

RESOLUTION NUMBER R- **306330**

DATE OF FINAL PASSAGE **NOV 16 2010**

RESOLUTION ADOPTING AN AMENDED CONFLICT OF  
INTEREST CODE FOR THE HUMAN RESOURCES  
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-304842, the City Council on April 28, 2009 approved a Conflict of Interest Code for the Human Resources Department; and

WHEREAS, the Human Resources Department now seeks to amend its conflict of interest code, to remove three positions that were previously designated but have been eliminated or transferred to a different department, and to correct typographical or other minor errors, as detailed in Appendix A and Appendix B 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 Human Resources 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 Human Resources Department as adopted be placed on file in the Office of the City Clerk as Document No. RR- 306330 .

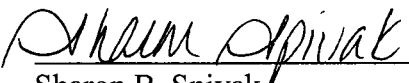
BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Conflict of Interest Code for the Human Resources Department shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political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

**HUMAN RESOURCES  
CONFLICT OF INTEREST CODE**

**APPENDIX A**

**DESIGNATED POSITIONS, DUTIES AND CATEGORIES**

POSITIONS	DUTIES	CATEGORY
Human Resources Director	Supervise professional staff related to human resources, labor and employment matters. Represent the City in all labor relations matters, including formal negotiations and administration of labor agreements, policies and procedures, and resolution of employee and union grievances and appeals.	1
Human Resources Deputy Director	Supervise professional staff related to human resources, labor and employment matters. Represent the City in all labor relations matters, including formal negotiations and administration of labor agreements, policies and procedures, and resolution of employee and union grievances and appeals.	1
Labor Relations Officer	Represent the City in all labor relations matters, including formal negotiations and administration of labor agreements, policies and procedures, and resolution of employee and union grievances and appeals.	1
Executive Director, Human Relations Commission	Provide policy guidance and Board support to the Human Relations Commission.	1
Citywide Training Program Manager	Provide policy guidance and management of the Citywide training efforts. The position oversees and coordinates the Citywide Trainers' Committee, as well as determines and coordinates Citywide training needs.	2
Consultant	Perform consultant services for the Human Resources Department.	3

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FILED NOV 16 2010  
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SAN DIEGO, CALIFORNIA

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**APPENDIX B**

**DISCLOSURE CATEGORIES**

CATEGORY	DESCRIPTION
1	<p>Investments and business positions in any firm or business entity located in or doing business with the City of San Diego.</p> <p>Income and gifts from sources located in or doing business with the City of San Diego.</p> <p>Interest 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.</p>
2	<p>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.</p> <p>Income and gifts from any person or business entity that supplies goods or services to the City, who is a tenant of the City, who is an adverse party to the City in a legal proceeding, or who is granted authority by the City to use City facilities.</p> <p>Interest 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.</p>
3	<p>Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in this code subject to the following limitations:</p> <p>The Human Resources Director or Deputy 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 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 Human Resources Director's or Deputy 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.</p>

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