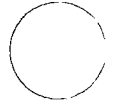


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OR 16

12K



RESOLUTION NUMBER R- 302195

DATE OF FINAL PASSAGE DEC 15 2006

RESOLUTION ADOPTING THE REVISED CONFLICT OF INTEREST CODE FOR THE CITY COUNCIL DEPARTMENTS, COUNCIL ADMINISTRATION AND OFFICE OF THE INDEPENDENT BUDGET ANALYST

WHEREAS, by Resolution No. R-2006-989, the City Council on June 20, 2006 adopted a revised Conflict of Interest Code for the City Council Departments and Council Administration to add the newly created Office of the Independent Budget Analyst to the Code; 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, Council Administration and the Office of Council President Scott Peters have proposed adding language to the Code regarding disclosures by certain categories of consultants, including outside counsel and expert witnesses;

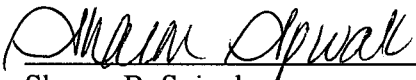
WHEREAS, the language to be added to the code is taken directly from language in the existing code for the City Attorney's Office, and will be added to the end of Appendix A of the code; NOW THEREFORE,

BE IT RESOLVED, that the proposed changes to Appendix A of the Conflict of Interest Code for the City Council Departments, Council Administration and Office of the Independent Budget Analyst are hereby approved and incorporated into this Conflict of Interest Code.

BE IT FURTHER RESOLVED, that revised Appendix A to the Conflict of Interest Code for the City Council Departments, Council Administration and Office of the Independent Budget Analyst be placed on file in the Office of the City Clerk as Document No. RR- 302195.

BE IT FURTHER RESOLVED, that the revised Conflict of Interest Code for the City Council Departments, Council Administration and Office of the Independent Budget Analyst shall become effective on the date of final passage.

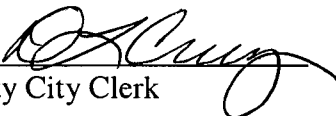
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Sharon B. Spivak  
Deputy City Attorney

SBS:als  
11/3/06  
Or.Dept: Council Administration  
R-2007-483

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   
Deputy City Clerk

Approved: 12.15.06  
(date)

  
\_\_\_\_\_  
JERRY SANDERS, Mayor

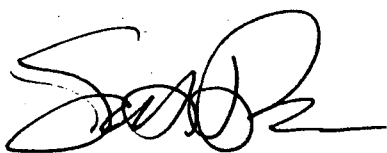
Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

R- 302195

## CERTIFICATION

The foregoing amendment to the Conflict of Interest Code was prepared by the City of San Diego's Office of the Council President after a fair opportunity was offered to the members of the San Diego City Council, Council Administration and the Independent Budget Analyst's department to present their views.



\_\_\_\_\_  
(Signature of Council President)

11 . 06 . 06

\_\_\_\_\_  
Date

DOCUMENT NO. R-302195  
FILED DEC 05 2006  
OFFICE 7K  
SAN DIEGO, CALIF.

**CONFLICT OF INTEREST CODE FOR THE CITY COUNCIL DEPARTMENTS,  
COUNCIL ADMINISTRATION, AND OFFICE OF INDEPENDENT BUDGET  
ANALYST**

**APPENDIX A**

<u>Position</u>	<u>Duties</u>	<u>Category</u>
Executive Assistant	Acts as principal assistant to the Councilmember with administrative responsibilities for the operation of the Council office. Performs research and analysis of issues and makes recommendations thereon. Provides staff support to the Councilmember as required.	1
Council Representatives I and II	Responsible for constituent services. Represents the Councilmember before community groups and other organizations. Performs research and analysis of issues and makes recommendations thereon.	1
Independent Budget Analyst	Acts as principal legislative and budgetary resource to the City Council as a whole by providing fiscal and legislative analyses, making recommendations regarding proposals brought by the Mayor and executive departments, assisting Council in drafting legislation, making presentations to Council and providing review and analyses on all budgeting proposals and the City's annual budget process.	1
Council Committee Consultants	Acts as Consultants to standing Council Committees, reporting to Committee Chairs. Performs research and analysis of issues and makes policy recommendations to Committee as a whole.	1
Budget/Legislative Analyst I & II	Reporting to the Independent Budget Analyst, performs research and analysis of issues and makes recommendations consistent with the duties of the Independent Budget Analyst.	1
Consultant (Category to be determined on a case-by-case basis)	Consultant shall be included in the list of designated employees <u>and shall disclose pursuant to the broadest disclosure category</u> in the code subject to the following limitation:	

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The Councilmember 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 Councilmember'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.

The following classifications are not subject to this Conflict of Interest Code and shall not be required to file economic disclosure forms:

1. Uncompensated Interns
2. Hourly employees (interns) who do not fall into one of the categories listed above and who are not permanent employees

The City Council has determined the following categories of consultants are not subject to the City Council/IBA Conflict of Interest Code and shall not be required to file economic disclosure forms:

- Attorneys who volunteer services to the City
- Attorneys who provide limited duties for specific litigation or special projects
- Expert Witnesses
- Consultants who provide expertise in limited areas for specific litigation or special projects

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**CONFLICT OF INTEREST CODE FOR THE CITY COUNCIL DEPARTMENTS,  
COUNCIL ADMINISTRATION, AND OFFICE OF INDEPENDENT BUDGET  
ANALYST**

**APPENDIX B**

As used in Appendix B, "the City" means the City of San Diego.

Category 1: Investments and business positions in any business entity located in or doing business with the City.

Income and gifts from sources located in or doing business with the City.

Interests in real property located in the City, 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 employees and shall (As required) disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Councilmember 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 Councilmember'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.

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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 Maisenschein	<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 Zimmerman*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R 302195