

RESOLUTION NUMBER R- 311286

DATE OF FINAL PASSAGE AUG 04 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO TO APPROVE COUNCIL POLICY NO. ____
TITLED CONFLICT OF INTEREST WAIVERS.

WHEREAS, the City of San Diego (City) occasionally receives requests to waive potential conflicts of interest under the California Rules of Professional Conduct (CRPC), Rule 3-310(E); and

WHEREAS, CRPC, Rule 3-310 requires that the client give informed consent when its attorney or former attorney has a potential conflict of interest; and

WHEREAS, CPRC, Rule 3-600 defines “the client” as the highest authorized officer, employee, body, or constituent overseeing the particular matter; and

WHEREAS, depending upon the matter, the client authorized to waive a potential or actual conflict of interest will be the City Council (Council) as the legislative body of the City; and

WHEREAS, the Council Policy provides guidance on when conflicts of interest may be waived; and

WHEREAS, the Council Policy outlines a procedure for notifying Council in writing of requests for a waiver of potential conflicts of interest that concern matters for which the City Attorney has determined Council to be “the client” under CPRC, Rule 3-600; and

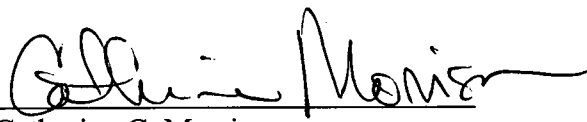
WHEREAS, the Rules Committee reviewed the proposed Council Policy on Conflict of Interest Waivers at its July 27, 2017 meeting and voted 4-0 with one member absent to forward it to the full Council with a recommendation to adopt the proposed Council Policy; NOW,

THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Council Policy No. ___ titled "Conflict of Interest Waivers" is approved and adopted.

BE IT FURTHER RESOLVED, that the City Clerk is instructed to update the Council Policy Manual to reflect the addition of this Council Policy.

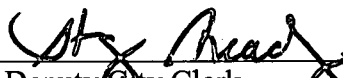
APPROVED: MARA W. ELLIOTT, City Attorney

By 
Catherine C. Morrison
Deputy City Attorney

CCM: pd:jvg
July 28, 2017
Or.Dept: City Attorney
Doc. No.: 1550296

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 01 2017 .

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/3/17
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on AUG 01 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>
Chris Cate	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 04 2017

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

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

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

By *Hy Mandy*, Deputy

Office of the City Clerk, San Diego, California
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