

RESOLUTION NUMBER R- 306331

DATE OF FINAL PASSAGE NOV 1 6 2010

RESOLUTION ADOPTING AN AMENDED CONFLICT OF
INTEREST CODE FOR THE SAN DIEGO POLICE
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-299960, the City Council on December 7, 2004 approved an amended Conflict of Interest Code for the San Diego Police Department; and

WHEREAS, the San Diego Police Department now seeks to amend its conflict of interest code, to delete five positions that have been abolished, and to include the Director and Department Analyst and Grants Administrator positions under the Family Justice Center, 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 San Diego Police 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 San Diego Police Department as adopted be placed on file in the Office of the City Clerk as Document No. RR- 306331.


BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Conflict of Interest Code for the San Diego Police 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 San Diego Police 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
10/29/10
Or.Dept: Police Dept.

**SAN DIEGO POLICE DEPARTMENT
CONFLICT OF INTEREST CODE**

**APPENDIX A
DESIGNATED POSITIONS**

<u>Position</u>	<u>Duties</u>	<u>Category</u>
Chief of Police	Plans, organizes, and directs all Police Department operations, including the specification development and requisitioning of equipment and services.	1, 2, 3
Executive Assistant Chief of Police	Plans, organizes, and directs all Police Department operations, including the specification development and requisitioning of equipment, with responsibility for formulation and administration of policies and programs and services as directed by the Chief of Police.	1, 2, 3
Assistant Police Chief	Plans and directs the work of several divisions, including the specification development and requisitioning of equipment and services, with responsibility for formulation and administration of policies and programs and services as directed by the Chief of Police.	1, 2, 3
Police Captain	Plans and directs the operations of a major division including the development of special programs, specification development, the processing of traffic citations, and the requisitioning of equipment, services, and special funds.	3
ARJIS Program Manager (Civilian)	Plans and oversees development of the regional ARJIS computer functions, chairs ARJIS meetings, acts as staff to ARJIS Board of Directors.	3
Communications Program Manager (Civilian)	Plans and directs the operations of a major division including the development of special programs, specification development, and the requisitioning of equipment, services, and special funds.	3
Fiscal Services Program Manager (Civilian)	Plans and directs the operations of a major division including the development of special programs, specification development, and the requisitioning of equipment, services, and special funds.	3

Special Projects and Planning Program Manager (Civilian)	Plans and directs the operations of a major division including the development of special programs, specification development, and the requisitioning of equipment, services, and special funds.	3
STAR Program Manager (Civilian)	Plans, administers and coordinates the operations of the STAR (Sports Training Academics Recreation) Program.	3
Information Systems Manager (Civilian)	Plans and directs the operations of a major division, including the processing of all equipment requisitions; directs all administrative or operational crime analysis programs, provides analytic and research support for department management and directs the implementation of department-wide computer programs.	3
Crime Laboratory Program Manager (Civilian)	Directs operations of the Police Crime Laboratory including the examining of criminal evidence and the requisitioning of specified equipment.	3
Supervising Human Resources Analyst (Civilian)	Administers the Human Resources services operations of the Police Department, including reviewing and administering hiring, and promotional processes; management of all personnel records; assisting in the interpretation of personnel policies and regulations	3
Fiscal Services Program Manager (Civilian)	Administers fiscal operations of the department including requisitioning of equipment and supplies, reviewing and making recommendations on requests for proposals and administering contracts.	3
Information Systems Administrator (Civilian)	Administers operations of the Data Services Unit including requisitioning of computer equipment and supplies, reviewing and making recommendations on requests for proposals and administering contracts.	3
Licensing Detail Lieutenant (Vice Administration)	Overseeing investigations of police-regulated business license applicants.	3
Licensing Detail Investigators (Vice Administration)	Conducts investigations of police-regulated business license applicants.	3

Director, Family Justice Center	Oversees the operations of FJC, including service delivery, programs, policy, budget, grants, training; Serves as liaison with other City Departments, Community Partners, Steering Committee, Mayor and Council.	1, 2
Department Analyst & Grants Administrator	Responsible for the financial and building management of the FJC including grants, budget analysis, consultant and vendor contracts and lease of office space.	2
Consultants	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:	4
	<p>The Chief of Police 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 determination shall include a description of the consultant’s duties, and, based upon that description, a statement of the extent of the disclosure requirements. The Chief of Police’s determination is a public record and shall be retained for public inspection in the same manner and located as this Conflict of Interest Code.</p>	

**SAN DIEGO POLICE DEPARTMENT
CONFLICT OF INTEREST CODE**

APPENDIX "B"

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

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

Interests in real property located in the jurisdiction, including property located within a two-mile radius of any property owned or used by the City. "Real property" does not include the home/primary residence of the filer.

Category 2 All investments and business positions in any firms or business entity that supplies goods or services to the City of San Diego; that is a tenant of the City of San Diego; that is an adverse party to the City of San Diego in a legal proceeding; or is granted authority by the City of San Diego to use city facilities.

All interests in real property owned or used by any person or business entity that supplies goods for services to the City of San Diego; that is a tenant of the City of San Diego; that is an adverse party to the City of San Diego in a legal proceeding; or is granted authority by the City of San Diego to use city facilities.

All 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, that is an adverse party to the City of San Diego in a legal proceeding; or is granted authority by the City of San Diego to use city facilities.

Category 3 For purposes of this category, any person or business entity means one which reasonably foreseeably will be the subject of an investigation by the City, is an adverse party to the City in a legal proceeding, or is contracting with, or selling goods or services to the City.

Investments or business positions in any business entity, income and gifts from any person or business entity, interests in real property held jointly or in common with any person or business entity.

Category 4 The Chief of Police 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 determination shall include a description of the consultant's duties, and, based upon that description, a statement of the extent of the disclosure requirements. The Chief of Police's determination is a public record and shall be retained for public inspection in the same manner and located as this Conflict of Interest Code.

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