

RESOLUTION NUMBER R- 315922

DATE OF FINAL PASSAGE DEC 09 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO ADOPTING AN AMENDED CONFLICT OF
INTEREST CODE FOR THE OFFICE OF THE CHIEF
FINANCIAL OFFICER.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. 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 an individual's financial interests, and for each position, the financial interests which are reportable.

B. In compliance with Government Code section 87306.5, the City of San Diego (City) is conducting a required City-wide biennial review of all conflict of interest codes for which the Council serves as the code-reviewing body.

C. By San Diego Resolution R-315625 (Jun. 11, 2024), the Council directed every City department, agency, board, and commission for which the Council serves as code-reviewing body to make biennial reports and to update their conflict of interest codes, as necessary.

D. As the City's code-reviewing body, the 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 adopted by the FPPC, as part of each conflict of interest code for which the Council has responsibility.

E. By Resolution No. R-314413 (Nov. 1, 2022), the Council approved an amended Conflict of Interest Code for the Office of the Chief Financial Officer.

F. The Office of the Chief Financial Officer now seeks to amend its conflict of interest code to revise the duties of the Chief Financial Officer position, all as detailed in Appendix A.

G. The Office of the City Attorney prepared this Resolution based on the information provided by City staff, with the understanding that this information is complete and accurate.

H. 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.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council adopts the Conflict of Interest Code for the Office of the Chief Financial Officer, consisting of standard language in title 2, section 18730 of the California Code of Regulations, and any amendments to that regulation adopted by the Fair Political Practices Commission, with Appendix A identifying the designated positions and their duties, and Appendix B identifying the applicable disclosure categories.

2. A copy of Appendix A and Appendix B to the Conflict of Interest Code for the Office of the Chief Financial Officer, as adopted, will be placed on file in the Office of the City Clerk as Document No. RR- **315922**.

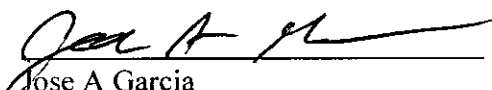
3. The persons whose positions are designated in the Conflict of Interest Code for the Office of the Chief Financial Officer shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and

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.

4. The statements of economic interest filed by designated persons will be retained by the Office of the City Clerk and will be made available for public inspection and reproduction.

5. The Conflict of Interest Code for the Office of the Chief Financial Officer becomes effective upon the date of adoption of this Resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Jose A Garcia
Deputy City Attorney

JAG:nsf
October 29, 2024
Or.Dept: Office of the Chief Financial Officer
Doc. No.: 3861909

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
DEC 09 2024

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

**OFFICE OF CHIEF FINANCIAL OFFICER
CONFLICT OF INTEREST CODE**

**APPENDIX A
DESIGNATED POSITIONS, DUTIES AND CATEGORIES**

POSITION	DUTIES	CATEGORY
Chief Financial Officer	Oversees all aspects of municipal finances including preparation of the annual budget, management of debt and investments, financial reporting, risk management; oversees information technology, compliance, and performance and analytics.	Files Form 700 (Statutory Requirement, Govt. Code section 87200)
Consultants/New Positions	<p>Consultants and new positions shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in Appendix B of the code subject to the following limitation:</p> <p>The Chief Financial Officer may determine in writing that a particular consultant or new position, 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. The Chief Financial Officer’s written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Financial Officer’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>	2

**OFFICE OF CHIEF FINANCIAL OFFICER
CONFLICT OF INTEREST CODE**

**APPENDIX B
DISCLOSURE CATEGORIES**

CATEGORY 1:

- a. All reportable investments and business positions in any firm or business entity that supplies goods or services to the City of San Diego, or is granted authority by the City of San Diego to use City facilities.
- b. All reportable investments, business positions, and income from sources located in or doing business in the City of San Diego.
- c. All reportable interests 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.
- d. All reportable interests in real property owned or used by 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, or is granted authority by the City of San Diego to use City facilities.
- e. All reportable 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, or is granted authority by the City of San Diego to use City facilities.

CATEGORY 2:

Consultants and new positions shall be included in the list of designated employees and disclose pursuant to the broadest category code subject to the following limitation:

The Chief Financial Officer may determine in writing that a particular consultant or new position, 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 described in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Financial Officer’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.

Passed by the Council of The City of San Diego on DEC 09 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 09 2024

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Cornie Patterson, Deputy

Office of the City Clerk, San Diego, California

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