

**RESOLUTION NO. 22-120**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO  
RESCINDING RESOLUTION NO. 20-115 AND AMENDING THE  
CITY OF CUPERTINO CONFLICT OF INTEREST CODE  
FOR OFFICIALS AND DESIGNATED EMPLOYEES**

WHEREAS, the Political Reform Act of 1974, Government Code Sections 81000 et seq. (the "Act" or "Political Reform Act") governs the disclosure of political campaign contributions and spending by candidates and ballot measure committees, and sets ethics rules for state and local government officials that impose strict limits on decisions or votes that affect the official's financial interests; and

WHEREAS, the City Clerk is the local filing officer for all filings and statements required by the Political Reform Act including campaign contribution and expenditure reports from candidates for City Council, controlled committees and independent expenditure committees, as well as Statements of Economic Interest from current City officials, officers and designated employees, per the City's Conflict of Interest Code; and

WHEREAS, the Political Reform Act requires every state or local government agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the City Council last updated the City's Conflict of Interest Code on September 15, 2020 by adoption of Resolution No. 20-115; and

WHEREAS, the City Council now desires to amend the City's Conflict of Interest Code to update the disclosure categories and list of designated positions, as well as to reorganize the list so that positions are grouped by department.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUPERTINO DOES HEREBY RESOLVE AS FOLLOWS:

1. That Resolution No. 20-115 is hereby rescinded; and
2. That the terms of Title 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the FPPC shall, along with the Code entitled, "City of Cupertino Conflict of Interest Code for Officials and Designated Employees" as set forth in Exhibit A along with attached appendices A and B, in which members, consultants, and employees are

designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the City of Cupertino; and

3. That all Statements of Economic Interest shall be filed electronically with the City Clerk.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 20th day of September 2022, by the following vote.



Members of the City Council

AYES: Paul, Chao, Moore, Wei, Willey

NOES: None

ABSENT: None

ABSTAIN: None

<p>SIGNED:</p>  <hr/> <p>Darcy Paul, Mayor City of Cupertino</p>	<p><u>9/29/2022</u></p> <hr/> <p>Date</p>
<p>ATTEST:</p>  <hr/> <p>Kirsten Squarcia, City Clerk</p>	<p><u>10/3/22</u></p> <hr/> <p>Date</p>

## EXHIBIT A

### CITY OF CUPERTINO CONFLICT OF INTEREST CODE FOR OFFICIALS AND DESIGNATED EMPLOYEES

The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code Regs. Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments to the Political Reform Act. Therefore, the terms of 2 Cal. Code Regs. 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 Appendices A and B in which members, consultants, and employees are designated and disclosure categories are set forth shall constitute the conflict of interest code of the City of Cupertino.

Officials and designated employees under Government Code Section 87200 shall file electronic statements of economic interests (Form 700) with the City Clerk who will make the statements available for public inspection and reproduction. (Gov. Code Section 81008).

Upon receipt of the statements (Form 700) of the City of Cupertino City Council, City Manager, City Attorney, City Treasurer, and Planning Commissioners, the agency shall electronically forward the original of these statements to the Fair Political Practices Commission. The City Clerk will electronically retain original statements for all other designated employees.

It has been determined that the positions listed below manage public investments and will file a statement of economic interests (Form 700) pursuant to Government Code Section 87200:

City Treasurer (Director of Administrative Services)  
Deputy City Treasurer (Finance Manager)

## APPENDIX A

### DESIGNATED POSITIONS AND APPLICABLE REPORTABLE INTEREST CATEGORIES

Title	Assigned Disclosure Category
<b>ADMINISTRATIVE SERVICES, FINANCE &amp; HUMAN RESOURCES</b>	
Director of Administrative Services (Treasurer)	1 (Govt Code § 87200 filer)
Finance Manager (Deputy City Treasurer)	1 (Govt Code § 87200 filer)
Human Resources Manager	2
Budget Manager	2
Purchasing Manager	2
Senior Management Analyst	5
Human Resources Analyst I/II	5
Accountant I/II	5
Senior Accountant	5
Account Clerk I/II	5
Accounting Technician	5
<b>APPOINTED OR ELECTED OFFICIALS &amp; COMMISSIONS</b>	
City Council	1 (Govt Code § 87200 filers)
Audit Committee	2
Bicycle Pedestrian Commission	4
Fine Arts Commission	4
Housing Commission	1
Library Commission	4
Parks and Recreation Commission	4
Planning Commission	1 (Govt Code § 87200 filers)
Public Safety Commission	4
Sustainability Commission	4
Technology, Information, & Communications Commission	3
Economic Development Committee	6
<b>CITY ATTORNEY'S OFFICE</b>	
City Attorney	1 (Govt Code § 87200 filer)
Deputy City Attorney	1
Senior Assistant City Attorney	1

<b>Title</b>	<b>Assigned Disclosure Category</b>
Assistant City Attorney	1
Legal Services Manager	1
<b>CITY MANAGER'S OFFICE</b>	
City Manager	1
Assistant City Manager	1
Deputy City Manager	1
Assistant to the City Manager	1
Sustainability Manager	6
Management Analyst	6
Emergency Services Coordinator	6
Analyst (Three-Year Limited-Term)	6
Executive Assistant to the City Manager	6
<b>City Clerk's Office</b>	
City Clerk	1
Deputy City Clerk	1
<b>Communications &amp; Public Information</b>	
Public Affairs Manager	3
Public Information Officer	3
Multimedia Communication Specialist	3
<b>Economic Development</b>	
Economic Development Manager	6
<b>COMMUNITY DEVELOPMENT</b>	
Director of Community Development	1
Assistant Director of Community Development	1
<b>Planning</b>	
Planning Manager	1
Senior Planner	1
Associate Planner	6
Assistant Planner	6
Management Analyst	6
Permit Technician	6

Title	Assigned Disclosure Category
<b>Building</b>	
Building Official	4
Deputy Building Official	4
Senior Building Inspector	4
Building Inspector	4
Permit Center Manager	6
Permit Technician	6
<b>Housing</b>	
Housing Manager	1
Senior Planner	1
Assistant Planner	6
<b>Code Enforcement</b>	
Senior Code Enforcement Officer	4
Code Enforcement Officer	4
<b>Consultants</b>	
Consultants (see Appendix B definitions)	As determined by City Manager
<b>INNOVATION &amp; TECHNOLOGY</b>	
Chief Technology Officer	1
Innovation and Technology Manager	5
GIS Program Manager	5
Business Systems Analyst	5
Management Analyst	6
<b>PUBLIC WORKS</b>	
Director of Public Works	1
Assistant Director of Public Works	1
Capital Improvement Program Manager	1
Transportation Manager	1
Senior Public Works Project Manager	1
Public Works Projects Manager	1
Environmental Programs Manager	1
Service Center Superintendent	5

<b>Title</b>	<b>Assigned Disclosure Category</b>
Public Works Supervisor	6
Senior Planner	1
Public Works Inspector	6
Senior Management Analyst	6
Management Analyst	6
<b>Environmental Services &amp; Environmental Affairs</b>	
Environmental Programs Manager	6
Environmental Programs Specialist	6
Environmental Compliance Technician	6
<b>Traffic &amp; Engineering</b>	
City Engineer	1
Assistant Engineer	1
Transportation Manager	1
Senior Civil Engineer	4
Associate Civil Engineer	4
Senior Engineering Technician	6
Engineering Technician	6
Plan Check Engineer	6
<b>PARKS AND RECREATION</b>	
Director of Parks and Recreation	1
Assistant Director of Parks and Recreation	1
Park Restoration and Improvement Manager	6
Recreation Manager	5
Recreation Supervisor	5
Management Analyst	6



## Appendix B

### DISCLOSURE CATEGORIES AND DEFINITIONS

1. FULL DISCLOSURE  
What to report? All investments, positions in business entities, sources of income (including gifts, loans, and travel payments), and interests in real property.  
What Form 700 schedules? All Schedules (A through E)
2. ALL INCOME  
What to report? All investments, positions in business entities, and sources of income (including gifts, loans, and travel payments).  
What Form 700 schedules? A, C, D, E
3. CITY-RELATED INCOME  
What to report? All investments, positions in business entities, and sources of income (including gifts, loans, and travel payments) if the source provides goods or services of the type utilized by or subject to the review or approval of the City.  
What Form 700 schedules? A, C, D, E
4. CITY-RELATED INCOME, REAL PROPERTY  
What to report? All investments, positions in business entities, and sources of income (including gifts, loans, and travel payments) if the source provides goods or services, of the type utilized by or subject to the review or approval of the City and all interests in real property.  
What Form 700 schedules? All Schedules (A through E)
5. DEPARTMENT-RELATED INCOME  
What to report? All investments, positions, in business entities, and sources of income (including gifts, loans, and travel payments) if the source provides goods or services of the type utilized by or subject to the review or approval of the department in which that person is employed.  
What Form 700 schedules? A, C, D, E
6. DEPARTMENT-RELATED INCOME & REAL PROPERTY  
What to report? All investments, positions in business entities, and sources of income (including gifts, loans, and travel payments) if the source provides goods or services of the type utilized by or subject to the review or approval of



the department in which that person is employed, and all interests in real property.

What Form 700 schedules? All Schedules (A through E)

### **Definitions**

For the purposes of these disclosure categories, the definitions and regulations contained in the Political Reform Act, Government Code Sections 81000 et seq., and the Fair Political Practices Commission regulations at 2 Cal. Code Regs. Section 18730 shall apply.

## 2022 Local Agency Biennial Notice

Name of Agency: City of Cupertino  
Mailing Address: 10300 Torre Avenue, Cupertino, CA 95014  
Contact Person: Kirsten Squarcia Phone No. 408-777-3225  
Email: kirstens@cupertino.org Alternate Email: \_\_\_\_\_

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

**An amendment is required. The following amendments are necessary:**

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) Add Economic Development Committee

**The code is currently under review by the code reviewing body.**

**No amendment is required.** (If your code is over five years old, amendments may be necessary.)

---

### Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

*Pamela Wu*

\_\_\_\_\_  
Signature of Chief Executive Officer

9/22/2022

\_\_\_\_\_  
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2022**, or by the date specified by your agency, if earlier, to:

*Cupertino City Council, 10300 Torre Ave., Cupertino, CA 95014*

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**