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12/8/2020

(R-2021-199)

RESOLUTION NUMBER R- 313375

DATE OF FINAL PASSAGE DEC 08 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO ADOPTING AN AMENDED CONFLICT OF
INTEREST CODE FOR THE SAN DIEGO CITY EMPLOYEES'
RETIREMENT SYSTEM.

WHEREAS, California Government Code (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 of San Diego is conducting a required City-wide biennial review of all conflict of interest codes for which the City Council serves as the code-reviewing body; and

WHEREAS, by San Diego Resolution R-313003, adopted by the City Council on May 12, 2020, 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-312141, the City Council on December 11, 2018 approved an amended Conflict of Interest Code for the San Diego City Employees' Retirement System; and

WHEREAS, the independent legal counsel for the Board of Directors of the San Diego City Employees' Retirement System reviewed these amendments before they were submitted to the City of San Diego; and

WHEREAS, the Board of Directors of the San Diego City Employees' Retirement System approved the amendments to the conflict of interest code on September 11, 2020; and

WHEREAS, the San Diego City Employees' Retirement System now seeks to amend its conflict of interest code to amend the Conflict of Interest Policy that precedes Appendix A of its code, and to update the list of Direct Real Estate Holdings following 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 San Diego City Employees' Retirement System 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 Office of the San Diego City Employees' Retirement System as adopted be placed on file in the Office of the City Clerk as Document No. RR- **313375**.

BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Conflict of Interest Code for the San Diego City Employees' Retirement System 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 City Employees' Retirement System becomes effective upon the date of adoption of this resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Anjana Pottathil
Anjana Pottathil
Deputy City Attorney

AP1:jdf
10/30/2020
Or.Dept: City Attorney
Doc. No.: 2524349

Passed by the Council of The City of San Diego on DEC 08 2020, 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"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 08 2020.

(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.

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

(Seal)

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- <u>313375</u>