

(R-2003-419)

RESOLUTION NUMBER 297319

ADOPTED ON NOV 18 2002

RESOLUTION ADOPTING THE REVISED
CONFLICT OF INTEREST CODE FOR THE
NEIGHBORHOOD CODE COMPLIANCE
DEPARTMENT

WHEREAS, by Resolution No. R-294189, adopted on November 20, 2000, the City Council approved the Neighborhood Code Compliance Department's Conflict of Interest Code, which was revised and updated following the required City-wide biennial review of all conflict of interest codes for which the City Council serves as code reviewing body; and

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

WHEREAS, Government Code section 87306 requires agencies to amend their conflict of interest codes whenever an amendment is necessitated by changed circumstances, including the creation of new positions which must be designated and relevant changes in the duties assigned to existing positions; and

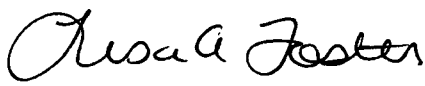
WHEREAS, the Neighborhood Code Compliance Department has proposed changes to Appendix A and Appendix B of that office's conflict of interest code to accurately reflect designated positions and appropriate disclosure categories; NOW, THEREFORE,

BE IT RESOLVED that the Neighborhood Code Compliance Department's proposed changes to Appendix A and Appendix B of that office's conflict of interest code are hereby approved and are incorporated into its conflict of interest code.

BE IT FURTHER RESOLVED that revised Appendix A and Appendix B to the
Neighborhood Code Compliance Department's Conflict of Interest Code be placed on file in the
Office of the City Clerk as Document No. RR- **297319**.

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

APPROVED: CASEY GWINN, City Attorney

By 
Lisa A. Foster
Deputy City Attorney

LAF:jab
09/23/2002
Or.Dept:NCCD
R-2003-419
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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, 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
Senior Civil Engineer	Plan checking; code and policy interpretation; and enforcement policy formulation.	2 & 3
Senior Zoning Investigator	Obligates and commits NCCD to courses of action to include administrative remedies. Advises and makes recommendations to decision makers. Performs investigations, analyses, research and exercises judgement with the intent to influence decisions. Makes decisions that may affect real estate interests.	2 & 3

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Zoning Investigator	Obligates and commits NCCD to courses of action to include administrative remedies. Advises and makes recommendations to decision makers. Performs investigations, analyses, research and exercises judgement with the intent to influence decisions. Makes decisions that may affect real estate interests.	2 & 3
Senior Combination Inspectors	Obligates and commits NCCD to courses of action to include administrative remedies. Advises and makes recommendations to decision makers. Performs investigations, analyses, research and exercises judgement with the intent to influence decisions. Makes decisions that may affect real estate interests.	2 & 3
Combination Inspector	Obligates and commits NCCD to courses of action to include administrative remedies. Advises and makes recommendations to decision makers. Performs investigations, analyses, research and exercises judgement with the intent to influence decisions. Makes decisions that may affect real estate interests.	2 & 3

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Senior Planner	Obligates and commits NCCD to courses of action to include administrative remedies. Advises and makes recommendations to decision makers. Performs investigations, analyses, research and exercises judgement with the intent to influence decisions. Makes decisions that may affect real estate interests.	2 & 3
Community Development Specialist	Obligates and commits NCCD to courses of action to include administrative remedies. Advises and makes recommendations to decision makers. Performs investigations, analyses, research and exercises judgement with the intent to influence decisions. Makes decisions that may affect real estate interests.	2 & 3
Code Compliance Supervisor	Obligates and commits NCCD to courses of action to include administrative remedies. Advises and makes recommendations to decision makers. Performs investigations, analyses, research and exercises judgement with the intent to influence decisions. Makes decisions that may affect real estate interests.	2 & 3

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Code Compliance Officers	Obligates and commits NCCD to courses of action to include administrative remedies. Advises and makes recommendations to decision makers. Performs investigations, analyses, research and exercises judgement with the intent to influence decisions. Makes decisions that may affect real estate interests.	2 & 3
Housing Advisory and Appeals Board Members	Obligates and commits NCCD to courses of action. Advises and makes recommendations to decision makers. Makes decisions that may affect real estate interests.	2 & 3
NCCD Volunteers with enforcement authority	Obligates and commits NCCD to courses of action to include administrative remedies. Advises and makes recommendations to decision makers. Performs investigations, analyses, research and exercises judgement with the intent to influence decisions. Makes decisions that may affect real estate interests.	2 & 3
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

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 position 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.”

R-297319

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 employees of the Neighborhood Code Compliance Department to present their views.

Marcia K. Scruebs

(Signature of Executive Officer)

8/8/02

Date