

141
12/5/06

RESOLUTION NUMBER R- 302192

DATE OF FINAL PASSAGE DEC 15 2006

RESOLUTION ADOPTING THE REVISED CONFLICT
OF INTEREST CODE FOR THE ETHICS COMMISSION

WHEREAS, by Resolution No. R-299968, the City Council on December 7, 2004,
adopted a revised Conflict of Interest Code for the Ethics Commission; and

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

WHEREAS, Government Code section 87306 requires agencies to amend their conflict
of interest codes whenever an amendment is necessitated by changed circumstances, including
the creation of new positions that must be designated, and relevant changes in the duties assigned
to existing positions; and

WHEREAS, the Ethics Commission has proposed changes to its code to include new
positions which had not been previously designated, to revise disclosure categories and to revise
the duties of designated positions; NOW THEREFORE,

BE IT RESOLVED, that the Ethics Commission's proposed changes to Appendix A and
Appendix B of that department's Conflict of Interest Code are hereby approved and incorporated
into its Conflict of Interest Code.

BE IT FURTHER RESOLVED, that revised Appendix A and Appendix B to the Conflict
of Interest Code for the Ethics Commission be placed on file in the Office of the City Clerk as
Document No. RR- 302192.

BE IT FURTHER RESOLVED, that the revised Conflict of Interest Code for the Ethics Commission shall become effective on the date of final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Sharon B. Spivak
Sharon B. Spivak
Deputy City Attorney

SBS:als
11/21/06
Or.Dept: Ethics Commission
R-2007-513

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC - 5 2006

ELIZABETH S. MALAND
City Clerk

By Elizabeth S. Maland
Deputy City Clerk

Approved: 12-15-06
(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed: _____
(date)

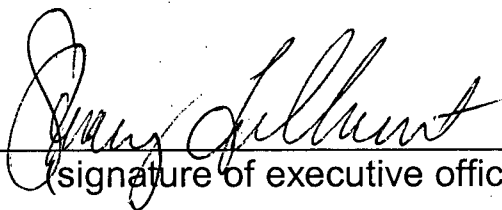
JERRY SANDERS, Mayor

CERTIFICATION

The foregoing amendment to the Conflict of Interest Code was prepared by the City of

San Diego's ETHICS COMMISSION
(name of department/agency/board)

after a fair opportunity was offered to the members of the department/agency/board to present their views.


(signature of executive officer)

8/18/06
(date)

RR 302192

DOCUMENT NO. RR- 302192
FILED DEC 05 2006
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

**ETHICS COMMISSION
CONFLICT OF INTEREST CODE**

**APPENDIX A
DESIGNATED POSITIONS, DUTIES AND CATEGORIES**

<u>Position</u>	<u>Duties</u>	<u>Category</u>
Ethics Commissioner	To oversee all Commission activities, including: training and education, formal advisory opinions, investigations and enforcement of alleged violations of governmental ethics laws, audits of campaign committees and registered lobbyists, recommendations to the City Council regarding proposed amendments to government ethics laws, and other related duties.	1
Executive Director	To serve at the Commission's direction, to oversee the training and education programs, to oversee the provision of informal and formal advice, to oversee investigations and enforcement activities, to oversee audit program, to hire and manage staff, to contract for consultants as necessary, and to perform administrative work as necessary.	1
Ethics Commission Senior Investigator	To supervise Ethics Commission Investigator and Financial Investigator, and to perform investigations related to violations of City governmental Ethics Laws and to perform related work.	1
Ethics Commission Investigator	To perform investigations related to violations of City governmental Ethics Laws and to perform related work.	1
Ethics Commission Financial Investigator	To perform audits and financial investigations related to violations of City governmental Ethics Laws and to perform related work.	1
Ethics Commission General Counsel	To provide legal services to the Commission and Commission staff.	1
Program Manager	To administer education and training program, to provide technical assistance, to support the Ethics Commission General Counsel, and to perform related work.	1
Training Officer	To conduct live training sessions for City Officials, candidates, political committees, and lobbyists, and to prepare related training materials.	1
Consultant	To perform services as specified in contract.	2

**ETHICS COMMISSION
CONFLICT OF INTEREST CODE**

**APPENDIX B
DISCLOSURE CATEGORIES**

CATEGORY 1:

- a. Investments and business positions in any business entity located in or doing business in the City of San Diego.
- b. Income (including loans, gifts, and travel payments) from sources located in or doing business in the City of San Diego, with the exception of gifts from the designated employee's departmental supervisor.
- c. Interests in real property located in the City of San Diego, including property located within a two-mile radius of any property owned or used by the City.

CATEGORY 2:

Consultants shall be included in the list of designated positions and shall disclose pursuant to the broadest category in the code subject to the following limitation:

The Ethics Commission Chairperson or the Executive Director may determine in writing that a particular consultant, although a designated position, is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chairperson's or Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

DEC 05 2006

Passed by the Council of The City of San Diego on _____, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 15 2006

AUTHENTICATED BY:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By

Mary Clepper, Deputy

Office of the City Clerk, San Diego, California

Resolution Number

2- 302192