

RESOLUTION NUMBER R-305548

DATE OF FINAL PASSAGE JAN 11 2010

RESOLUTION ADOPTING A CONFLICT OF INTEREST  
CODE FOR COMMUNITY PARKING DISTRICT ADVISORY  
BOARDS

WHEREAS, Community Parking Districts are authorized by City Council Policy 100-18,  
which allows communities, with the approval of the City Council, to implement parking  
solutions in neighborhoods that face serious parking challenges; and

WHEREAS, in compliance with Council Policy 100-18, the City Council has created six  
Community Parking Districts as follows:

<u>District</u>	<u>Date Created</u>	<u>Resolution</u>
Centre City	December 2, 1997	R-289520
Uptown	December 2, 1997	R-289521
Mid-City	December 2, 1997	R-289522
Old Town	June 27, 2005	R-300584
Pacific Beach	June 27, 2005	R-300585
La Jolla	June 27, 2005	R-300586;

and

WHEREAS, Council Policy 100-18 allows each Community Parking District to retain  
45 percent of the parking meter revenues collected within its boundaries and to allocate those  
funds as set forth in plans submitted to and approved by the City Council; and

WHEREAS, the resolutions referenced above established boundaries for the Community  
Parking Districts, with maps for each district on file with the City Clerk; and

WHEREAS, each Community Parking District has an Advisory Board responsible for proposing the annual plans for the districts, managing district funds, and fulfilling the community's parking goals; and

WHEREAS, Government Code sections 87300 and 87302 require local agencies to adopt conflict of interest codes designating positions that 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 California Fair Political Practices Commission has issued an opinion determining that members of the Advisory Boards for the Community Parking Districts have decision making authority sufficient to require them to file statements of economic interest (Form 700 of the Fair Political Practices Commission) under a conflict of interest code to be adopted by the City Council; and

WHEREAS, the Office of the City Attorney has proposed a conflict-of-interest code to meet the requirements of the FPPC opinion and the Political Reform Act, taking into account the specific duties of such Advisory Boards; and

WHEREAS, the City Attorney recommends that a conflict of interest code be adopted, subject to City Council approval, requiring members of the Community Parking District Advisory Boards to file Statements of Economic Interests; and

WHEREAS, the City Council concurs that a Conflict of Interest Code be adopted for the Community Parking District Advisory Boards; and

WHEREAS, as the City's code-reviewing body, the City Council finds it in the public interest to adopt the standard conflict of interest code promulgated by the California Fair

Political Practices Commission [FPPC] in Regulation 18730, and hereby declares its intention to incorporate by reference the terms of FPPC Regulation 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, Government Code section 87303 provides that when a proposed conflict of interest code or amendment is approved by the code-reviewing body, it shall be deemed adopted, and, accordingly, this resolution is not subject to veto by the Mayor; NOW THEREFORE,

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

BE IT FURTHER RESOLVED, that a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Community Parking District Advisory Boards as adopted be placed on file in the Office of the City Clerk as Document No. RR- 305548 .

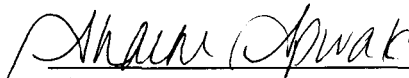
BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Conflict of Interest Code for the Community Parking District Advisory Boards shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political Practices Commission Regulation 18730, or any amendments thereto, which set forth the deadlines for the filing of initial statements, assuming office statements, annual statements and leaving office statements.

BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Conflict of Interest Code for the Community Parking District Advisory Boards for La Jolla, Old Town and Pacific Beach shall also file statements of economic interest with the City Clerk as required by Government Code section 87302.6 for years in which they served on the boards back to 2005.

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 the Conflict of Interest Code for the Community Parking District Advisory Boards becomes effective upon the date of adoption of this resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Sharon B. Spivak  
Deputy City Attorney

SBS:lkj  
10/20/09  
01/11/10 REV.  
Or.Dept:City Attorney