

RESOLUTION NUMBER R- 306335

DATE OF FINAL PASSAGE NOV 16 2010

RESOLUTION ADOPTING AN AMENDED CONFLICT OF INTEREST CODE FOR THE SAN DIEGO CONVENTION CENTER CORPORATION

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, in compliance with Government Code section 87306.5, the City is in the midst of a required City-wide biennial review of all conflict of interest codes for which the City Council serves as code-reviewing body; and

WHEREAS, by Resolution R-305874 (adopted by the City Council on May 25, 2010), the City Council directed every City department, agency, board and commission for which the City Council serves as code-reviewing body to make biennial reports and to update their conflict of interest codes as necessary; 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, by Resolution No. R-304412, the City Council on November 18, 2008 approved an amended Conflict of Interest Code for the San Diego Convention Center Corporation; and

WHEREAS, the San Diego Convention Center Corporation now seeks to amend its conflict of interest code, to delete a reference to the abolished position of Vice-President and General Counsel in the filing instructions, and to clarify the appropriate location for filing the Statement of Economic Interests to conform to the Corporation's actual practice, as reflected in its code; 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 San Diego Convention Center Corporation 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 San Diego Convention Center Corporation as adopted be placed on file in the Office of the City Clerk as Document No. RR- 306335 .

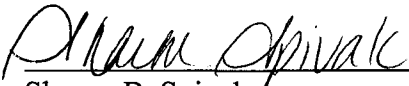
BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Conflict of Interest Code for the San Diego Convention Center Corporation shall file their

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 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 San Diego Convention Center Corporation becomes effective upon the date of adoption of this resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

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

SBS:als  
11/03/10  
Or.Dept: S.D. Convention Center Corp.

CONFLICT OF INTEREST CODE  
OF  
SAN DIEGO CONVENTION CENTER CORPORATION, INC.  
as amended July 30, 2010

RECEIVED  
CITY CLERK'S OFFICE  
10 SEP -9 AM 11:06  
SAN DIEGO, CALIF.

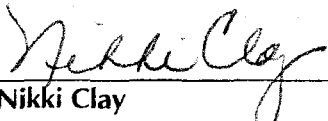
1. **Standard Code of FPPC** The Political Reform Act of 1974 (Government Code section 81000, et seq.) requires each state and local government agency to adopt and promulgate a conflict of interest code. San Diego Convention Center Corporation, Inc. has heretofore adopted such a code. This code applies to the San Diego Convention Center Corporation, Inc. and its subsidiary, San Diego Theatres, Inc. The Fair Political Practices Commission (FPPC) has promulgated a regulation (2 Cal. Code of Reg. § 18730) which contains the terms of a standard conflict of interest code and can be incorporated by reference as an agency's code. After public notice and hearing the regulation may be amended by the FPPC to conform to amendments in the Political Reform Act.

2. **Adoption of Standard Code of FPPC** The terms of Title 2, California Code of Regulations, Section 18730 and any future amendments thereto duly adopted by the FPPC are hereby incorporated by reference. This regulation and the Appendices attached hereto designating officials and employees and establishing disclosure categories shall constitute the Conflict of Interest Code of San Diego Convention Center Corporation, Inc. This code shall take effect when approved by the City of San Diego and shall thereupon supersede all prior codes adopted by San Diego Convention Center Corporation, Inc.

3. **Filing of Statements of Economic Interests**

Pursuant to Section 4 of the standard code, persons holding the positions designated in **Appendix A**, attached hereto, shall file statements of economic interests with the Clerk of the City of San Diego. The statements of economic interests must disclose investments and business positions, income and gifts, and interests in real property in accordance with the filer's disclosure category (set forth in Appendix A) and the disclosure requirements listed in **Appendix B**, attached hereto. Members of the Board of Directors shall be responsible for filing their statements with the City Clerk, but may also provide the statements to the Office of the President & CEO (Executive Offices), who will make and retain copies and forward the originals to the City Clerk if provided with the statements in advance of the filing deadline. Employees and consultants shall file their statements with the corporation's Executive Offices, who shall make and retain copies and forward the originals of these statements to the City Clerk.

**Adopted** by the Board of Directors of San Diego Convention Center Corporation, Inc. on July 30, 2010..

  
\_\_\_\_\_  
Nikki Clay  
Secretary-Treasurer

**CERTIFICATION**

The foregoing to the Conflict of Interest Code was prepared by San Diego Convention Center Corporation, Inc. after a fair opportunity was offered to all employees and officials designated herein to present their views.

Dated:   
\_\_\_\_\_  
Carol C. Wallace  
President and Chief Executive Officer

DOCUMENT NO. PR-306335  
FILED NOV 16 2010  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

**APPENDIX A**  
**Jurisdiction, Designated Positions and Disclosure Categories**

**Jurisdiction**

The jurisdiction applicable to those persons required to file Statements of Economic Interest pursuant to this Conflict of Interest Code is as follows:

- For directors, employees and consultants of the San Diego Convention Center Corporation the jurisdiction is the San Diego Convention Center
- For directors, employees and consultants of San Diego Theatres, Inc. jurisdiction includes the Civic Theatre and Balboa Theatre

**Designated Positions/Disclosure Categories**

The following designated positions are required to disclose economic interests according to the categories assigned.

<b><i>Position</i></b>	<b><i>Disclosure Category</i></b>
Officer or Member of Board of Directors	Category 1
Ex-Officio Member of Board of Directors	Category 3
President and Chief Executive Officer	Category 1
Executive Vice President, Sales and Marketing	Category 2
Senior Vice President, Sales and Marketing	Category 2
Vice President, Finance	Category 1
General Manager	Category 2
Vice President, Human Resources/Labor Relations	Category 2
Vice President, Public Affairs	Category 2
Procurement Manager	Category 3
President and Chief Executive Officer – San Diego Theatres, Inc.	Category 1
Consultants	Category 4

**APPENDIX B**  
**Disclosure Categories**

**Category 1:** You must disclose:

- Investments and business positions in business entity doing business with the San Diego Convention Center Corporation or San Diego Theatres, Inc. or providing any type of goods and services to meeting planners, conventions, trade shows, consumer shows, theatrical producers, or any other business that uses the Convention Center, Convention and Performing Arts Center, the Civic Theatre, the Balboa Theatre or any similar meeting facility.
- Income and gifts from any source doing business with or who is a party to a contract with the San Diego Convention Center Corporation or San Diego Theatres Inc.
- Interest in real property located within a two (2) mile radius of the San Diego Convention Center, the Civic Theatre, Balboa Theatre, and any other real property owned, used or operated by the San Diego Convention Center Corporation or San Diego Theatres, Inc.

**Category 2:** You must disclose:

- Investments and business positions in any entity doing business with the San Diego Convention Center Corporation or San Diego Theatres, Inc. or providing any type of goods and services to meeting planners, conventions, trade shows, consumer shows, theatrical producers, or any other business that uses the Convention Center, Convention and Performing Arts Center, the Civic Theatre, Balboa Theatre or any similar meeting facility.
- Income and gifts from any source doing business with or who is a party to a contract with the San Diego Convention Center Corporation or San Diego Theatres Inc.

**Category 3:** You must disclose

- Investments and business positions in any firm that supplies goods or services to the San Diego Convention Center Corporation or San Diego Theatres, Inc.
- Income and gifts from any person or business entity that supplies goods or services the San Diego Convention Center Corporation or San Diego Theatres, Inc.

**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 President may determine in writing that a particular consultant, although a "designated filer", 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 President'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.