

# 330-B  
9/17/13

RESOLUTION NUMBER R- 308440

DATE OF FINAL PASSAGE OCT 01 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AMENDING COUNCIL POLICY 000-04  
ENTITLED "CODE OF ETHICS AND ETHICS TRAINING."

WHEREAS, in 2002, the City Council amended Council Policy No. 000-04, entitled "Code of Ethics and Ethics Training," to require ethics training for elected officials, officers, appointees, unclassified employees, and other individuals that are required to file a Statement of Economic Interests with the City Clerk; and

WHEREAS, the Ethics Commission has recommended revisions to Council Policy No. 000-04 to extend the time period for initial ethics training and to set new deadlines for biennial recertification training to reflect the Ethics Commission's current training procedures;

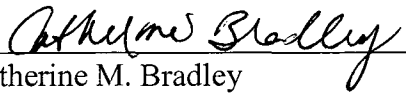
NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that Council Policy No. 000-04, entitled "Code of Ethics and Ethics Training," is amended as set forth in the Council Policy filed in the Office of the City Clerk as Document No. RR- 308440.

BE IT FURTHER RESOLVED, that the City Clerk is instructed to update the Council Policy Manual to include the revised Council Policy No. 000-04.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

  
Catherine M. Bradley  
Deputy City Attorney

CMB:sc  
07/03/13  
09/09/13 COR. COPY  
Or.Dept:Ethics Commission  
Doc. No. 592592

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 17 2013.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Mayor

CITY OF SAN DIEGO, CALIFORNIA  
COUNCIL POLICY

SUBJECT: CODE OF ETHICS AND ETHICS TRAINING  
POLICY NO.: 000-04  
EFFECTIVE DATE: September \_\_, 2013

BACKGROUND:

Every citizen of the City of San Diego is entitled to have complete confidence in the integrity of local government. All elected officials, officers, appointees, and employees of the City of San Diego must help to earn that confidence by exemplifying high standards of integrity and in their individual conduct. In order to monitor, administer, and enforce the City's governmental ethics laws and to advise and educate City officials and the public about governmental ethic laws, the City Council in 2001 created the San Diego Ethics Commission.

PURPOSE:

This policy sets forth a code of ethics for all elected officials, officers, appointees, and employees of the City of San Diego, including employees in the classified service. This policy is not intended to supersede, negate or otherwise invalidate any statute, ordinance or City Civil Service rule or regulation. In addition, this Policy prescribes the required ethics training for City officials and unclassified staff, and sets forth the City's policy with respect to continuing ethics education for these individuals.

POLICY:

CODE OF CONDUCT

It is the policy of the Council that the following code of ethical conduct be adopted for all elected officials, officers, appointees, and employees of the City of San Diego:

First: No elected official, officer, appointee, or employee of the City of San Diego shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence or judgment or action in the performance of such duties.

Second: No elected official, officer, appointee, or employee of the City of San Diego shall engage in any enterprise or activity which results in any of the following:

- (a) Using the prestige or influence of the City of San Diego office or employment for anyone's private gain or advantage.
- (b) Using time, facilities, equipment, or supplies of the City of San Diego for anyone's private gain or advantage.

- (c) Using official information not available to the general public for private gain or advantage.
- (d) Receiving or accepting money or other consideration from anyone other than the City of San Diego for the performance of acts done in the regular course of employment or duty.
- (e) Receiving or accepting, directly or indirectly, any gift or favor from anyone doing business with the City of San Diego under circumstances from which it could reasonably be inferred that such was intended to influence that elected official, officer, appointee, or employee in his or her official employment or duties, or as a reward for official action.
- (f) Engaging in or accepting private employment or rendering services for private interests when such activities are incompatible with the proper discharge of official responsibilities or duties.

Third: Every elected official, officer, appointee, employee, and consultant required to file a Statement of Economic Interests (Form 700) shall disclose on that form all information required by the Political Reform Act or the applicable Conflict of Interest Code approved by the City Council in its role as the code reviewing body.

#### ETHICS TRAINING

The following individuals shall complete an ethics training program prescribed by the City of San Diego Ethics Commission:

- (a) the Mayor, members of the City Council, and the City Attorney;
- (b) every officer and employee of the City and its organizational subdivisions, agencies, or corporate entities who is required to file a Statement of Economic Interests with the City Clerk pursuant to the Political Reform Act, except for classified employees as that term is defined in San Diego Charter section 117;
- (c) every member of a City board, commission, committee, or task force established by action of the City Council under authority of the City Charter, Municipal Code, or Council resolution who is required to file a Statement of Economic Interests with the City Clerk pursuant to the Political Reform Act; and,
- (d) every City consultant who is required to file a Statement of Economic Interests with the City Clerk pursuant to the Political Reform Act.

The above individuals shall complete the Ethics Commission's ethics orientation training within ninety days of assuming office, and thereafter complete the Ethics Commission's continuing education program on a biennial basis.

It shall be the responsibility of the Ethics Commission to develop the curriculum for ethics training as outlined above, to conduct and manage the training, and to maintain records certifying compliance with the City's ethics education requirements. If an individual fails to meet the training requirements prescribed in this Council Policy after reasonable opportunities have been made to complete the training, the Ethics Commission shall notify the appointing authority for the individual, and the appointing authority for that individual shall take such actions as are necessary to ensure compliance.

**HISTORY:**

Adopted by Resolution R-192458 12/26/1967

Amended by Resolution R-297084 09/24/2002

Amended by Resolution R-\_\_\_\_\_ 09/xx/2013

Passed by the Council of The City of San Diego on SEP 17 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 01 2013

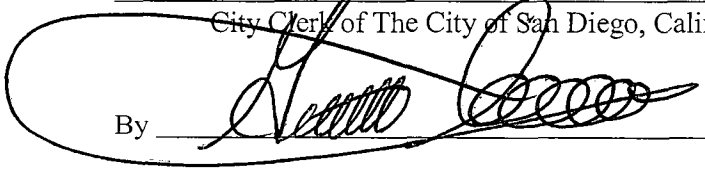
(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT  
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 308440