

LSI  
12/15/06

RESOLUTION NUMBER R- 302202

DATE OF FINAL PASSAGE DEC 15 2006

RESOLUTION ADOPTING THE REVISED CONFLICT OF INTEREST CODE FOR THE OFFICE OF THE CITY CLERK.

WHEREAS, by Resolution No. R-287942-2, adopted on October 21, 1996, the City Council adopted a City Clerk's Conflict of Interest Code, which has remained in effect during each subsequent City-wide biennial review of all conflict of interest codes for which the City Council serves as code reviewing body; 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 Office of the City Clerk has proposed changes to remove positions previously designated and to update the required filing categories for each designated position;

NOW THEREFORE,

BE IT RESOLVED, that the Office of the City Clerk'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 Office of the City Clerk be placed on file in the Office of the City Clerk as Document No. RR- 302202

BE IT FURTHER RESOLVED, that the revised Conflict of Interest Code for the Office of the City Clerk 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  
11/2/06  
Or.Dept: Clerk  
R-2007-482

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 [Signature]  
Deputy City Clerk

Approved: 12-15-06  
(date)

[Signature]  
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 *City Clerk's Office* after a fair opportunity was offered to the members of the department to present their views.

*Elizabeth Smeland*

\_\_\_\_\_  
(signature of executive officer)

09.08.06

\_\_\_\_\_  
(date)

DOCUMENT NO. R-302202  
DEC 05 2006  
FILED \_\_\_\_\_  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

**CITY CLERK'S  
CONFLICT OF INTEREST CODE**

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

<b><u>POSITION</u></b>	<b><u>DUTIES</u></b>	<b><u>CATEGORY</u></b>
City Clerk	Plans, directs and coordinates all departmental activities and programs; provides procedural and technical support at City Council, Redevelopment Agency, Housing Authority, and Industrial Development Authority meetings; formulates policies for the protection and maintenance of official City records and all records generated by each of the City departments; administers municipal elections; serves as the public's clearinghouse for City business, and provides internal administrative support to office staff.	1
Deputy Director	Under administrative direction, plans, coordinates, and administers the City's Municipal Election process, Records Management program, and Legislative Services activities.	1
Consultant	Performs consultant services for the City Clerk's Office.	2

R- 302202

**CITY CLERK  
CONFLICT OF INTEREST CODE**

**APPENDIX B  
DISCLOSURE CATEGORIES**

**CATEGORY 1:**

All investments, business positions, interests in real property\*, and income, including gifts, loans and travel payments, from sources:

- that provide printing services in the City of San Diego; or
- that print and publish a newspaper with classified advertising in the City of San Diego; or
- that provide printing services or furnish classified advertising in the City of San Diego; or
- that provide contractual election services, including those related to electronic disclosure filing, or information technology services, or micrographics, records storage, records imaging or records destruction services in the City of San Diego; or
- that manufacture or distribute equipment, systems or supplies used in packaging, storing, protecting, securing, tracking, restoring or retrieving records in a records file room or warehouse; or
- that provide catering services or catered meals in the City of San Diego.

\*An interest in real property is located in the jurisdiction if any part of the property is located in, or within two miles of, the City of San Diego, or if the property is located within two miles of any land owned or used by the City of San Diego.

**CATEGORY 2:** Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The City Clerk or designated authority 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 City Clerk'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.

2- 302202

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 Zumaiga*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R-302202