

RESOLUTION NUMBER R- 315924

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 RISK MANAGEMENT
DEPARTMENT.

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-314538 (Dec. 13, 2022), the Council approved an amended Conflict of Interest Code for the Risk Management Department.

F. The Risk Management Department now seeks to amend its conflict of interest code to add new positions, consolidate the titles and duties of existing positions, and revise the duties of existing positions, 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 Risk Management Department, 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 Risk Management Department, as adopted, will be placed on file in the Office of the City Clerk as Document No. RR- **315924** .

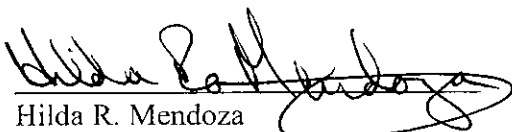
3. The persons whose positions are designated in the Conflict of Interest Code for the Risk Management Department shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair

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.

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 Risk Management Department becomes effective upon the date of adoption of this Resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Hilda R. Mendoza
Senior Deputy City Attorney

HRM:nja
11/05/2024
Or. Dept: Risk Management
Doc. No.: 3868521

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

**RISK MANAGEMENT DEPARTMENT
CONFLICT OF INTEREST CODE**

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

<u>Positions</u>	<u>Duties</u>	<u>Category</u>
Risk Management Director	Direct, provide oversight and manage the Risk Management Department. Recommend policies and courses of action to the Mayor, Chief Financial Officer, Executive Team and Department Directors. Supervise the Department's Deputy Directors who provide oversight and administrative operations support to the Public Liability, Loss Recovery, Workers' Compensation, Long-Term Disability, Employee's Benefits and Commercial Insurance programs. Stay up-to-date on various laws and local, state and federal policies and legislation affecting administration of the Risk Management programs.	1
Deputy Director	Assist the Risk Management Director in administrative operations of the Risk Management Department and serve as support and back up on designated enforcement pertaining to City policies and State mandates and laws; also oversees special projects and tasks such as response and follow up to internal and external audits. Develop and administer department policies and programs. Administer policy guidance for the operating programs of the Public Liability and Loss Recovery, Workers' Compensation, Long-Term Disability, Employee's Benefits, Commercial Insurance and Loss Control programs through the oversight of their assigned divisions. Stay up-to-date on various laws and local, state and federal policies and legislation affecting administration of the Risk Management programs. Authorize and oversee goods and services delivered by City contractors and consultants and approve payments to vendors, providers, consultants, employees, and/or claimants.	1
Program Manager	Support the Risk Management Director and Deputy Director(s) in managing programs and projects and ensuring that City policies, and federal and State rules and regulations are followed. Provides oversight for departmental programs including supervising program staff and ensuring program requirements are met and align with City policies and applicable laws. Assists in contract evaluation panels, recommend contract awards, and oversee contract implementation. Ensure systems, instructions and various guiding documents	2

	remain in compliance with various laws and policies as required and set forth by the Risk Management Director and Deputy Director(s). Authorize and oversee goods and services delivered by City contractors and consultants and approve payments to vendors, providers, consultants, employees, and/or claimants.	
Program Coordinator	Support Program Manager(s) in managing programs and projects and ensuring that City policies, and federal and State rules and regulations are followed. Provides oversight and coordination of departmental programs including supervising program staff and ensuring program requirements are met and align with City policies and applicable laws. Assists in contract evaluation panels, recommend contract awards, and oversee contract implementation. Ensure systems, instructions and various guiding documents remain in compliance with various laws and policies as required and set forth by the Risk Management Director and Deputy Director(s). Authorize and oversee goods and services delivered by City contractors and consultants and approve payments to vendors, providers, consultants, employees, and/or claimants. Assist in overall day-to-day supervision of staff as assigned and serve as acting/interim Program Manager when needed.	2
Supervising Claims Representative	Supervise assigned staff and support the Program Manager(s)/Program Coordinator(s) in the day-to-day operations of the various programs. Assist in workload distribution, troubleshooting issues and take on complex or high-profile cases and assignments. Plan, assign, supervise, review and evaluate the work of subordinate staff; administers programs and conducts administrative, organizational, and programmatic analysis. Investigate, settle claims, and prepare case reports for litigation. Follows instructions and various guiding documents.	2
Senior Claims Representative	Take on complex or high-profile cases and assignments. Investigate and settle claims and recover for damages; assist in case preparation for litigation; authorize treatment by provider; authorize payments to claimants and providers. Completes additional administrative tasks and support as needed. Follows instructions and various guiding documents.	2
Claims Representative (All)	Investigate and settle claims and recover for damages; assist in case preparation for litigation; authorize treatment by provider; and authorize	2

	payments to claimants and providers. Complete additional administrative tasks and support as needed. Follows instructions and various guiding documents.	
Claims Aide	Take on the least complex cases and assignments. Investigate and recover for damages; assist in case preparation for litigation; authorize treatment by provider; authorize to deny claims; and authorize payments to claimants and providers. Complete additional administrative tasks and support as needed. Follows instructions and various guiding documents.	2
Employee Benefits Administrator	Support the Risk Management Director, Deputy Director(s), Program Manager(s), and Program Coordinator(s) in overall program management of the Employee Benefits programs and offerings. Plan, assigns, supervise, review and evaluate the work of subordinate staff; administer programs and conduct administrative, organizational, and programmatic analysis. Authorize and oversee goods and services delivered by City contractors and consultants and approve payments to vendors, providers, consultants, employees, and/or claimants. Complete additional administrative tasks and support as needed. Follows instructions and various guiding documents. Maintain instructions and various guiding documents for use citywide.	2
Employee Benefits Specialist (All)	Assist the Employees Benefits Administrator in the administration of benefits plans. Oversee daily operation of benefits plans. Assess employee benefits needs. Liaison with benefits providers and consultants. Develop written program policies and procedures for implementing new and modified plans. Approve payments to vendors, providers, consultants, employees, and/or claimants.	2
Information System Analyst (All)	Support Program Manager(s) in managing programs and projects and ensuring that City policies, and federal and State rules and regulations are followed by continuous maintenance and support of various software programs including but not limited to, claims management system, and interfaces with the City's Enterprise Resource Planning. Through	2

	<p>system configuration the Information System Analyst is responsible for meeting the business needs as outlined by the Program Managers, Deputy Director(s), and Risk Management Director. Also responsible for maintaining user profiles, user access, and security. Follows IT best practice in implementation of all tasks. Complete additional administrative tasks and support as needed. Follows instructions and various guiding documents. Maintain instructions and various guiding documents for use department wide. Oversee goods and services delivered by City contractors and consultants.</p>	
<p>Consultants/New Positions</p>	<p>The Risk Management Director or Deputy Director 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. Such written determination shall include a description of the consultant's or new employee's duties and based upon that description, a statement of the extent of disclosure requirements. The Department Director's or Deputy Director'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>	<p>3</p>

**RISK MANAGEMENT DEPARTMENT
STATEMENT OF ECONOMIC INTERESTS**

**APPENDIX B
DISCLOSURE CATEGORIES**

<u>Category</u>	<u>Description</u>
1	<p>Investments and business positions in any business entity located in or doing business with the City of San Diego.</p> <p>Income and gifts from sources located in or doing business with the City of San Diego.</p> <p>Interest 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.</p>
2	<p>Investments and business positions in any firm or business entity that supplies goods or services to the City of San Diego, that is an adverse party to the City of San Diego in a legal proceeding, or that is granted authority by the City of San Diego to use City facilities.</p> <p>Interest in real property owned by 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, that is an adverse party to the City of San Diego in a legal proceeding, or that is granted authority by the City of San Diego to use City facilities.</p> <p>Income and 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 legal proceedings, or that is granted authority by the City of San Diego to use City facilities.</p>
3	<p>Consultants/new positions shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations: The Department Director or Deputy Director 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. 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 Department Director's or Deputy Director'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>

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 Carnie Patterson Deputy

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