

RESOLUTION NUMBER R- 306286

DATE OF FINAL PASSAGE NOV 09 2010

A RESOLUTION ADOPTING AN AMENDED CONFLICT OF INTEREST CODE FOR THE DEPARTMENT OF FINANCE

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-302212, the City Council on December 15, 2006 approved an amended Conflict of Interest Code for the Department of Finance; and

WHEREAS, the Department of Finance now seeks to amend its conflict of interest code, to delete a position that has been abolished and to update the duties of the Director of the Strategic Partnerships Corporate Program, 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 Department of Finance 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 Department of Finance as adopted be placed on file in the Office of the City Clerk as Document No. RR- 306286 .

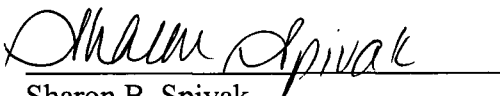
BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Conflict of Interest Code for the Department of Finance shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political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

**DEPARTMENT OF FINANCE
CONFLICT OF INTEREST CODE**

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

POSITION	DUTIES	CATEGORY
Chief Financial Officer	Oversees all aspects of municipal finances including preparation of the annual budget, management of debt and investments, and financial reporting	Files Form 700 (Statutory Requirement, Govt. Code section 87200)
Director, Strategic Partnerships Corporate Program	The Corporate Partnership Program (CPP) seeks opportunities for the City to generate revenue from partnerships with the corporate community in order to enhance municipal services and facilities in the City. CPP also solicits & acts as primary point of contact for individual and corporate donations to the City in support of City programs & facilities. The Director of Strategic Partnerships works closely with other City Departments developing corporate marketing and sponsorship programs and cultivating and stewarding donations which underwrite City-hosted events and promote City Programs.	1
Consultants	<p>The Chief Financial Officer shall determine in writing whether a consultant shall be required to disclose economic interest in one or more categories listed in Appendix B.</p> <p>The Chief Financial Officer may determine that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus will be required to disclose economic interests in fewer than all categories. The Chief Financial Officer's written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the consultant's disclosure requirements. The Chief Financial Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Codes.</p>	3

**DEPARTMENT OF FINANCE
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**APPENDIX B
DISCLOSURE CATEGORIES**

Category 1 Investments and business positions in any business entity located in or doing business with the City.

Income and gifts from sources located in or doing business with the City.

Interests in real property located in the City, including property located within a two-mile radius of any property owned or used by the City.

Category 2 Investments and business positions in a firm or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or that is granted authority by the City to use City facilities.

Income and gifts from any person or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or that is granted authority by the City to use City facilities.

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.

Category 3 Consultants:

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

The Chief Financial Officer 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 Chief Financial Officer'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.

DOCUMENT NO. RL-306286

FILED NOV 09 2010

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA