

**RESOLUTION NO. 24-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO  
RESCINDING RESOLUTION NO. 22-120 AND AMENDING THE  
CITY OF CUPERTINO CONFLICT OF INTEREST CODE  
FOR OFFICIALS AND DESIGNATED EMPLOYEES**

WHEREAS, the Political Reform Act of 1974, Government Code section 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 20, 2022 by adoption of Resolution No. 22-120; and

WHEREAS, the City Council now desires to amend the City’s Conflict of Interest Code to update the list of designated positions.

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

1. That Resolution No. 22-120 is hereby rescinded; and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 special meeting of the City Council of the City of Cupertino this 4th day of September 2024, by the following vote.

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

<p>SIGNED:</p>  _____ Sheila Mohan, Mayor City of Cupertino	  _____ Date
<p>ATTEST:</p>  _____ Kirsten Squarcia, City Clerk	  _____ Date

## 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, § 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

<b>Title</b>	<b>Assigned Disclosure Category</b>
<b>ADMINISTRATIVE SERVICES, FINANCE &amp; HUMAN RESOURCES</b>	
Director of Administrative Services (Treasurer)	1 (Gov. Code § 87200 filer)
Finance Manager (Deputy City Treasurer)	1 (Gov. 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 (Gov. Code § 87200 filers)
Audit Committee	2
Bicycle Pedestrian Commission	4
Arts and Culture Commission	4
Housing Commission	1
Library Commission	4
Parks and Recreation Commission	4
Planning Commission	1 (Gov. Code § 87200 filers)
Public Safety Commission	4
Sustainability Commission	4
Technology, Information, & Communications Commission	3
<b>CITY ATTORNEY'S OFFICE</b>	
City Attorney	1 (Gov. Code § 87200 filer)

<b>Title</b>	<b>Assigned Disclosure Category</b>
Senior Assistant City Attorney	1
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
<b>Administration</b>	
Management Analyst	6
Senior Management Analyst	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>	
Communications and Marketing Coordinator	
<b>Emergency Management</b>	
Assistant to the City Manager	1
Management Analyst	6
Community Relations Coordinator	6
<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

<b>Title</b>	<b>Assigned Disclosure Category</b>
Associate Planner	6
Assistant Planner	6
Management Analyst	6
Permit Technician	6
<b>Building</b>	
Building Official	4
Deputy Building Official	4
Senior Building Inspector	4
Building Inspector	4
Permit Technician	6
Plan Check Engineer	6
<b>Housing</b>	
Housing Manager	1
Senior Housing Coordinator	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
Business Systems Analyst	5
Multimedia Communication Specialist	3
Management Analyst	6
<b>PUBLIC WORKS</b>	
Director of Public Works	1
Assistant Director of Public Works	1
Capital Improvement Programs Manager	1
Transportation Manager	1

<b>Title</b>	<b>Assigned Disclosure Category</b>
Senior Public Works Project Manager	1
Public Works Projects Manager	1
Environmental Programs Manager	1
Service Center Superintendent	5
Public Works Supervisor	6
City Engineer	1
Public Works Inspector	6
Senior Management Analyst	6
Management Analyst	6
<b>Environmental Services &amp; Environmental Affairs</b>	
Environmental Programs Manager	1
Environmental Programs Specialist	5
Environmental Programs Assistant	5
Environmental Compliance Technician	6
<b>Traffic &amp; Engineering</b>	
Senior Planner (Transit and Transportation)	1
Assistant Engineer	4
Transportation Manager	1
Senior Civil Engineer	1
Associate Civil Engineer	4
Senior Engineering Technician	6
Engineering Technician	6
Environmental Programs Assistant (Safe Routes to School)	5
<b>PARKS AND RECREATION</b>	
Director of Parks and Recreation	1
Recreation Manager	5
Senior Management Analyst	6
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.