

RESOLUTION NUMBER R- 294189

ADOPTED ON NOV 20 2000

RESOLUTION ADOPTING A CONFLICT OF  
INTEREST CODE FOR THE NEIGHBORHOOD  
CODE COMPLIANCE DEPARTMENT.

WHEREAS, Government Code sections 87300 and 87302 require local agencies to adopt conflict of interest codes designating positions which involve the making or participation in making of decisions which may foreseeably have a material effect on financial interests, and for each position, the financial interests which are reportable; and

WHEREAS, the Neighborhood Code Compliance Department, which was formerly contained within the Community and Economic Development Department, has been renamed the Neighborhood Code Compliance Department, as a part of organizational changes resulting in the creation of Neighborhood Code Compliance as a separate entity; and

WHEREAS, the City Manager and City Attorney therefore recommend that a Conflict of Interest Code be adopted for the new Neighborhood Code Compliance Department; and

WHEREAS, the City Council concurs in this recommendation; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego that a Conflict of Interest Code for the Neighborhood Code Compliance Department is hereby adopted, consisting of standard language embodied in 2 California Code of Regulations section 18730, and any amendments to that regulation duly adopted by the Fair Political Practices Commission, Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories.

BE IT FURTHER RESOLVED, that a copy of the Neighborhood Code Compliance Department's Conflict of Interest Code as adopted be placed on file with the Office of the City Clerk as Document No. RR- 294189.


BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Neighborhood Code Compliance Department's Conflict of Interest Code shall file their statements of economic interest with the City Clerk.

BE IT FURTHER RESOLVED, that the statements of economic interest 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 this Conflict of Interest Code for the Neighborhood Code Compliance Department will supercede the portion of the Community and Economic Development Department's conflict of interest code pertaining to the former Code Compliance Department.

BE IT FURTHER RESOLVED, that the Conflict of Interest Code for the Neighborhood Code Compliance Department becomes effective upon the date of adoption of this resolution.

APPROVED: CASEY GWINN, City Attorney

By   
Lisa A. Foster  
Deputy City Attorney

LAF:jrl  
10/9/2000  
Or.Dept:NCCD  
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**APPENDIX A**

**NEIGHBORHOOD CODE COMPLIANCE DEPARTMENT  
DESIGNATED POSITIONS, DUTIES AND CATEGORIES**

POSITION	DUTIES	CATEGORY
Neighborhood Code Compliance Director	Policy guidance for the operating programs of the Neighborhood Code Compliance Department; including code writing, code interpretation and enforcement policy.	1
Housing and Code Enforcement Deputy Director	Administers the work programs for housing, building and noise code enforcement programs; including code interpretation, enforcement policy interpretation, and code writing.	1
Neighborhood Services Program Manager	Administers the work programs for the Land Development Code; code writing; code and policy interpretation; and enforcement policy formulation.	1
Graffiti Control Program Manager	Plans, directs and coordinates a comprehensive citywide Graffiti Control Program with education, enforcement and abatement components.	1
Community Service Center Manager	Manages individual Community Service Center; duties include community collaboration, interaction with City officials, provision of City services.	2
Senior Civil Engineer	Plan checking; code writing; code and policy interpretation; and enforcement policy formulation.	2
Consultants	As specified in contract.	4
Hearing Officers	Preside at administrative hearings to ensure due process is afforded; review appropriateness of penalties and administrative actions; issue subpoenas; and issue binding administrative enforcement orders.	3

DOCUMENT NO. RR-294189

FILED NOV 20 2000  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

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**APPENDIX B**  
**NEIGHBORHOOD CODE COMPLIANCE DEPARTMENT**  
**CONFLICT OF INTEREST CODE DISCLOSURE CATEGORIES**

**CATEGORY 1:**

- a. Investments and business positions in any business entity located in or doing business with the City of San Diego.
- b. Income and gifts from sources located in or doing business with 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.

**CATEGORY 2:**

- a. Investments and business positions in any firm or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.
- b. Income and gifts from any person or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City facilities.
- c. Interests in real property owned or used by any person or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.

**CATEGORY 3:**

All real property interests within the jurisdiction of the City of San Diego. Jurisdiction includes property within a two mile radius of the City limits.

**CATEGORY 4:**

“Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation: The Director or Deputy Director 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 Director 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.”

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## CERTIFICATION

The foregoing amendment to the Conflict of Interest Code was prepared by the City of San Diego Neighborhood Code Compliance Department after a fair opportunity was offered to the members of the Neighborhood Code Compliance Department to present their views.

8/21/00

Date

Marcia K. Samuel

Signature

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