

REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO		1. CERTIFICATE NUMB (FOR AUDITOR'S US) 140 11/18					
001651							
TO: CITY ATTORNEY	2. FROM (ORIGINATING DEPARTMENT): San Diego Convention Center Corporation	3. DATE: August 22, 2008					
4. SUBJECT: CONFLICT OF INTEREST CODE FOR SAN DIEGO CONVENTION CENTER CORPORATION							
5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.) Beatrice W. Kemp, (619) 525-5130	6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.) Pat Evans, (619) 525-5131	7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <input checked="" type="checkbox"/>					
8. COMPLETE FOR ACCOUNTING PURPOSES							
FUND		9. ADDITIONAL INFORMATION / ESTIMATED COST:					
DEPT.							
ORGANIZATION							
OBJECT ACCOUNT							
JOB ORDER							
C.I.P. NUMBER							
AMOUNT							
10. ROUTING AND APPROVALS							
ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	<i>Beatrice Kemp</i>	8/25/08	8	DEPUTY CHIEF		
2				9	COO		
3				10	CITY ATTORNEY	<i>Sharon Opriak</i>	10/14/08
4	CFO			11	ORIG. DEPT	<i>Beatrice Kemp</i>	10-28-08
5					DOCKET COORD:	COUNCIL LIAISON	
6				<input checked="" type="checkbox"/>	COUNCIL PRESIDENT	<input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION	
7					<i>W</i>	<input type="checkbox"/> REFER TO:	COUNCIL DATE: 11/18/08
11. PREPARATION OF: <input checked="" type="checkbox"/> RESOLUTIONS <input type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S)							
Adopting the revised Conflict of Interest Code for San Diego Convention Center Corporation							
11A. STAFF RECOMMENDATIONS: Approve the revised Conflict of Interest Code and appendices as submitted.							
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)							
COUNCIL DISTRICT(S): All							
COMMUNITY AREA(S): Citywide							
ENVIRONMENTAL IMPACT: N/A							
HOUSING IMPACT: N/A							
OTHER ISSUES: NONE							

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: REPORT NO.:
ATTENTION: City Council
ORIGINATING DEPARTMENT: San Diego Convention Center Corporation
SUBJECT: BIENNIAL REVIEW: CONFLICT OF INTEREST CODES
COUNCIL DISTRICT(S): N/A
STAFF CONTACT: Beatrice W. Kemp, (619) 525-5130

REQUESTED ACTION: Resolution

STAFF RECOMMENDATION:
Pass Resolution

EXECUTIVE SUMMARY:

This revision is intended to conform to Government Code Section 87305.5 requiring a biennial review and update of local conflict of interest codes as reflected in City Council Resolution No. R-303718 adopted on May 20, 2008. The San Diego Convention Center Corporation's code has been revised to:

- (1) Revise Appendix A to include "Balboa Theatre" in the jurisdiction section;
- (2) Added the position of "Senior Vice President, Sales and Marketing;"
- (3) Deleted the positions of (a) "Senior Vice President and Chief Operating Officer," (b) "Vice President and General Counsel," and (c) "Associate General Counsel"
- (4) Revised the title of "Vice President, Human Resources" to "Vice President, Human Resources/Labor Relations;"
- (5) Revised the title of "President and Chief Operating Officer – San Diego Theatres, Inc." to President and Chief Executive Officer – San Diego Theatres, Inc."

FISCAL CONSIDERATIONS: 0

PREVIOUS COUNCIL and/or COMMITTEE ACTION: N/A

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable): N/A

Carol Wallace 8/25/08
 Carol Wallace Date
 President & CEO

RECEIVED
 CITY CLERK'S OFFICE
 09 SEP -2 PM 11:19
 SAN DIEGO, CALIF.

001655

2008 Local Agency Biennial Notice

Name of Agency: SAN DIEGO CONVENTION CENTER CORPORATION
 Mailing Address: 111 West Harbor Drive, San Diego, CA 92101
 Contact Person: Beatrice W. Kemp, General Counsel
 Phone Number: (619) 525-5130 Fax Number: (619) 525-5132
 E-mail: bea.kemp@visitsandiego.com or bwk@bkemplaw.com

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CITY CLERK'S OFFICE

This agency has reviewed its conflict of interest code and has determined that:

- The code needs to be amended and the following amendments are necessary:
 (Check all that apply)
- Include new positions (including consultants) which must be designated (App. A)
 - Delete positions that manage public investments from the list of designated positions.
 - Revise disclosure categories (App. B)
 - Revise the titles of existing positions (App. A)
 - Delete the titles of positions that have been abolished (App. A)

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CITY CLERK'S OFFICE
08 SEP -2 AM 11:16
SAN DIEGO, CALIF.

No amendments are necessary. The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

Carol Wallace
 Signature of Chief Executive Officer

8/25/08
 Date

You must complete this report regardless of how recently your code was approved or amended.

Please return this report by August 22, 2008, to:

Denise Jenkins, Elections Analyst
 Office of the City Clerk
 202 C Street, MS 2A, San Diego, CA 92101

001656

CONFLICT OF INTEREST CODE
OF
SAN DIEGO CONVENTION CENTER CORPORATION, INC.
as amended July 25, 2008

Deleted: September 22, 2006

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 file their statements with the City Clerk. Employees and consultants shall file their statements with the corporation's Vice-President and General Counsel, 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 25, 2008.

Deleted: September 22, 2006

Robert Nelson
Secretary-Treasurer

Deleted: Christopher W. Cramer

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.

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

Deleted: the
 Deleted: is

Designated Positions/Disclosure Categories

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

Position	Disclosure Category
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

Deleted: Senior Vice President and Chief Operating Officer ... [1]

Deleted: General Counsel

Deleted: 1

Deleted: Associate General Counsel ... [2]

Deleted: Operating

Deleted: 2006

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.

Deleted: 2006

**CONFLICT OF INTEREST CODE
OF
SAN DIEGO CONVENTION CENTER CORPORATION, INC.**
as amended July 25, 2008

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Adopted by the Board of Directors of San Diego Convention Center Corporation, Inc. on July 25, 2008.



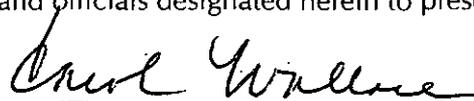
Robert Nelson
Secretary-Treasurer

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:

July 25, 2008



Carol C. Wallace
President and Chief Executive Officer

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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

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- 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.
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RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

RESOLUTION ADOPTING A REVISED 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-303718 (approved by the City Council on May 20, 2008), 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

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WHEREAS, by Resolution No. R-302188, the City Council on December 5, 2006, approved a revised Conflict of Interest Code for the San Diego Convention Center Corporation; and

WHEREAS, the San Diego Convention Center Corporation now seeks to revise its conflict of interest code to add a position, delete three positions, revise the titles of two other positions, revise disclosure categories, and include the Balboa Theatre in the jurisdiction section; and

WHEREAS, the City Council concurs that a revised Conflict of Interest Code be adopted for the San Diego Convention Center Corporation; 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.

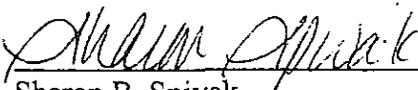
BE IT FURTHER RESOLVED, that a copy of Appendix A and Appendix B to the Conflict of Interest Code for the San Diego Convention Center Corporation as adopted be placed on file in the Office of the City Clerk as Document No. RR-_____.

BE IT FURTHER RESOLVED, that the persons whose positions are designated in the revised 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: MICHAEL J. AGUIRRE, City Attorney

By 
Sharon B. Spivak
Deputy City Attorney

SBS:als
10/28/08
Or.Dept:S.D. Convention Center Corp.
R-2009-380