positions, which are redlined in the attached resolution. Notable changes include:

- Airport Department: Deleting Senior Maintenance Worker
- Office of Civic Innovation moved from the City Manager's Office to the Information Technology Department
- Community Energy Department: Adding Assistant Director, Program Manager, Public Information Manager, Senior Accountant and Senior Environmental Program Manager

- Environmental Services Department: Adding Assistant to the Director, Planner IV and Senior Environmental Program Manager
- Finance Department: Adding Assistant to the Director, Division Manager, and Supervising Accountant
- Fire Department: Adding Automotive Equipment Specialist, Building Maintenance Superintendent, Nurse Practitioner, and Principal Permit Specialist; deleting Fire Captain – Apparatus Captain and Fire Captain – Facilities Captain
- Human Resources: Deleting Physician due to the elimination of this position
- Library Department: Adding Public Information Manager and Supervising Applications Analyst
- Parks, Recreation, & Neighborhood Services Division: Adding Assistant Arborist, Building Maintenance Administrator, Planner IV, Public Information Manager, Senior Engineer, Supervising Environmental Services Specialist
- Police Department: Adding Latent Fingerprint Examiner Supervisor and Police Communications Manager; deleting Video Unit Supervisor
- Public Works Department: Adding Animal Shelter Veterinarian and Supervisor, Animal Services
- Community Energy Department Risk Oversight Committee: Adding this advisory body

The proposed resolution and appendices reflect the changes for certain departments and positions which are being added to or deleted from the list of designated positions. Upon Council approval, the Office of the City Clerk will notify the affected employees as to their filing status.

EVALUATION AND FOLLOW-UP

No subsequent City Council action on this issue is necessary.

CLIMATE SMART SAN JOSE

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

This memorandum will be posted on the City's website for the September 13, 2022 City Council agenda.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

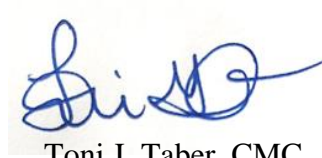
COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

HONORABLE MAYOR AND CITY COUNCIL
September 9, 2022
Subject: Conflict of Interest Code Biennial Update
Page 3

CEQA

Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment.



Toni J. Taber, CMC
City Clerk

For questions, please contact Toni Taber, City Clerk, at city.clerk@sanjoseca.gov or (408) 535-1260.