



# COUNCIL REPORT

**DATE:** September 27, 2022

**CATEGORY:** Consent

**DEPT.:** City Attorney's Office,  
Human Resources

**TITLE:** **Adopt a Resolution Updating the List of Designated Positions Required to File Statements of Economic Interest**

## **RECOMMENDATION**

Adopt a Resolution of the City Council of the City of Mountain View Updating the List of Designated Positions Required to File Statements of Economic Interest, to be read in title only, further reading waived (Attachment 1 to the Council report).

## **BACKGROUND**

Under the California Political Reform Act, the City is required to designate employees and public officials whose positions involve decision-making or participation in decision-making that may affect economic interests of the official or employee. Advisory body members are not considered public officials unless the advisory body they serve on possesses decision-making authority, which requires any one of the following circumstances to apply:

1. It may make a final governmental decision;
2. It may compel or prevent a governmental decision either by reason of an exclusive power to initiate the decision or by reason of a veto that may not be overridden; or
3. It makes substantive recommendations and, over an extended period of time, those recommendations have been regularly approved without significant amendment or modification by another public official or governmental agency.

Once designated, the individual occupying the position is required to make certain disclosures in a Statement of Economic Interest (SEI) regarding their sources of income, investments, interest in real properties, and any business positions held outside of their employment with the City, in order to avoid potential conflicts of interest.

Government Code Section 87200 specifically requires the following positions to file SEI forms: mayors, city councilmembers, planning commissioners, city managers, city attorneys, city

treasurers, and other public officials who manage public investments. State law further requires local agencies to designate additional positions which may have potential conflicts of interest and also place those positions on the list. State law requires that local agencies update this list of designated positions biennially.

### **ANALYSIS**

The attached list (Exhibit A to the Resolution), designated as Appendix A to the City of Mountain View Conflict of Interest Code, notes the positions and officials who are required to file an SEI form. It reflects the addition, elimination, renaming, reclassification, and new designation of positions and officials in the City.

The following positions are new: Assistant City Clerk, Assistant Library Director, Hazardous Materials Inspector—Nonsafety, Housing Officer, Human Resources Manager, Human Services Manager, Information Technology Application Manager, Network Architect, Principal Project Manager, Senior Hazardous Materials Specialist—Nonsafety, Senior Housing Officer, Water Supervisor, and Water Superintendent.

The following positions have been eliminated as they are no longer currently budgeted classifications: Contract Coordinator and Deputy Police Chief.

The following position titles have been changed or the positions were reclassified: Assistant Community Development Director/Planning Manager to Assistant Community Development Director, Information Technology Manager to Assistant Information Technology Director, Library Services Director to Library Director, and Library Services Manager to Library Manager.

The following designated officials are new: Board of Library Trustees, Development Review Committee, Human Relations Commission, and Visual Arts Committee.

The proposed amendments update the City's list and the disclosure categories shown indicate the scope of financial disclosures which must be made by the individuals in particular positions. Appendix B to the City of Mountain View Conflict of Interest Code (Exhibit C to the Resolution) identifies the disclosure categories.

**FISCAL IMPACT**—There is no fiscal impact.

### **CONCLUSION**

In accordance with the requirements of the Political Reform Act, the Conflict of Interest Code should be updated to include the current positions and officials required to complete a Statement of Economic Interest.

**ALTERNATIVES**—Do not adopt a resolution updating the list of designated positions.

**PUBLIC NOTICING**—Agenda posting.

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Attachment: 1. Resolution with Exhibit A and Exhibit B