

RESOLUTION NUMBER R- 285467

ADOPTED ON MAR 20 1995

ADOPTING CONFLICT OF INTEREST CODES FOR THE CREST CANYON PARK RESERVE ADVISORY COMMITTEE AND THE RELOCATION APPEALS BOARD; AND, AMENDING THE CONFLICT OF INTEREST CODES FOR THE AGRICULTURAL BOARD, GRADING ADVISORY BOARD, HISTORICAL SITE BOARD, LA JOLLA SHORES PLANNED DISTRICT ADVISORY BOARD, LA JOLLA UNDERWATER PARK COMMITTEE, LOS PENASQUITOS CANYON PRESERVE TASK FORCE, MISSION TRAILS REGIONAL PARK TASK FORCE, OLD TOWN SAN DIEGO PLANNED DISTRICT REVIEW BOARD, TECOLOTE CANYON CITIZEN ADVISORY BOARD, TECOLOTE CANYON NATURAL PARK TASK FORCE, AND THE WETLANDS ADVISORY BOARD.

WHEREAS, state law requires advisory boards that make substantive recommendations which are, and over an extended period of time have been, regularly approved without significant amendment or modification by another public official or governmental agency to have Conflict of Interest Codes and to file Statements of Economic Interest (730 Forms); and

WHEREAS, state law exempts boards and commissions that are solely advisory from the requirements to have Conflict of Interest Codes and to file 730 Forms;

WHEREAS, by Resolution No. 275742, adopted on May 21, 1990, the City Council expressed its desire that all City advisory boards, commissions, committees and ad hoc committees that were created for a duration of one (1) year or more were to be treated similarly by requiring each of these boards, commissions and committees to have Conflict of Interest Codes and to file

Statements of Economic Interest (730 Forms), regardless of whether a particular board, commission or committee is required to do so under state law; and

WHEREAS, Resolution No. 275742 was rescinded by Resolution No.285253, adopted on January 31, 1995; and

WHEREAS, some city advisory boards, commissions and committees continue to be required by state law to have Conflict of Interest Codes and to file 730 Forms, because their substantive recommendations have been adopted without significant change by the City Council over an extended period of time; and

WHEREAS, in 1994, pursuant to Government Code section 87306.5, the City reviewed all of those boards and commissions' Conflict of Interest Codes and updated them as necessary; and

WHEREAS, by Ordinance No. 0-18162, the City Council found that unique and serious potential conflicts of interest arise by virtue of participation on City boards and commissions that deal with land use issues, regardless of whether they make substantive recommendations that are regularly adopted without change over an extended period of time; and

WHEREAS, also by Ordinance 0-18162, the City Council determined that Conflict of Interest Codes should be adopted for those land use boards and commissions, and that those Codes should be the same as those adopted for boards and commissions required by state law to have them, except that the sole scope of disclosure should be that set forth in SDMC section 26.0106 (b); and

WHEREAS, the City Clerk has identified the City's land use boards and commissions that should have Conflict of Interest

Codes pursuant to SDMC section 26.0106; and

WHEREAS, the City Council desires to implement SDMC section 26.0106; NOW, THEREFORE,

BE IT RESOLVED, by the City Council that a standard Conflict of Interest Code with the following scope of disclosure is hereby adopted for the City's Crest Canyon Park Reserve Advisory Committee and the Relocation Appeals Board:

Investments, business positions, and sources of income of the type which engage in land development, construction, or the acquisition or sale of real property; or

Interests in real property located within the City, including real property located within a two-mile radius of any property owned or leased by the City. An interest in real property that is used as a personal residence is not required to be disclosed, unless the residence is also used for business purposes.

BE IT FURTHER RESOLVED, that the Conflict of Interest Codes for the following City land use boards and commissions are hereby amended with the above-cited scope of disclosure:

Agricultural Board (Code last adopted on September 21, 1992, by Resolution No. R-280681)

Grading Advisory Board (also known as Land Development Advisory Board) (Code last adopted on September 29, 1992, by Resolution No. R-280734)

Historical Site Board (Code last adopted on September 21, 1992, by Resolution No. R-280684)

La Jolla Shores Planned District Advisory Board (Code last adopted on January 11, 1993, by Resolution No. R-281320)

La Jolla Underwater Park Committee (Code last adopted on January 25, 1993, by Resolution No. R-281379)

Los Penasquitos Canyon Preserve Task Force (Code last adopted on October 19, 1992, by Resolution No. R-280878)

Mission Trails Regional Park Task Force (Code last adopted on January 25, 1993, by Resolution No. R-281380)

Old Town San Diego Planned District Design Review Board (Code last adopted on January 25, 1993, by Resolution No. R-281381)

Tecolote Canyon Citizen Advisory Board (Code last adopted on March 15, 1993, by Resolution No. R-281574)

Tecolote Canyon Natural Park Task Force (Code last adopted on July 26, 1993, by Resolution No. R-282379)

Wetlands Advisory Board (Code last adopted on September 29, 1992, by Resolution No. R-280744)

BE IT FURTHER RESOLVED, that members of those City land use boards and commissions required to file economic disclosure forms (730 Forms) pursuant to SDMC section 26.0106 and this resolution shall file their forms with the San Diego City Clerk at the times for filing set forth in the Conflict of Interest Code.

APPROVED: JOHN W. WITT, City Attorney

By *Cristie C McGuire*
Cristie C. McGuire
Deputy City Attorney

CCM:jrl
02/28/95
Or.Dept:Clerk
R-95-1278
Form=r+t