

RESOLUTION NUMBER R-**306285**

DATE OF FINAL PASSAGE NOV 09 2010

RESOLUTION ADOPTING AN AMENDED CONFLICT OF INTEREST CODE FOR THE ADMINISTRATION DEPARTMENT

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-304417, the City Council on November 18, 2008 approved an amended Conflict of Interest Code for the Administration Department; and

WHEREAS, the Administration Department now seeks to amend its conflict of interest code, to include new positions that must be designated, to delete positions, and to revise the duties of the department director, 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 Administration Department 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 Administration Department as adopted be placed on file in the Office of the City Clerk as Document No. RR- ~~306285~~.

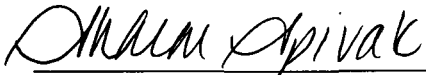
BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Conflict of Interest Code for the Administration Department shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political 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 Administration Department 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  
10/14/10  
Or.Dept: Administration Dept.

**ADMINISTRATION DEPARTMENT  
CONFLICT OF INTEREST CODE**

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

<u>POSITION</u>	<u>DUTIES</u>	<u>CATEGORY</u>
<b>Director</b>	Plans, directs and coordinates the preparation of consistent citywide policies; serves as liaison officer for the Assistant Chief Operating Officer to the City Clerk's office; assists the Assistant Chief Operating Officer as required. Oversees EOCP, Gang Commission, Emergency Medical Services Contracts and Living Wage.	1
<b>Emergency Medical Services Program Manager</b>	Plans, directs, and administers the City's EMS Program; and monitors contract compliance of EMS service provider and Fire-Rescue First Responders. Has overall responsibility for purchase of supplies and series for the program.	2
<b>Emergency Medical Services Consultant</b>	Performs EMS Medical Director services for the City's 911/EMS system, or other consultant services for the program.	3
<b>Equal Opportunity Contracting Program Manager</b>	Plans, oversees and administers the City's Equal Opportunity Contracting Program (EOC). Approves EOC section of request for Council / Mayoral Actions.	2
<b>Gang Commission Executive Director</b>	Coordinates efforts between the City, law enforcement agencies, social service providers, and the general public. Identifies local, state and federal funding sources; and address other gang-related policy matters. Serves as an advisor to the Mayor and City Council on policy issues relating to gang prevention and intervention.	2
<b>Mentor Protégé Program Manager</b>	Facilitates an effective working relationship between leaders of mature established construction companies (mentor) and emerging minority and women owned construction companies (protégé) in order for the protégé to benefit from the knowledge and experience of the established mentor company.	2

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SAN DIEGO, CALIFORNIA

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**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:**

- a. Investments and business positions in any firm or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.
- b. Income and gifts from any person or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.
- c. Interests in real property owned or used by any person or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City 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 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 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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