

RESOLUTION NUMBER R- 315923

DATE OF FINAL PASSAGE DEC 09 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO ADOPTING AN AMENDED CONFLICT OF
INTEREST CODE FOR THE CITY PLANNING
DEPARTMENT.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. California Government Code (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 an individual's financial interests, and for each position, the financial interests which are reportable.

B. In compliance with Government Code section 87306.5, the City of San Diego (City) is conducting a required City-wide biennial review of all conflict of interest codes for which the Council serves as the code-reviewing body.

C. By San Diego Resolution R-315625 (Jun. 11, 2024), the Council directed every City department, agency, board, and commission for which the Council serves as code-reviewing body to make biennial reports and to update their conflict of interest codes, as necessary.

D. As the City's code-reviewing body, the 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 adopted by the FPPC, as part of each conflict of interest code for which the Council has responsibility.

E. By Resolution No. R-314495 (Dec. 6, 2022), the Council approved an amended Conflict of Interest Code for the Planning Department.

F. By San Diego Ordinance O-21836 (Jul. 22, 2024), the Council renamed the Planning Department as the City Planning Department.

G. The City Planning Department now seeks to amend its conflict of interest code to amend the department name, delete positions, add new positions, and revise the titles and duties of existing positions, all as detailed in Appendix A, and revise disclosure categories in Appendix B.

H. The Office of the City Attorney prepared this Resolution based on the information provided by City staff, with the understanding that this information is complete and accurate.

I. 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.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council adopts the Conflict of Interest Code for the City Planning Department, consisting of standard language in title 2, section 18730 of the California Code of Regulations, and any amendments to that regulation adopted by the Fair Political Practices Commission, with Appendix A identifying the designated positions and their duties, and Appendix B identifying the applicable disclosure categories.

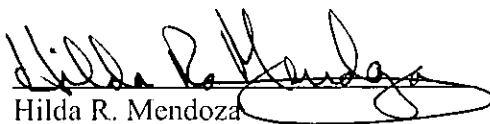
2. A copy of Appendix A and Appendix B to the Conflict of Interest Code for the City Planning Department, as adopted, will be placed on file in the Office of the City Clerk as Document No. RR- 315923.

3. The persons whose positions are designated in the Conflict of Interest Code for the City Planning Department 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.

4. The statements of economic interest filed by designated persons will be retained by the Office of the City Clerk and will be made available for public inspection and reproduction.

5. The Conflict of Interest Code for the City Planning Department becomes effective upon the date of adoption of this Resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Hilda R. Mendoza
Senior Deputy City Attorney

HRM:nja
09/25/24
Or. Dept: City Planning
Doc. No.: 3807983

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on DEC 09 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

**CITY PLANNING DEPARTMENT
CONFLICT OF INTEREST CODE: APPENDIX A
DESIGNATED POSITIONS, DUTIES AND CATEGORIES**

POSITION	DUTIES	CATEGORY
	MANAGEMENT	
Director	Oversees direction and operations of the City Planning Department. Advises Mayor, Council, and Planning Commission on City long range planning issues; land development code updates, Development Impact Fees; CEQA and environmental policy; housing policy; park planning; historic policy and planning; Multiple Species Conservation Program; and land use policy and ordinance matters. Interfaces with professional organizations and groups on urban design and land use planning. Designs, plans, assigns, and supervises the work of managerial and professional employees.	1
	COMMUNITY PLANNING AND HOUSING	
Deputy Director	Administers work program for the Community Planning & Housing Division; provides policy guidance for community and land use planning issues; sets priorities and reviews major projects for the community planning process; sets priorities for land development code updates and housing policy.	1
Program Manager	Administers work program, policy formulation, writing staff reports which include making recommendations to decisionmakers. Manages Department services and functions.	1
Principal Planner	Manages policy and ordinance development for the Municipal Code and policy documents; prepares staff reports which includes recommendations to decisionmakers; coordinates technical approaches across multiple community and land-use planning projects; manages development project review and coordination with customers; acts as liaison with other departments and agencies; and makes presentations to community groups and advisory bodies and supervises staff.	2

Senior Planner	Manages community plan updates and amendments, land use policy, and regulation initiatives. Reviews development projects as part of a multi-discipline team with DSD reviewing staff, works with Grants coordinator, obtains funding, oversees project, and coordinates the work with consultants, and other departments and agencies. Engages with the public for meaningful and inclusive public engagement.	2
ENVIRONMENTAL POLICY & PUBLIC SPACES		
Deputy Director	Administers work program for the Environmental Policy & Public Spaces Division, provides policy guidance including citywide California Environmental Quality Act (CEQA) policy and environmental review, the Climate Resiliency section, Multiple Species & Conservation Program (MSCP), Heritage Preservation Planning section, Public Spaces section (including Development Impact Fees), and Parks Planning section, as well as review of all community plan updates and other planning projects and plans.	1
Assistant Deputy Director	Administers Public Spaces, Parks Planning, Infrastructure Planning and Heritage Preservation work programs, policy formulation, writing staff reports which include making recommendations to decisionmakers. Manages specified Division services and functions.	1
Program Manager	Administers work program, policy formulation, writing staff reports which include making recommendations to decisionmakers. Manages program services and functions.	1
Principal Planner	Manages policy and ordinance and development for the Municipal Code and policy documents; prepares staff reports which includes recommendations to decisionmakers; provides input into the capital improvement program and budget process; manages development project review and coordination with customers; acts as liaison with other departments and agencies; and makes presentations to community groups and advisory bodies and supervises staff.	2

Park Designer	Manages parks planning projects, amendments to park policies and plans, and reviews land acquisition requests for parks.	2
Senior Civil Engineer	Provides engineering support to the department in the negotiation and implementation of developer reimbursement agreements, performing and reviewing CIP projects cost estimates, project cost verifications, and coordination of consultant contracts.	2
Senior Planner	Depending upon area of assignment, Senior Planners may review City initiatives for compliance with the California Environmental Quality Act, assist in the management of the City's Biodiverse (MSCP) Program, Heritage Preservation Planning Program, or Climate Resiliency Program, and assist in the development and management of the City's Public Spaces program, which includes development impact fees. Other responsibilities include supervising staff, reviewing development projects as part of a multi-discipline team with DSD reviewing staff and working with the Grants coordinator, obtaining funding, overseeing projects, and coordinating the work with consultants, other departments and agencies. Engages with the public for meaningful and inclusive public engagement.	2
	COMMUNITY ENGAGEMENT, WORK CULTURE & OPERATIONS	
Deputy Director	Administers work program for the Community Engagement, Work Culture & Operations Division including equitable public engagement initiatives, fiscal and administrative operations, mapping (GIS) and information technology; provides policy guidance, directs the delivery of all operational and support services that enable implementation of the department's core activities, services, and work program.	1
Program Manager	Administers work program, policy formulation, writing staff reports which include making recommendations to decisionmakers. Manages Program services and functions.	1

Program Coordinator	Manages Fiscal and Administrative Services section. Manages the development and monitoring of the department's budgets and appropriations of developer impact funds to public infrastructure projects (CIP). Manages the department's procurement, payroll, and support services operations. Or, manages the Mapping and IT Services section including the development and testing of new technologies, coordination of GIS spatial analyses and map production. Or, manages public engagement, community planning groups, and other collaborative relations with stakeholders.	1
Senior Planner	Manages public engagement plans and public education campaigns for Department initiatives, including overseeing consultant work and coordinating with other Departments and agencies and supervises staff. Communicates with community stakeholders to explain Department initiatives and seek input on how they can best meet the needs of community members. Engages with the public for meaningful and inclusive public engagement.	2
Supervising Management Analyst	Supervises the development and monitoring of the departments operating budgets and fiscal transaction; supervises payroll; supervises the appropriation and disbursement of development impact fee funds and Supervises staff.	2
Information Systems Analyst IV	Supervises innovation and information technology personnel and serves as a liaison between departments on IT matters, and works with IT vendors on contracts and payment processing including review of all IT procurement related invoices.	2
Geographic Information Systems Analyst IV	Supervises the GIS personnel and serves as a liaison between departments and agencies on GIS matters, and works with vendors on contracts, development, testing, integration, and payment processing.	2
	CONSULTANTS / NEW POSITIONS	
	Refer to Disclosure Category section (Appendix B) for consultants/new positions.	

**Conflict of Interest Code
CITY PLANNING
DEPARTMENT CONFLICT
OF INTEREST CODE
APPENDIX B
DISCLOSURE CATEGORIES**

<u>CATEGORY 1:</u>	
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.
<u>CATEGORY 2:</u>	
a)	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.
b)	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.
c)	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.
d)	For purposes of this category, any person or business entity means any construction firm, building supply firm, real estate or land development firm, architectural or engineering firm, land use data services firm, property information retrieval firm, geological services firm or financial institution doing business in or with the City of San Diego, or having the potential of doing business with the City of San Diego.

<u>CATEGORY 3:</u>	
a)	<p>Consultants/New Positions 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:</p> <p>The Director or Deputy Directors may determine in writing that a particular consultant or new position, 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 documentation shall include a description of the consultant’s or new position’s duties and based upon that description a statement of the extent of disclosure requirements. The Director’s 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.</p>

Passed by the Council of The City of San Diego on DEC 09 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 09 2024.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

(Seal)

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California
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