

(R-99-608)

RESOLUTION NUMBER R- 291098

ADOPTED ON DEC 08 1998

RESOLUTION ADOPTING THE REVISED  
CONFLICT OF INTEREST CODE FOR THE  
SAN DIEGO HOUSING COMMISSION.

WHEREAS, the Political Reform Act (California Government Code sections 81000-91015) requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the Fair Political Practices Commission (FPPC) has adopted a regulation (located at 2 California Code of Regulations section 18730), which contains the terms of a standard conflict of interest code; and

WHEREAS, after public notice and hearing this regulation may be amended by the FPPC to conform to amendments in the Political Reform Act; and

WHEREAS, California Government Code section 87306.5 requires biennial review of local conflict of interest codes every even-numbered year; and

WHEREAS, by Resolution No. R-287479, adopted June 10, 1996, the City Council directed every City department, agency, board and commission for which the City Council serves as code reviewing body to make their biennial reports and to update their conflict of interest codes as necessary; and

WHEREAS, as The City of San Diego's code reviewing body, the City Council finds it in the public interest to adopt the standard conflict of interest code promulgated by the 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, the San Diego Housing Commission has proposed changes to the Appendix of its Conflict of Interest Code to clarify disclosure requirements and to better conform to the Government Code; NOW, THEREFORE,

BE IT RESOLVED by the Council of The City of San Diego that the terms of 2 California Code of Regulations section 18730 and any amendments to that regulation duly adopted by the FPPC are hereby adopted and incorporated by reference into the Conflict of Interest Code for the San Diego Housing Commission.

BE IT FURTHER RESOLVED that a copy of 2 California Code of Regulations section 18730 and any amendments to that regulation be placed on file with the City Clerk as Document No. RR- 291098 -1.

BE IT FURTHER RESOLVED that the proposed changes to the Appendix, in which persons are designated and in which disclosure categories are set forth, are hereby approved and are incorporated into the San Diego Housing Commission's Conflict of Interest Code.

BE IT FURTHER RESOLVED that the Appendix as revised be placed on file in the Office of the City Clerk as Document No. RR- 291098 -2.


BE IT FURTHER RESOLVED that the Chair and Members of the San Diego Housing Commission shall file their SEI's with the Personnel Director, who shall forward the originals to the City Clerk.

BE IT FURTHER RESOLVED that SEI's 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 revised Conflict of Interest Code for the San Diego Housing Commission become effective upon the date of adoption of this resolution.

APPROVED: CASEY GWINN, City Attorney

By   
Prescilla Dugard  
Deputy City Attorney

PD:cdk  
11/18/98  
Or.Dept:SDHC  
R-99-608  
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Good Neighbors

# San Diego Housing Commission

## REPORT

DATE: For the Agenda of October 26, 1998  
REPORT NO.: HCR98-100  
SUBJECT: REVISION TO CONFLICT OF INTEREST CODE POLICY

### SUMMARY

**Issue:**

Should the Housing Commission recommend Housing Authority approval to amend the Conflict of Interest Code Policy PO101.000 to conform with State Government Code 18730, and local policy discretion during the City Council biennial review process?

**Recommendation:**

Approve the revised Conflict of Interest Code Policy PO101.000 as described in attachment 1. Further, responsibility for retaining original documents would be transferred from City Clerk to Executive Director.

**Previous Related Action(s):** The Housing Commission approved revisions to the Conflict of Interest Code Policy on October 7, 1996; the Housing Authority adopted the Policy on November 26, 1996.

**Future Related Action(s):** Subsequent revisions will be included in the next biennial review process conducted by the City Clerk in year 2000.

### BACKGROUND

On April 1, 1979, the Housing Commission adopted a Conflict of Interest Code Policy pursuant to California Government Code Section 87307. The Policy required that Commissioners disclose reportable items in a manner substantially equivalent to that of the Political Reform Act and regulations of the Fair Political Practices Commission. On April 11, 1980, the Policy was amended to include certain Designated Positions (when the Housing Commission separated from the City of San Diego and hired an independent staff) and to incorporate amendments of the Government Code and Political Reform Act.



A state agency authorized by the City of San Diego

R-291098

DOCUMENT NO.

R-291098-1

FILED

DEC 08 1998

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SAN DIEGO, CALIFORNIA

Subsequent revisions to incorporate legislated amendments and to clarify or update procedures were adopted November 1985, July 1988, June 1990, December 1990, August 1992, December 1994, and April 1996. On November 26, 1996, the Executive Director was authorized to implement changes to Designated Positions during the regular budget process; formal revisions would be forwarded for approval only during the biennial review process.

## DISCUSSION

Biennially the City Clerk's Office requests that all departments and agencies review, amend and forward to the City Attorney's Office, their Conflict of Interest Code Policy to comply with the Government Code and California Code of Regulations. This year, the City Clerk's Office has requested that conflict of interest codes be reviewed to clarify and eliminate unnecessary subsection information. The attached policy reflects deletions of code subsections, required mandated code revisions, and revisions proposed by the City Attorney's Office for consistency among City departments and to ensure disclosures are appropriate to positions.

The Designated Positions list is updated as classifications or committees are added and deleted. The Executive Director is authorized to revise the list of positions as needed with changes forwarded for document approval during the City Clerk's biennial review process. The Designated Positions list has been updated in alphabetical order to more readily locate positions. The addition of new Boards or Committees, however, requires specific Housing Commission approval and authorization by the Housing Authority. The Housing Commission's legal counsel has advised that designated Committees be identified for purpose of clarification and notice requirement.

In accordance with regulations, Designated Filers were advised of all proposed changes and afforded the opportunity to comment. Comments, if any, will be presented at the Housing Commission meeting.

Current policy specifies that Statements of Economic Interests are required to be filed in the Office of the City Clerk. The City Clerk's Office recommends the Commission's Conflict of Interest Code be amended authorizing the Executive Director to maintain original Disclosure Statements in the office of the Commission. Upon request, copies of Disclosure Statements would be forwarded to the City Clerk's Office. This recommendation allows the Housing Commission to maintain and make readily available Disclosure Statements for their jurisdiction as a convenience to the public. The attached policy reflects the recommendation reviewed by the City Attorney's Office.



**POLICY**

Subject: **CONFLICT OF INTEREST CODE**

Number: **PO101.000**

Effective Date: **11/26/96**

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1. **BACKGROUND**

1.1 The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the San Diego Housing Commission.

1.2 Pursuant to Section b(4) of the Standard Code, designated employees shall file statements of economic interests with the Secretary of the Board (Executive Director) of the Housing Commission. Upon receipt of the statements, the Secretary of the Board shall ~~make a copy of these statements and forward the copies to the Clerk of the City of San Diego. The Secretary of the Board shall~~ retain the originals, ~~and forward copies to the Clerk of the City of San Diego upon request.~~

2. **POLICY**

2.1 **CONFLICT OF INTEREST CODE FOR THE SAN DIEGO HOUSING COMMISSION** (Regulation of the Fair Political Practices Commission, Title 2, Division 6 of the California Code of Regulations)

2.2 **18730. Provisions of Conflict of Interest Codes** Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section 87300 or the amendment of a conflict of interest code within the meaning of Government Code Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to other state or local laws pertaining to conflicts of interest.

[Supersedes Policy 101.000, Issued 11/3/94]

rev: 4/23/96, 11/26/96 ~~XX/XX/XX~~

Authorized:

Elizabeth C. Morris, Executive Director

Kadee Gonzalez, Human Resources Manager

Date

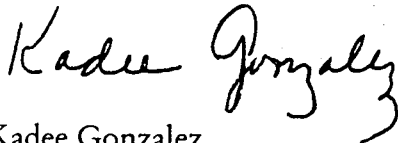
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## ALTERNATIVES

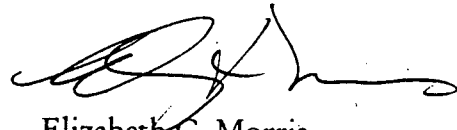
1. Require original documents be filed with the Office of the City Clerk, which is inconsistent with current practice and would not be responsive to the City Clerk's request.
2. Broaden Designated Positions list to include all Boards and Committees with exceptions approved by the Executive Director. While this option is inclusive, it may increase the likelihood that committees may not be formally constituted and filing requirements not met.

Respectfully submitted,



Kadee Gonzalez  
Human Resources Manager

Approved by,



Elizabeth C. Morris  
Officer Executive Director

Gonzalez

Attachment(s):

1. SDHC Policy PO101.000 (Appendix A, B, C, D) (Conflict of Interest Code)



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**E. Statements of Economic Interests Form 700: Time of Filing**

1. **Initial Statements.** All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.
2. **Assuming Office Statements.** All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.
3. **Annual Statements.** All designated employees shall file statements no later than April 1.
4. **Leaving Office Statements.** All persons who leave designated positions shall file statements within 30 days after leaving office.

**F. Statements for Persons Who Resign Prior to Assuming Office.** Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office provided he/she did not make or participate in the making of, or use his/her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his/her appointment. Such persons shall not file either an assuming or leaving office statement. Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

1. File a written resignation with the appointing power; and
2. File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

**G. Contents of and Period Covered by Statements of Economic Interests**

1. **Contents of Initial Statements.** Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

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- 2.3 The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:
- A. **Definitions** The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. Sections 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.
  - B. **Designated Employees** The persons holding positions listed in Appendix B are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests.
  - C. **Disclosure Categories** This Code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their financial interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 87200, et seq.<sup>1</sup> Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees **and positions**, the disclosure categories set forth in Appendix C specify which kinds of financial interests are reportable. Such a designated employee **or position** shall disclose in his/her statement of economic interests those financial interests he/she has which are of the kind described in the disclosure categories to which he/she is assigned in Appendix B. It has been determined that the financial interests set forth in a designated employee's **or positions** disclosure categories are the kinds of financial interests which he/she foreseeably can affect materially through the conduct of his/her office.
  - D. **Statements of Economic Interests - Place of Filing** The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.<sup>2</sup>

<sup>1</sup> Designated employees who are required to file statements of economic interests under any other agency's Conflict of Interest Code, or under Article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code Section 81004.

<sup>2</sup> See Government Code Section 81010 and 2 Cal. Code of Regs. Section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

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2. Personal Income Disclosure. When personal income is required to be reported,<sup>5</sup> the statement shall contain:
- a. The name and address of each source of income aggregating two hundred fifty dollars (\$250) or more in value or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
  - b. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), or greater than ten thousand dollars (\$10,000);
  - c. A description of the consideration, if any, for which the income was received;
  - d. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
  - e. In the case of a loan, the annual interest rate and the security, if any, given for the loan.
3. Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,<sup>6</sup> the statement shall contain:
- a. The name, address, and a general description of the business activity of the business entity;
  - b. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).
4. Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

<sup>5</sup> A designated employee's income includes his/her community property interest in the income or his/her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

<sup>6</sup> Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

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2. Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.
  3. Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later.
  4. Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.
- H. Manner of Reporting. Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:
1. Investments and Real Property Disclosure. When an investment or an interest in real property<sup>3</sup> is required to be reported,<sup>4</sup> the statement shall contain the following:
    - a. A statement of the nature of the investment or interest;
    - b. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
    - c. The address or other precise location of the real property;
    - d. A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000).

<sup>3</sup> For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

<sup>4</sup> Investments and interests in real property which have a fair market value of less than \$1,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

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2. Any real property in which the designated employee has a direct or indirect interest worth one thousand dollars (\$1,000) or more;
  3. Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating two hundred fifty dollars (\$250) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;
  4. Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or
  5. Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$2890 or more in value provided to; received by, or promised to the designated employee within 12 months prior to the time when the decision is made.
- K. Legally Required Participation. No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting board is needed to break a tie does not make his or her participation legally required for purposes of this section.
- L. Disqualification of State Officers and Employees. In addition to the general disqualification provisions of Section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:
1. Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or
  2. Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.
- M. Manner of Disqualification. When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act must be accompanied by disclosure of the disqualifying interest. In the case of a voting body, this determination and disclosure shall be made part of the agency's official record; in the case of a designated employee who is the head of an agency, this determination and disclosure shall be made in writing to his or her appointing authority; and in the case of other designated employees, this determination and disclosure shall be made in writing to the designated employee's supervisor.

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5. Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.
- I. Prohibition on Receipt of Honoraria. No member of a state board or commission, and no designated employee of a state agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official. ~~Subdivisions (b), (c), (d), and (e) of Government Code Section 89502 shall apply to the prohibitions in this section.~~
1. No member of the governing board of a special district or designated employee of a local government agency shall accept any honorarium. ~~Subdivisions (b), (c), and (e) of Government Code Section 89502 shall apply to the prohibitions in this section.~~ This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code Section 89506.
2. Prohibition on Receipt of Gifts of \$289.00 or More. No member of a state board or commission, and no designated employee of a state agency, shall accept gifts with a total value of more than ~~two hundred eighty dollars (\$289.00)~~ in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official. ~~Subdivisions (b), (c), (d), and (e) of Government Code Section 89504 shall apply to the prohibitions in this section.~~
3. No member of the governing board of a special district, or designated employee of a local government agency shall accept any gifts with a total value of more than ~~two hundred eighty dollars (\$289.00)~~ in a calendar year from an ~~unreportable~~ ~~single~~ source. ~~Subdivision (d) of Government Code Section 89504 shall apply to this section.~~
- J. Disqualification. No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:
1. Any business entity in which the designated employee has a direct or indirect investment worth one thousand dollars (\$1,000) or more;

## APPENDIX A

### General Provisions

When a designated employee is required to disclose investments and sources of income, the employee need only disclose investments in business entities and sources of income which do business in the jurisdiction or have done business in the jurisdiction, within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. When a designated employee is required to disclose interests in real property, the employee shall disclose real property located whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned by the local government agency. (The boundaries of the Housing Commission's jurisdiction are depicted and described on Appendix D).

Designated employees or designated positions shall disclose their financial interest pursuant to the appropriate disclosure category as indicated in the chart on Appendix C.

The following positions listed below manage public investments and will file a Statement of Economic Interests pursuant to Government code Section 87200: Financial Manager, Controller.

Late Filing. The filing officer may impose penalties for statements of economic interests which are filed late. The fine is \$10 per day beginning the day after the filing deadline, up to a maximum of \$100. Late filing penalties can be reduced or waived under certain circumstances.

The Executive Director is authorized to implement proposed revisions to the Designated Positions List as classifications are added and deleted. Changes to the approved Designated Positions List will be forwarded for document approval during the biennial review process per City Council Resolution 287239.

With respect to consultants, the Executive Director or designated authority may determine in writing that a particular consultant, 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 duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive 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. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

OR

The Executive Director or designated authority shall determine in writing whether a consultant shall be required to disclose economic interests in one or more categories listed in Appendix C. The Executive Director may determine that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus will be required to disclose economic interests in fewer than all four categories. The Executive Director's written determination shall include a description of the consultant's duties and, based upon the description, a statement of the extent of the consultant's disclosure requirements. The Executive 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.

DOCUMENT NO. RR-291098-2  
FILED DEC 08 1998  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

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- N. Assistance of the Commission and Counsel. Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.
- O. Violations. This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 - 91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

Note: Authority cited: Section.83112, Government Code. Reference: Sections 87300-87302, 89501, 89502, 89503, and 89504, Government Code.

HISTORY:

New Section filed 4/2/80 as an emergency; effective upon filing. Certificate of Compliance included.  
Editorial correction

Amendment of subsection (b) filed 1/9/81; effective thirtieth day thereafter

Amendment of subsection (b)(7)(B)l. filed 1/26/83; effective thirtieth day thereafter

Amendment of subsection (b)(7)(A) filed 11/10/83; effective thirtieth day thereafter

Amendment filed 4/13/87; effective thirtieth day thereafter

Amendment of subsection (b) filed 10/21/88; effective thirtieth day thereafter

Amendment filed 8/28/90; effective thirtieth day thereafter

Amendment filed 8/7/92; effective thirtieth day thereafter

Amendment filed 2/5/93; effective upon filing

Amendment filed 3/14/95; effective upon filing

Amendment filed 4/23/96; effective upon filing

Amendment filed 11/26/96; effective upon filing

Amendment filed XX/XX/98; effective upon filing

**DESIGNATED EMPLOYEES  
and  
DESIGNATED POSITIONS**

Accountant  
Accounting Supervisor  
Administrative Analyst I/II  
Assistant to the Executive Director  
Asst. Finance & Development Project Manager  
Board of Commissioners  
Budget Analyst  
Budget Supervisor  
Community Relations Officer  
\*Consultant  
Controller  
Deputy Executive Director  
Development Program Manager  
Equal Opportunity and Contracting Manager  
Executive Director  
Executive Secretary  
Finance and Development Project Manager  
Finance Manager  
Financial Specialist  
General Services Supervisor  
Housing Assistant I/II  
Housing Construction Specialist I/II  
~~Housing Construction Specialist II~~  
Housing Inspector  
Housing Program Manager  
Housing Specialist  
Housing Supervisor  
Human Resources Analyst I/II  
Human Resources Manager  
Information Systems Manager  
Legal Counsel  
Loan Manager  
Loan Specialist  
Members of the Housing Development Corporation Partners of San Diego  
~~Members of the Housing Trust Fund Board of Trustees~~  
Members of the Rehabilitation Loan Committee  
Program Analyst I/II  
Senior Program Analyst  
Sr. Accountant  
Sr. Housing Assistant  
Sr. Human Resources Analyst  
Sr. Loan Specialist  
Sr. Housing Construction Specialist  
Technical Services Manager

\*Commission Regulation 18700 defines "consultant" as an individual who, pursuant to a contract with a state or local government agency:

- (1) Makes a governmental decision whether to:
- (a) Approve a rate, rule or regulation;
  - (b) Adopt or enforce a law;
  - (c) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
  - (d) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
  - (e) Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
  - (f) Grant agency approval to a plan, design, report, study, or similar item;
  - (g) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or
- (2) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.



## APPENDIX C

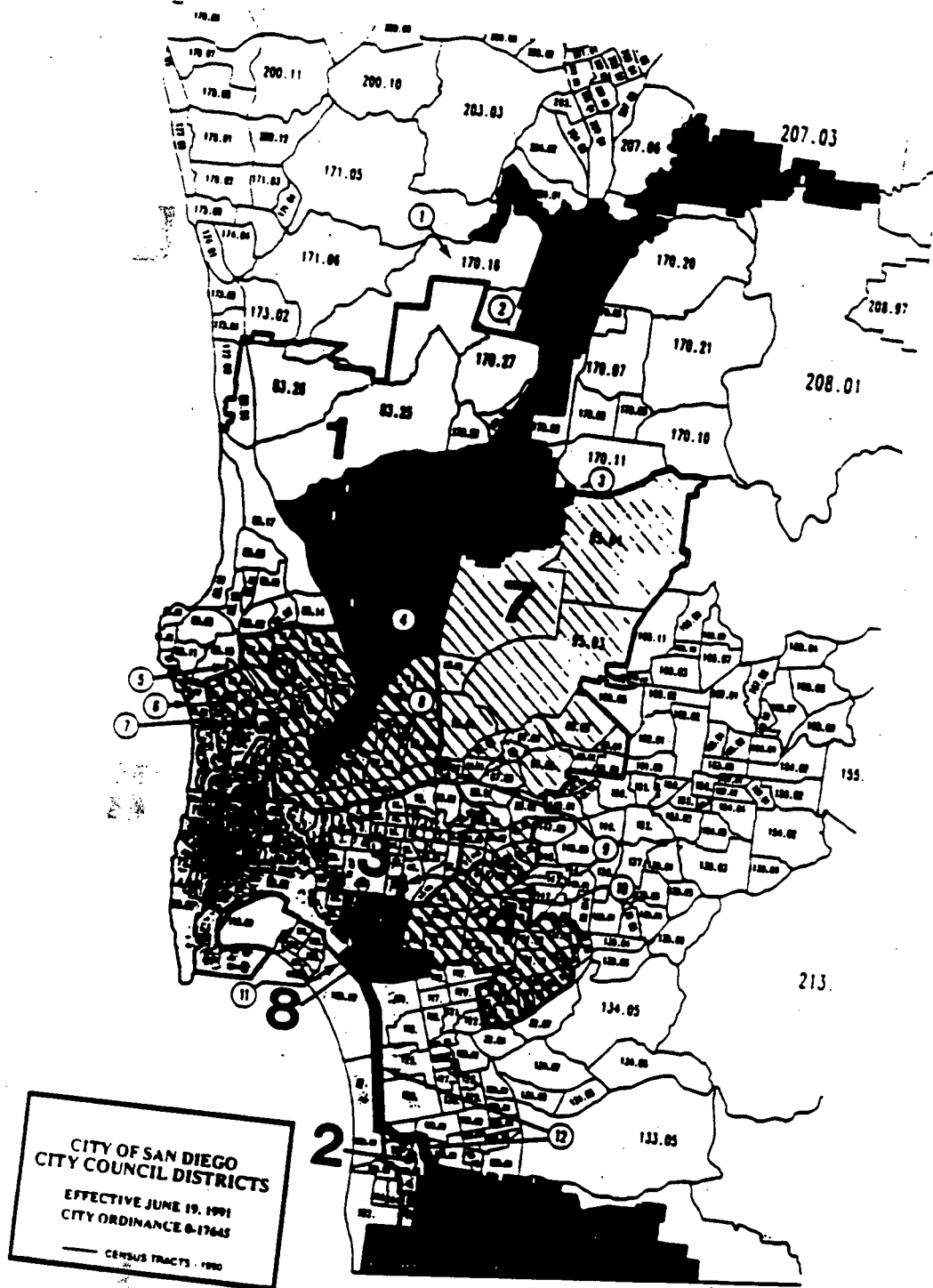
### DISCLOSURE CATEGORIES

Investments, business positions, interests in real property and sources of income and gifts shall include but not be limited to the following categories for reporting purposes:

1. Real property within the City of San Diego Limits
2. Real estate development, maintenance or management companies
3. Construction, building materials or demolition companies
4. Engineering, surveying, architectural and appraising companies
5. Soils testing, analysis, and compaction companies
6. Office equipment and supplies companies
7. Newspapers, printing and reproduction services companies
8. Banks and savings and loan companies
9. Securities and investment companies
10. Title insurance and escrow companies
11. Financial audit services companies
12. Insurance companies, including brokers and agencies
13. Companies or consultants in the following categories:
  - a. Fiscal
  - b. Financial
  - c. Architectural
  - d. Legal (excluding income from sources other than those described in this Appendix C)
  - e. Engineering
  - f. Planning
  - g. Property Management
  - h. Management and Administration
  - i. Economic
  - j. Real Estate
  - k. Appraisers
  - l. Property Acquisition
  - m. Relocation or moving
  - n. Hearing Officer
  - o. Technical and Developmental Training

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**APPENDIX D**



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