

RESOLUTION NUMBER R- 288133

ADOPTED ON DEC 02 1996

RESOLUTION ADOPTING A CONFLICT
OF INTEREST CODE FOR THE
PUBLIC WORKS BUSINESS CENTER.

WHEREAS, the Political Reform Act (California Government Code sections 81000-91015) requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the Fair Political Practices Commission (FPPC) has adopted a regulation (located at 2 California Code of Regulations section 18730), which contains the terms of a standard conflict of interest code; and

WHEREAS, after public notice and hearing this regulation may be amended by the FPPC to conform to amendments in the Political Reform Act; and

WHEREAS, California Government Code section 87306.5 requires biennial review of local conflict of interest codes every even-numbered year; and

WHEREAS, by Resolution No. R-287479, adopted June 10, 1996, the City Council directed every City department, agency, board and commission for which the City Council serves as code reviewing body to make their biennial reports and to update their conflict of interest codes as necessary; and

WHEREAS, as The City of San Diego's code reviewing body, the City Council finds it in the public interest to adopt the standard conflict of interest code promulgated by the FPPC in Regulation 18730 and hereby declares its intention to incorporate by reference the terms of FPPC Regulation 18730 and any amendments to that regulation duly adopted by the FPPC as part of each conflict of interest code for which the City Council has responsibility; and

WHEREAS, The City of San Diego has undergone a major reorganization within the past two years, consolidating several departments, divisions and programs into business centers; and

WHEREAS, the newly created Public Works Business Center is comprised of the Engineering and Capital Projects, Environmental Services, Metropolitan Wastewater, Real Estate

Assets, Transportation, and Water Utilities Departments; and

WHEREAS, the City Council desires to consolidate the conflict of interest codes for the all of those departments within the new Public Works Business Center's Conflict of Interest Code; and

WHEREAS, the Engineering and Capital Projects Department has proposed changes to Appendices A and B of its conflict of interest code to reflect the changes resulting from the reorganization of the department, to clarify disclosure requirements and to better conform to the Government Code; and

WHEREAS, the Environmental Services Department has proposed changes to Appendices A and B of its conflict of interest code to reflect changes resulting from the reorganization of the department, to clarify disclosure requirements and to better conform to the Government Code; and

WHEREAS, the Metropolitan Wastewater Department has proposed changes to Appendices A and B of its conflict of interest code to reflect changes resulting from the reorganization of the department, to clarify disclosure requirements and to better conform to the Government Code; and

WHEREAS, the Real Estate Assets Department has proposed no changes to its conflict of interest code, which was last amended by Resolution R-285032 adopted on December 5, 1994; and

WHEREAS, the Transportation Department has proposed Changes to Appendices A and B of its conflict of interest code to reflect changes resulting from the reorganization of the department, to clarify disclosure requirements and to better conform to the Government Code; and

WHEREAS, the Water Utilities Department has proposed changes to Appendices A and B of its conflict of interest code to reflect changes resulting from the reorganization of the department, to clarify disclosure requirements and to better conform to the Government Code; and

WHEREAS, as part of the conflict of interest code for the entire Public Works Business Center, the City Council finds that the Business Center Manager should also be designated as subject to the code and appropriate disclosure categories governing that position be set forth;

NOW, THEREFORE,

BE IT RESOLVED by the Council of The City of San Diego that the terms of 2 California Code of Regulations section 18730 and any amendments to that regulation duly adopted by the FPPC are hereby adopted and incorporated by reference into the Conflict of Interest Code for the Public Works Business Center.

BE IT FURTHER RESOLVED that a copy of 2 California Code of Regulations section 18730 and any amendments to that regulation be placed on file with the City Clerk as Document No. RR-287942-1.

BE IT FURTHER RESOLVED that the Engineering and Capital Projects Department's proposed Appendix A, in which employees are designated, and proposed Appendix B, in which disclosure categories are set forth, are hereby approved and are incorporated into the Conflict of Interest Code for the Public Works Business Center.

BE IT FURTHER RESOLVED that the Environmental Services Department's proposed changes to Appendix A, in which employees are designated, and proposed changes to Appendix B, in which disclosure categories are set forth, are hereby approved and are incorporated into the Conflict of Interest Code for the Public Works Business Center.

BE IT FURTHER RESOLVED that the Metropolitan Wastewater Department's proposed changes to Appendix A, in which employees are designated, and proposed changes to Appendix B, in which disclosure categories are set forth, are hereby approved and are incorporated into the Conflict of Interest Code for the Public Works Business Center.

BE IT FURTHER RESOLVED that existing Appendices A and B to the Real Estate Assets Department's Conflict of Interest Code are hereby incorporated into the Conflict of Interest Code for the Public Works Business Center.

BE IT FURTHER RESOLVED that the Transportation Department's proposed changes to Appendix A, in which employees are designated, and proposed changes to Appendix B, in which disclosure categories are set forth, are hereby approved and are incorporated into the Conflict of Interest Code for the Public Works Business Center.

BE IT FURTHER RESOLVED that the Water Utilities Department's proposed changes to Appendix A, in which employees are designated, and proposed changes to Appendix B, in which disclosure categories are set forth, are hereby approved and are incorporated into the

Conflict of Interest Code for the Public Works Business Center.

BE IT FURTHER RESOLVED that Appendix A to the Business Center's Conflict of Interest Code, in which the Business Center Manager's position is designated, and Appendix B, in which the disclosure categories for the Business Center Manager are set forth, are hereby approved and are incorporated into the Conflict of Interest Code for the Public Works Business Center.

BE IT FURTHER RESOLVED that all appendices to the Public Works Business Center's Conflict of Interest Code be placed on file in the Office of the City Clerk as Document No. RR- 288133.

BE IT FURTHER RESOLVED that, except for the Business Center Manager, who shall file his or her Statement of Economic Interest ("SEI") directly with the City Clerk, designated employees shall file their SEI's with their department head, who shall forward the originals to the City Clerk.

BE IT FURTHER RESOLVED that SEI's filed by designated employees of the Public Works Business Center be retained by the Office of the City Clerk and be made available for public inspection and reproduction.

BE IT FURTHER RESOLVED that the revised Conflict of Interest Code for the Office of the Public Works Business Center shall become effective upon the date of adoption of this resolution.

CASEY GWINN
APPROVED: ~~JOHN W. WITT~~, City Attorney

By Cristie C. McGuire

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