

RESOLUTION NO. 75654

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AMENDING THE CONFLICT OF INTEREST CODE FOR THE CITY OF SAN JOSE

WHEREAS, pursuant to Sections 87300, 87302 and 87303 of the California Political Reform Act of 1974, the City Council of the City of San José has adopted and incorporated by reference the terms of the standard model conflict of interest code adopted by the Fair Political Practices Commission (FPPC) by Title 2, Division 6, California Code of Regulations, Section 18730; and

WHEREAS, the City Council has thereby approved a list setting forth (1) designated positions of officers, employees, members and consultants of the City; and (2) required conflict of interest disclosure categories; and

WHEREAS, that list should be amended and updated due to changes in organization and authority of City departments, boards, commissions and committees; and

WHEREAS, the City Council held a public hearing on December 7, 2010 on the proposed amendments to the Conflict of Interest Code following the notice required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSÉ THAT:

1. In accordance with Section 87303 of the Political Reform Act, the City of San José Conflict of Interest Code is amended in its entirety by this Resolution and the appendices attached hereto.

2. The terms of Title 2, Division 6, California Code of Regulations, Section 18730, and any amendments thereto, taken with appendices attached to this Resolution and incorporated by reference constitute the Conflict of Interest Code for all City of San José departments, boards, commissions and committees.
3. Persons holding designated positions listed in the attached Appendix I, including temporary employees of the City of San Jose and consultants who are required to disclose pursuant to Appendix II, must file the Form 700 – Statement of Economic Interests when required by the California Political Reform Act or notified to do so by the City Clerk or designee or by the terms of an employee or consultant agreement with the City in accordance with the Act.
4. Pursuant to the City Auditor's report in Audit 08-02, in the event a designated filer does not file his or her Form 700 in a timely manner, and after the City Clerk has sent one reminder to the filer, the City Clerk will notify the Department Director that the filer – whether he or she is an employee, member of a board, commission or committee, temporary employee or consultant – has not complied with the disclosure requirements. If the designated filer is an employee, he or she may be recommended for disciplinary action by the Department.

ADOPTED this 7th day of December, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk