

164  
12/5  
12/05/06

RESOLUTION NUMBER R- 302213

DATE OF FINAL PASSAGE DEC 15 2006

RESOLUTION ADOPTING THE REVISED CONFLICT  
OF INTEREST CODE FOR THE REAL ESTATE ASSETS  
DEPARTMENT

WHEREAS, by Resolution No. R-297324, the City Council on November 18, 2002,  
adopted a revised Conflict of Interest Code for the Real Estate Assets Department; 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 that must be designated, and relevant changes in the duties assigned  
to existing positions; and

WHEREAS, the Real Estate Assets Department has proposed changes to its code to  
include all other divisions now under this Department, adding positions that had not been  
previously designated, removing positions previously designated but now appropriately included  
in other City departments' codes, and updating required filing categories for designated  
positions; NOW THEREFORE,

BE IT RESOLVED, that the Real Estate Assets Department's proposed changes to  
Appendix A and Appendix B of that department's Conflict of Interest Code are hereby approved  
and incorporated into its Conflict of Interest Code.

BE IT FURTHER RESOLVED, that revised Appendix A and Appendix B to the Conflict of Interest Code for the Real Estate Assets Department be placed on file in the Office of the City Clerk as Document No. RR- 302213.

BE IT FURTHER RESOLVED, that the revised Conflict of Interest Code for the Real Estate Assets Department shall become effective on the date of final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Sharon B. Spivak  
Sharon B. Spivak  
Deputy City Attorney

SBS:als  
11/21/06  
Or.Dept: Real Estate Assets  
R-2007-493

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC - 5 2006.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 12.15.06  
(date)

[Signature]  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

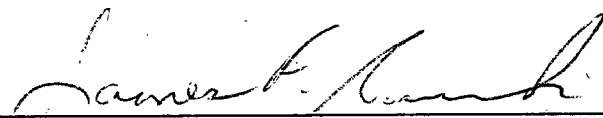
\_\_\_\_\_  
JERRY SANDERS, Mayor

## CERTIFICATION

The foregoing amendment to the Conflict of Interest Code was prepared by the City of

San Diego's REAL ESTATE ASSETS DEPARTMENT (READ)  
(name of department/agency/board)

after a fair opportunity was offered to the members of the department/agency/board to present their views.

  
\_\_\_\_\_  
(signature of executive officer)

JAMES F. BARWICK, DIRECTOR, READ

8/3/06

(date)

DOCUMENT NO. RR-302213  
FILED DEC 05 2006  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

**REAL ESTATE ASSETS DEPARTMENT  
CONFLICT OF INTEREST CODE**

**APPENDIX A  
DESIGNATED POSITIONS, DUTIES, AND CATEGORIES**

POSITION	DUTIES	CATEGORY
<b>Real Estate Assets</b>		
Department Director	Directs the activities of the Real Estate Assets Department which encompasses negotiations for acquisition, lease, disposal and valuation of real property interests; relocation assistance airport operations.	1, 2, 3
Deputy Director, READ	Administers departmental policies and programs involving negotiations for acquisition, lease and disposal of real property interests, appraisal and relocation assistance activities, and acts for Real Estate Assets Director in his absence. Approves or recommends financial decisions concerning consultant services relating to divisional needs.	1
Deputy Director, Airports	Administers departmental policies and programs involving negotiations for acquisition, lease and disposal of real property interests, appraisal and relocation assistance activities, and acts for Real Estate Assets Director in his absence. Plans, directs development and operation of municipal airports. Approves or recommends financial decisions concerning consultant services relating to divisional needs.	1, 2
Supervising Property Agent	Supervises negotiations by subordinate Property Agents and negotiates with special clients in the area of acquisition, lease, disposition of real property interest, and relocation assistance; makes and reviews appraisals in connection with real property transactions.	1, 2
Management Trainee Assistant Property Agent Association Property Agent Property Agent	Negotiates for acquisition; disposal and lease of real property interest; makes and reviews appraisals in connection with real property transactions; provides relocation assistance.	1
<b>Airports</b>		
Airport Operations Manager	Manages and operates a municipal airport, controls operations and maintenance of physical facilities and equipment.	2
Noise Abatement Officer	Manages noise abatement program at municipal airport. Controls operation and maintenance of physical facilities and equipment.	2
Senior Civil Engineer	Approves or recommends financial decisions concerning consultant services related to CIP projects. Approves or recommends approval of plans and specification of CIP projects and approves or recommends engineering plans for private projects within the Airport.	2
<b>Qualcomm Stadium</b>		
Stadium Manager	Oversees and directs the operation of the stadium which includes: conducting lease and rental negotiations, administering contracts; performing promotional activities; supervising maintenance forces, and coordinating event preparation. Responds to inquiries from City Council, Mayor, and citizens; and coordinates City events and activities at Qualcomm Stadium.	3

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POSITION	DUTIES	CATEGORY
PETCO Park		
Ballpark Administrator	Serves as the City's liaison to PETCO Park; administers the agreement between the City and San Diego Padres; responds to inquiries from City Council, Mayor, and citizens; and coordinates City events and activities at PETCO Park.	3
Consultants	As stated in contract. See Appendix B.	4

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**REAL ESTATE ASSETS DEPARTMENT**  
**CONFLICT OF INTEREST CODE**

**APPENDIX B**  
**DISCLOSURE CATEGORIES**

**CATEGORY 1**

Report all real property in the City of San Diego or within a two-mile radius of its boundaries (except place of principal residence), in which employee has an equity or secured creditor's interest or in which employee has a decision making capacity with respect to the management, use or disposition of that real property.

Report all investments, business positions or sources of income or gifts from:

- Persons or entities negotiating with the City for purchase, lease, use, or sale of public or real property.
- Persons or entities which provide services, supplies, materials, or equipment used by the department.
- Persons or entities which engage in land development, construction, management, or acquisition or sale of real property.

Report all reportable investments, business positions, income and gifts from sources located in or doing business in the City of San Diego, that supply goods or services to the City of San Diego or are granted authority by the City of San Diego to use City facilities.

**CATEGORY 2**

- Report all real and investment property interests, business positions and all interests in income or gifts from firms contracting for airport services or supplies with the City of San Diego.

**CATEGORY 3**

- 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.
- 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 to use City facilities.
- 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 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 Department Director, Deputy Director, Airport Operations Manager or Mayor 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. This 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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Passed by the Council of The City of San Diego on DEC 05 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 15 2006

AUTHENTICATED BY:

(Seal)

JERRY SANDERS  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Mary Zimmerman*, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R-302213