

RESOLUTION NUMBER R- 306293

DATE OF FINAL PASSAGE NOV 09 2010

RESOLUTION ADOPTING AN AMENDED CONFLICT OF  
INTEREST CODE FOR THE GENERAL SERVICES  
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-304411, the City Council on November 18, 2008 approved an amended Conflict of Interest Code for the General Services Department; and

WHEREAS, the General Services Department now seeks to amend its conflict of interest code, to include new positions that had not been previously designated, update position titles, remove positions that have been eliminated from the department, and update the required filing categories for each designated position, as detailed in Appendix A; 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 General Services 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 General Services Department as adopted be placed on file in the Office of the City Clerk as Document No. RR- 306293 .

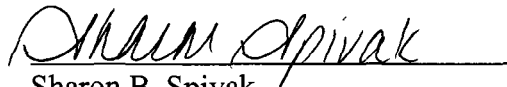
BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Conflict of Interest Code for the General Services Department shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political 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 General Services 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  
10/20/10  
Or.Dept: General Services Dept.

**GENERAL SERVICES DEPARTMENT  
CONFLICT OF INTEREST CODE**

**APPENDIX A  
DESIGNATED POSITIONS**

<u>POSITION</u>	<u>DUTIES</u>	<u>CATEGORY</u>
<b>ADMINISTRATION</b>		
Director	Administers the General Services Department.	1
Supervising Management Analyst	Supervises analyses and administers revenue, cost, and budgetary data. Administers the Publishing Services Division.	2
Information Systems Analyst IV	Reviews and evaluates requests to automate manual procedures; defines user requirements, prepares cost/benefit analysis for new systems to be developed; justifies and prioritizes new systems development for software and hardware; provides technical interpretation to department staff and private vendors, including consultants as described for department; prepares, monitors, and analyzes the department's data processing budget.	2
<b>COMMUNICATIONS</b>		
Deputy Director	Prepares and administers budgets and manages division activities; approves and/or recommends financial decisions regarding construction/ engineering/consultant contracts, procurement of materials and equipment.	1
Senior Communications Engineer	Prepares, recommends, or approves procurement of materials and equipment.	2
Senior Communications Technician Supervisor	Prepares, recommends, or approves procurement of materials and equipment.	2
Senior Management Analyst	Prepares, recommends, or approves procurement of materials and equipment. Administers the Division budget.	2
<b>FLEET SERVICES DIVISION</b>		
Deputy Director	Prepares and administers budgets and manages division activities; approves and/or recommends financial decisions regarding construction/engineering/consultant contracts, procurement of materials and equipment.	1
Fleet Manager	Represents the City in meeting with vendors, other City departments and other governmental agencies; supervises the preparation of, and/or approves all specifications and acquisition of motive parts and other materials needed for the operation of the division.	2

Associate / Assistant Mechanical Engineer	Makes recommendations for the Division, detailed analysis for bids, writes bid specifications for purchase of all City motive equipment.	2
Fleet Parts Buyer Supervisor	Supervises the purchase of a wide variety of motive and related parts, goods, or commodities; and manages all motive parts storerooms.	2
Fleet Parts Buyer	Purchases a wide variety of motive and related parts, goods or commodities; and manages a motive parts storeroom.	2

**FACILITIES DIVISION**

Deputy Director	Prepares and administers budgets and manages division activities; approves and/or recommends financial decisions regarding construction/ engineering/consultant contracts, procurement of materials and equipment.	1
Senior Building Maintenance Supervisor	Approves and recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Building Maintenance Supervisor	Approves and recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Construction Estimator	Approves or recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Building Supervisor	Approves and recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Assistant / Associate Civil Engineer	Approves or recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2

**PUBLISHING SERVICES**

Publishing Services Supervisor	Coordinates a wide variety of print services; analyzes printing job requisitions; assesses the feasibility of in-house production and recommends the use of outside vendors when appropriate; estimates costs of printing jobs; inspects work for quality control purposes; maintains records related to operations.	2
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## STREET DIVISION

Deputy Director	Administers and manages the Division. Approves and/or recommends financial decisions regarding construction and/or engineering contracts, procurement of materials and equipment; negotiates and/or administers agency contracts; administers grants; prepares operations, maintenance and capital improvements budgets.	1
Assistant / Associate Civil Engineer	Prepares condition assessment of the City's street network,, represents the City in meetings with citizen groups, City Council, and private contractors; approves all documents, plans, specification, bidding procedures, and contract awards.	2
Assistant Electrical Engineer	Prepares condition assessment of the City's street network, represents the City in meetings with citizen groups, City Council, and private contractors; approves all documents, plans, specification, bidding procedures, and contract awards.	2
Project Officer I	Represents the City in meeting with citizen groups, architects, engineers, contractors, other city departments and other governmental agencies; supervises the preparation of, and/or approves all documents, plans, specifications bidding procedures and contract awards; responsible for contract payments and management.	2
Information Systems Analyst III	Reviews and evaluates requests to automate manual procedures; defines user requirements, prepares cost/benefit analysis for new systems to be developed; justifies and prioritizes new systems development for software and hardware; provides technical interpretation to department staff and private vendors, including consultants as described for department; prepares, monitors, and analyzes the department's data processing budget.	2
Horticulturist	Assists in developing City policies and ordinances on street tree plantings and removals; provides staff support and act as the City's liaison to the Tree Advisory Board; develops requirements and specifications for tree trimming and removal contracts; supervises contractor's work; researches and evaluates methods of reducing or preventing damage to public improvements by trees and other plantings; develops tree planting programs that include obtaining grant funding, recruitment of volunteers; reviews locations to determine best method to retain trees while protecting the public improvements (e.g. sidewalks & curbs).	2
Public Works Superintendent	Represents the city in meeting with citizen groups, architects, engineers, contractor, other city departments and other governmental agencies; supervises the preparation of, and/or approves all documents, plans, specification, bidding procedures and contract awards; responsible for contract payments and management.	2

## CONSULTANTS

Consultants

Refer to the Disclosure Category section (Exhibit B) for consultants.

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**GENERAL SERVICES DEPARTMENT  
CONFLICT OF INTEREST CODE**

**APPENDIX B  
DISCLOSURE CATEGORIES**

<u>CATEGORY</u>	<u>DESCRIPTION</u>
Category 1	<p>Investments and business positions in any business entity located in or doing business with the City.</p> <p>Income and gifts from sources located in or doing business with the City.</p> <p>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.</p>
Category 2	<p>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 of the City in a legal proceeding, or that is granted authority by the City to use City facilities.</p> <p>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.</p> <p>Interests in real property owned or used by 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.</p>
Category 3	<p>Consultants shall be included in the list of designated employees for the General Services Department and shall disclose pursuant to the broadest category in the code subject to the following limitation:</p> <p>The Department 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 determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of Interest Code.</p>