

RESOLUTION NUMBER R- 306284

DATE OF FINAL PASSAGE NOV 09 2010

RESOLUTION ADOPTING AN AMENDED CONFLICT OF INTEREST CODE FOR THE BUSINESS OFFICE

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 required City-wide biennial review of all conflict of interest codes for which the City Council serves as code-reviewing body; and

WHEREAS, by Resolution R-305874 (adopted by the City Council on May 25, 2010), the City Council directed every City department, agency, board and commission for which the City Council serves as code-reviewing body to make biennial reports and to update their conflict of interest codes as necessary; and

WHEREAS, as the City's code-reviewing body, the City Council finds it in the public interest to adopt the standard conflict of interest code promulgated by the California Fair Political Practices Commission (FPPC) in Regulation 18730, and hereby declares its intention to incorporate by reference the terms of FPPC Regulation 18730 and any amendments to that regulation duly adopted by the FPPC as part of each conflict of interest code for which the City Council has responsibility; and

WHEREAS, by Resolution No. R-304492, the City Council on December 2, 2008 approved an amended Conflict of Interest Code for the Business Office; and

WHEREAS, the Business Office now seeks to amend its conflict of interest code, to include new positions that must be designated and to revise the titles of existing positions, as detailed in Appendix A of its code; and

WHEREAS, Government Code section 87303 provides that when a proposed conflict of interest code or amendment is approved by the code-reviewing body, it shall be deemed adopted, and, accordingly, this resolution is not subject to veto by the Mayor; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that a Conflict of Interest Code for the Business Office 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.

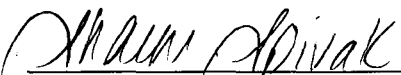
BE IT FURTHER RESOLVED, that a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Business Office as adopted be placed on file in the Office of the City Clerk as Document No. RR- 306284.

BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Conflict of Interest Code for the Business Office shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political Practices Commission Regulation 18730, or any amendments thereto, which set forth the deadlines for the filing of initial statements, assuming office statements, annual statements and leaving office statements.

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 Business Office becomes effective upon the date of adoption of this resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Sharon B. Spivak
Deputy City Attorney

SBS:als
10/13/10
Or.Dept:Business Office

**BUSINESS OFFICE
CONFLICT OF INTEREST CODE**

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

<u>Position</u>	<u>Duties</u>	<u>Category</u>
Business Office Director	Manages the Business Office and serves as the lead for the City's reform initiatives. Directs the City's Reengineering, Managed Competition and City Management Programs.	1
Program Manager	Assist the Director by planning, overseeing and administering the City's key reform programs. Leads and/or supports the City's reform initiatives by directing and providing research assistance; preparing and reviewing reports, and drafting correspondence. Undertakes special assignments, conducts analyses, facilitates meetings, and leads management studies.	2
Supervising Management Analyst / Senior Management Analyst / Associate Management Analyst / Assistant Management Analyst / Management Trainee	Provides research assistance, prepares and reviews reports, drafts correspondence, undertakes special assignments, conducts analysis, facilitates meetings, and leads management studies in support of the City's reform initiatives.	2
Consultant	Performs consulting services in support of the Business Office's programs.	3

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**APPENDIX B
DISCLOSURE CATEGORIES**

CATEGORY 1

1. All reportable investments, business positions, and income (including gifts) from any firm or business entity located in or doing business with the City of San Diego.
2. 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.
3. 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.
4. All reportable income, including gifts, from any person 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.

CATEGORY 2

1. All reportable investments and business positions in any firm or business entity that supplies goods or services to the City, is a tenant of the City, is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.
2. All reportable income, including gifts, from any person or business entity that supplies goods or services to the City, is a tenant of the City, is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.
3. All reportable interests in real property owned or used by any person or business entity that supplies goods or services to the City, is a tenant of the City, is an adverse party to the City in a legal proceeding or is granted authority by the City of San Diego to use City facilities.

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 Director may determine in writing that a particular consultant, although a "designated person," 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 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.

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