

RESOLUTION NUMBER R- 302211

DATE OF FINAL PASSAGE DEC 15 2006

RESOLUTION ADOPTING THE REVISED CONFLICT  
OF INTEREST CODE FOR THE OFFICE OF THE MAYOR  
AND CHIEF OPERATING OFFICER

WHEREAS, by Resolution No. R-297317, the City Council on November 18, 2002,  
adopted a revised Conflict of Interest Code for the Office of the Mayor; 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, on November 2, 2004, San Diego voters approved amending the San Diego  
City Charter to enact a Strong Mayor Trial Form of Governance, to take effect January 1, 2006  
and to remain in effect for five years; and

WHEREAS, under the Charter amendment creating the Strong Mayor Trial Form of  
Governance, the executive authority, power and responsibilities conferred upon the City  
Manager by the City Charter were assumed by the Mayor, which in turn led to changes in the  
staffing and structure of the Office of the Mayor; and

WHEREAS, revisions to the prior Conflicts of Interest Code for the Office of the Mayor  
became necessary as a result, to better reflect the designated positions of the Department, by  
adding new positions that had not previously been designated, by removing positions previously

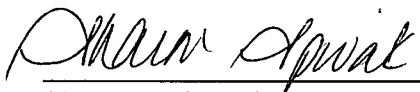
designated but now more appropriately included in other City Departments' conflict of interest codes, and by updating required filing categories; NOW THEREFORE,

BE IT RESOLVED, that the Office of the Mayor and Chief Operating Officer'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 Mayor and Chief Operating Officer be placed on file in the Office of the City Clerk as Document No. RR- 302211.

BE IT FURTHER RESOLVED, that the revised Conflict of Interest Code for the Office of the Mayor and Chief Operating Officer shall become effective on the date of final passage.

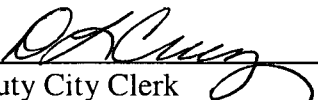
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Sharon B. Spivak  
Deputy City Attorney

SBS:als  
11/7/06  
Or.Dept: Mayor  
R-2007-490

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)

JRS  
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 Mayor and Chief Operating Officer after a fair opportunity was offered to the members of the Mayor and Chief Operating Officer's Office to present their views.

Ronne Froman  
Ronne Froman  
Chief Operating  
Officer

1 Sep 06  
Date

DOCUMENT NO. R-302211  
FILED DEC 05 2006  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

**OFFICE OF THE MAYOR AND CHIEF OPERATING OFFICER  
CONFLICT OF INTEREST CODE**

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

<u>POSITION</u>	<u>DUTIES</u>	<u>CATEGORY</u>
<b>Chief Operating Officer</b>	Assist the Mayor as required. Supervise the administration of the affairs of the City except as otherwise specifically provided in the Charter; make recommendations to the Mayor and Council concerning the affairs of the City; keep the Mayor advised of the financial condition and future needs of the City; prepare the budget; see that the ordinances of the City and the laws of the State are enforced; perform other duties prescribed by Charter, ordinance or Council resolution.	Files Form 700 (Statutory Require Government Code section 87200)
<b>Assistant Chief Operating Officer</b>	Assist the Mayor and Deputy Chief Operating Officer as required.	1
<b>Deputy Chief Operating Officers</b>	Assist the Mayor, the Chief Operating Officer and Assistant Chief Operating Officer as required.	1
<b>Assistant Deputy Chief Operating Officers</b>	Assist the Deputy Chief Operating Officers as required in the management and administration of the departments.	1
<b>Consultant</b>	Performs consultant services for the Office of the Mayor and/or Chief Operating Officer.	2

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**OFFICE OF THE MAYOR AND CHIEF OPERATING OFFICER  
CONFLICT OF INTEREST CODE**

**APPENDIX B  
DISCLOSURE CATEGORIES**

**CATEGORY 1:**

- a. All reportable investments and business positions in any firm or business entity that supplies goods or services to the City of San Diego, or is granted authority by the City of San Diego to use City facilities.
- b. All reportable investments, business positions, and income from sources located in or doing business in the City of San Diego.
- c. All reportable 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.
- d. All reportable interests in real property owned or used by any person or business entity that supplies goods or services to the City of San Diego, that is a tenant of the City of San Diego, or is granted authority by the City of San Diego to use City facilities.
- e. All reportable income, including gifts, from any person or business entity that supplies goods or services to the City of San Diego, that is a tenant of the City of San Diego, or is granted authority by the City of San Diego to use City facilities.

**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 Mayor, Chief Operating Officer, Assistant Chief Operating Officer or Deputy Chief Operating Officers 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 Mayor's, Chief Operating Officer's, Assistant Chief Operating Officer's or Deputy Chief Operating Officers' 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 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"/>

DEC 15 2006

Date of final passage \_\_\_\_\_

AUTHENTICATED BY:

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By *Mary Zimmerman*, Deputy

Office of the City Clerk, San Diego, California

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