



RESOLUTION NUMBER R- 302223

DATE OF FINAL PASSAGE DEC 15 2006

RESOLUTION ADOPTING A CONFLICT OF INTEREST
CODE FOR THE OFFICE OF ETHICS AND INTEGRITY

WHEREAS, Government Code sections 87300 and 87302 require local agencies to adopt conflict of interest codes designating positions that involve the making or participation in making of decisions which may foreseeably have a material effect on financial interests, and for each position, the financial interests which are reportable; and

WHEREAS, in compliance with Government Code section 87306.5, the City is in the midst of a City-wide biennial review of all conflict of interest codes for which the City Council serves as code reviewing body;

WHEREAS, the Office of Ethics and Integrity opened on or about January 30, 2006, and impacts all employees, classified and unclassified, who work in City Departments under the Mayor; and

WHEREAS, the Office of Ethics and Integrity has duties including providing ethics training to City employees, maintaining the City's Employee Ethics Hotline and developing ethics resources for all City employees; and

WHEREAS, the Office of Ethics and Integrity also includes the Human Relations Commission, the Citizens Review Board on Police Practices and the Diversity Commitment staff; and

WHEREAS, the Office of Ethics and Integrity now seeks to enact a new conflict of interest code;

WHEREAS, the Mayor and City Attorney recommend that a Conflict of Interest Code be adopted for the Office of Ethics and Integrity; and

WHEREAS, the City Council concurs in this recommendation; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that a Conflict of Interest Code for the Office of Ethics and Integrity is hereby adopted, consisting of standard language embodied in title 2, section 18730 of the California Code of Regulations, and any amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories.

BE IT FURTHER RESOLVED, that a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Office of Ethics and Integrity as adopted be placed on file in the Office of the City Clerk as Document No. RR- 302223.

BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Conflict of Interest Code for the Office of Ethics and Integrity shall file their statements of economic interest with the City Clerk.

BE IT FURTHER RESOLVED, that the statements of economic interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction.

BE IT FURTHER RESOLVED, that the Conflict of Interest Code for the Office of Ethics and Integrity becomes effective upon the date of final passage of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

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

SBS:als
11/17/06
Or.Dept: Ethics & Integrity
R-2007-502

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 05 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

R-302223

Passed by the Council of The City of San Diego on DEC 05 2006, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 Zumbado*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number

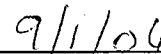
R-302223

CERTIFICATION

The foregoing amendment to the Conflict of Interest Code was prepared by the City of San Diego's Office of Ethics and Integrity after a fair opportunity was offered to the members of the department/agency/board to present their views.



(signature of executive officer)



(date)

DOCUMENT NO. R-302223

FILED DEC 05 2006
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

**OFFICE OF ETHICS AND INTEGRITY
CONFLICT OF INTEREST CODE**

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

<u>POSITION</u>	<u>DUTIES</u>	<u>CATEGORY</u>
Deputy Chief, Ethics and Integrity	Administration of the Office of Ethics and Integrity.	1
Assistant Deputy Chief, Ethics and Integrity	Assist Deputy Chief in administration of the Office of Ethics and Integrity.	1
Executive Director, Citizens' Review Board on Police Practices	Serves as Executive Director to the Citizens' Review Board on Police Practices.	1
Executive Director, Human Relations Commission	Provides policy guidance and Board support to the Human Relations Commission.	1
Diversity and Ethics Specialist	Provides strategic direction, consultation, training and education on diversity- and ethics-related issues in the workplace.	2
Ethics Audit and Compliance Specialist	Under general direction to supervise general accounting, audit, systems operations, and payment services.	2
Consultant	Performs consultant services for the Office of Ethics and Integrity. See Appendix B.	3

R-302223

**OFFICE OF ETHICS AND INTEGRITY
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:

Investments and business positions in business entities, and income, including gifts, loans and travel payments, from sources that provide ethics and/or diversity-related services of the type utilized by the City of San Diego.

CATEGORY 3: 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 Deputy Chief 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

R-302223

Deputy Chief's determination is a public record and shall be retained for inspection in the same manner and location as this Conflict of Interest Code.

R- 302223