

RESOLUTION NUMBER R- 293162

ADOPTED ON MAY 30 2000

RESOLUTION ADOPTING A CONFLICT OF INTEREST
CODE FOR THE REDISTRICTING 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, 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 Regulations 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, Section 5.1 of the San Diego City Charter requires the creation of a Redistricting Commission to adopt plans which specify the boundaries of districts for the City

Council commencing in the year following the year in which the national decennial census is taken under the direction of the United States Congress at the beginning of each decade; and

WHEREAS, Section 5.1 of the San Diego City Charter requires that the members of the Redistricting Commission be appointed to their positions during the year in which the national decennial census is taken; and

WHEREAS, a national decennial census is being taken in the year 2000; and

WHEREAS, by Ordinance No. O-18792, adopted May 1, 2000, the City Council approved the addition of Chapter 2, Article 7, Division 14, "Procedure for Making Appointments to the Redistricting Commission," to the San Diego Municipal Code ("SDMC"); and

WHEREAS, SDMC Section 27.1406(b) requires that each applicant or nominee for appointment to the Redistricting Commission shall file a statement of economic interests, with scope of disclosure to be decided by resolution of the City Council; and

WHEREAS, pursuant to City Charter Section 5.1 and SDMC Section 27.1404, in the year 2000 the application and nomination period for appointment to the Redistricting Commission shall be from July 3, 2000 to August 2, 2000; and

WHEREAS, Appendix A of the Redistricting Commission's Conflict of Interest Code has been drafted to designate the positions of the Commissioners, the Commission's Chief of Staff, and consultants; and

WHEREAS, appropriate disclosure categories have been set forth in Appendix B of the Redistricting Commission's Conflict of Interest Code to govern positions designated in Appendix A; 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 Redistricting 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-287942-1.

BE IT FURTHER RESOLVED that the Redistricting Commission's proposed Appendix A, in which Commissioners and employees, including consultants, are designated, and proposed Appendix B, in which disclosure categories are set forth, are hereby approved and are incorporated into the Conflict of Interest Code for the Redistricting Commission.


BE IT FURTHER RESOLVED that all appendices to the Redistricting Commission's Conflict of Interest Code be placed on file in the Office of the City Clerk as Document No. RR- 293162.

BE IT FURTHER RESOLVED that designated Commissioners and employees, including consultants, shall file their Statements of Economic Interests ("SEI") directly with the City Clerk.

BE IT FURTHER RESOLVED that SEI's filed by designated Commissioners and employees, including consultants, 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 Redistricting Commission shall become effective upon the date of adoption of this resolution.

APPROVED: CASEY GWINN, City Attorney

By 
Lisa A. Foster
Deputy City Attorney

LAF:rmc
05/16/2000
Or.Dept: City Clerk
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**CONFLICT OF INTEREST CODE
Redistricting Commission**

APPENDIX A

DESIGNATED POSITIONS

<u>Position</u>	<u>Duties</u>	<u>Category</u>
Redistricting Commissioner	Pursuant to San Diego City Charter Section 5.1, to adopt plans which specify the boundaries of districts for the City Council of the City of San Diego.	1
Chief of Staff	Pursuant to San Diego City Charter Section 5.1, to serve at the Commission's pleasure, and to contract for needed staff, technical consultants and services.	1
Consultant		2

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APPENDIX B

DISCLOSURE CATEGORIES

Category 1:

- a. Investments and business positions in any business entity located in or doing business in the City of San Diego.
- b. Income (including loans, gifts, and travel payments) from sources located in or doing business in the City of San Diego.
- c. 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 investments and business positions in, and all reportable income from redistricting consultant businesses. For purposes of Category 1(d) only, the definitions of "income" and "investment" contained in Government Code sections 82030 and 82034 shall not apply, and disclosure shall include interests in all redistricting consultant businesses, regardless of where they are located or doing business.

Category 2:

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

The Redistricting Commission or the Chief of Staff 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 Commission's or Chief of Staff'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.