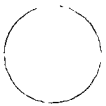


1165



12/5

RESOLUTION NUMBER R- **302214**

DATE OF FINAL PASSAGE DEC 15 2006

RESOLUTION ADOPTING THE REVISED CONFLICT OF INTEREST CODE FOR THE COMMISSION FOR ARTS AND CULTURE

WHEREAS, by Resolution No. R-294180, the City Council on November 20, 2000, adopted a revised Conflict of Interest Code for the Commission for Arts and Culture; 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

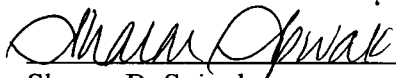
WHEREAS, the Commission for Arts and Culture has proposed changes to its code to include new positions which had not been previously designated and to revise the required filing categories for each designated position; NOW THEREFORE,

BE IT RESOLVED, that the Commission for Arts and Culture's proposed changes to Appendices A and B of the codes for the department and its Board are hereby approved and incorporated into its Conflict of Interest Code.

BE IT FURTHER RESOLVED, that the revised Appendices A and B to the Conflict of Interest Code for the Commission for Arts and Culture and its Board be placed on file in the Office of the City Clerk as Document No. RR- **302214**

BE IT FURTHER RESOLVED, that the revised Conflict of Interest Code for the Commission for Arts and Culture and its Board shall become effective on the date of final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Sharon B. Spivak  
Deputy City Attorney

SBS:als  
11/24/06  
Or.Dept: Arts & Culture  
R-2007-511

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   
Deputy City Clerk

Approved: 12-15-06  
(date)

  
JERRY SANDERS, Mayor

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

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

R- 302214

# CERTIFICATION

The foregoing amendment to the Conflict of Interest Code was prepared by the City of San Diego's Commission for Arts and Culture  
(name of department/agency/board) after a fair opportunity was offered to the members of the department/agency/board to present their views.

Joyce M. Gattas  
(signature of executive officer)

8-18-06  
(date)

DOCUMENT NO. RR-302214

FILED DEC 05 2006  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

**COMMISSION FOR ARTS AND CULTURE  
CONFLICT OF INTEREST CODE  
APPENDIX A - DESIGNATED POSITIONS**

<b><u>POSITION</u></b>	<b><u>DUTIES</u></b>	<b><u>CATEGORY</u></b>
<b>Executive Director</b>	Manages all aspects of the department.	1, 2, 3, 4
<b>Program Manager</b>	Assists the Executive Director with all phases of the Organizational Support Program and Creative Communities San Diego allocations process; sitting on boards and committees as required; policy and procedure development; prepare and review various reports; provides research, analysis and direction in the development of special initiatives including the implementation of feasibility studies, recommendation of policies and procedures, budgets, marketing strategies and evaluation processes; develop and implement technical assistance and capacity building programs; assist in the coordination and management of cultural planning efforts focusing on arts education, folk and traditional arts and cultural tourism.	1, 2, 3, 4
<b>Arts Management Associate</b>	Assists the Program Manager with all phases of the Organizational Support Program and Creative Communities San Diego allocations process; sitting on boards and committees as required; policy and procedure development; prepare and review various reports; provides research, analysis and direction in the development of special initiatives including the implementation of feasibility studies, recommendation of policies and procedures, budgets, marketing strategies and evaluation processes; develop and implement technical assistance and capacity building programs; assist in the coordination and management of cultural planning efforts focusing on arts education, folk and traditional arts and cultural tourism.	1, 2, 3, 4
<b>Public Art Program Administrator</b>	Assists the Executive Director with administering the Public Art Program. Duties include planning and coordinating all phases of artist selection, design, fabrication and installation for public art projects; developing and executing policies related to public art; supervising program staff; ensuring compliance with the policy for art in public projects and the ordinance for art in private projects; negotiating and administering contracts for artists; serving as a liaison between artists, art organizations, the general public, and the Commission for Arts and Culture; making presentations to civic groups, government agencies, and the arts community; preparing grant proposals, reports, and correspondence; and performing other administrative duties as assigned.	1, 2, 3, 4

L-302214

<b>Public Art Project Coordinator</b>	Assists the Public Art Program Administrator with administering the Public Art Program. Duties include planning and coordinating all phases of artist selection, design, fabrication and installation for public art projects; developing and executing policies related to public art; supervising program staff; ensuring compliance with the policy for art in public projects and the ordinance for art in private projects; negotiating and administering contracts for artists; serving as a liaison between artists, art organizations, the general public, and the Commission for Arts and Culture; making presentations to civic groups, government agencies, and the arts community; preparing grant proposals, reports, and correspondence; and performing other administrative duties as assigned.	1, 2, 3, 4
<b>Consultants</b>	As specified in contract.	5

R- 302214

**COMMISSION FOR ARTS AND CULTURE  
CONFLICT OF INTEREST CODE  
APPENDIX B – DISCLOSURE CATEGORIES**

1. All reportable investments or business positions in any firm, entity for-profit or nonprofit organization which receives funding through participation in the funding process established and administered by the Commission which is a tenant of the City of San Diego, which is granted authority by the City of San Diego to use City facilities or any such organization which has in the reporting period received any such funding or use of City facilities or has indicated its intent orally and/or in writing to the Commission to participate in such funding process in the future.
2. All reportable interests in real property owned or used by any firm, entity or nonprofit-organization which receives funding through participation in the funding process established and administered by the Commission which is a tenant of the City of San-Diego, or which is granted authority by the City of San Diego to use City facilities or any such organization which has in the reporting period received any such funding or use of City facilities, or has indicated its intent orally and/or in writing to the Commission to participate in such funding process in the future.
3. All reportable income, loans or gifts from any firm, entity or nonprofit organization which receives funding through participation in the funding process established and administered by the Commission, which is a tenant of the City of San Diego, which is granted authority by the City of San Diego to use City facilities or any such organization which has in the reporting period received any such funding or use of City facilities, or has indicated its intent orally and/or in writing to the Commission to participate in such funding process in the future.
4. All decision-making positions in any firm, entity or nonprofit organization (including, without limitation, positions as an officer or member of the governing body of such firm, entity or nonprofit organization) which receives funding through participation in the funding process established and administered by the Commission, which is a tenant of the City of San Diego, or which is granted authority by the City of San Diego to use City facilities, or any such organization which has in the reporting period received any such funding or use of City facilities, or has indicated its intent orally and/or in writing to the Commission to participate in such funding process in the future.
5. 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 Executive 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 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.

*R* 302214

# APPENDIX A

## CONFLICT OF INTEREST CODE

### CITY OF SAN DIEGO COMMISSION FOR ARTS AND CULTURE BOARD

#### DESIGNATED POSITIONS

<u>POSITION</u>	<u>DUTIES</u>	<u>CATEGORY</u>
<b>Chair</b>	Appointed by the Mayor. Presides over all Commission meetings, Executive Committee meetings, serves as ex-officio member of all committees, and works closely with the Executive Director in areas of planning and advocacy of Commission programs and policies.	1, 2, 3, 4
<b>Board Members</b>	Appointed by Mayor and City Council. Commissioners serve as links between the public and private sectors in San Diego, vitalizing the City by supporting the region's cultural assets, integrating arts and culture into community life and showcasing San Diego as an international tourist destination. Commissioners are expected to attend regular monthly Commission meetings and report to the Mayor and Council on an as-needed basis, but not less than one time per year.	1, 2, 3, 4
<b>Consultants</b>	As specified in contract.	5

R- 302214

## APPENDIX B

### CONFLICT OF INTEREST CODE CITY OF SAN DIEGO COMMISSION FOR ARTS AND CULTURE BOARD DISCLOSURE CATEGORIES

1. All reportable investments or business positions in any firm, entity for-profit or nonprofit organization which receives funding through participation in the funding process established and administered by the Commission which is a tenant of the City of San Diego, which is granted authority by the City of San Diego to use City facilities or any such organization which has in the reporting period received any such funding or use of City facilities or has indicated its intent orally and/or in writing to the Commission to participate in such funding process in the future.
2. All reportable interests in real property owned or used by any firm, entity or nonprofit-organization which receives funding through participation in the funding process established and administered by the Commission which is a tenant of the City of San-Diego, or which is granted authority by the City of San Diego to use City facilities or any such organization which has in the reporting period received any such funding or use of City facilities, or has indicated its intent orally and/or in writing to the Commission to participate in such funding process in the future.
3. All reportable income, loans or gifts from any firm, entity or nonprofit organization which receives funding through participation in the funding process established and administered by the Commission, which is a tenant of the City of San Diego, which is granted authority by the City of San Diego to use City facilities or any such organization which has in the reporting period received any such funding or use of City facilities, or has indicated its intent orally and/or in writing to the Commission to participate in such funding process in the future.
4. All decision-making positions in any firm, entity or nonprofit organization (including, without limitation, positions as an officer or member of the governing body of such firm, entity or nonprofit organization) which receives funding through participation in the funding process established and administered by the Commission, which is a tenant of the City of San Diego, or which is granted authority by the City of San Diego to use City facilities, or any such organization which has in the reporting period received any such funding or use of City facilities, or has indicated its intent orally and/or in writing to the Commission to participate in such funding process in the future.
5. 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 Executive 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 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.

R- 302214



DEC 05 2006

Passed by the Council of The City of San Diego on \_\_\_\_\_, 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"/>

DEC 15 2006

Date of final passage \_\_\_\_\_

AUTHENTICATED BY:

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By Mary Zumbado, Deputy

Office of the City Clerk, San Diego, California

Resolution Number

R-302214