

REQUEST FOR COUNCIL ACTION

001683

CITY OF SAN DIEGO

1. CERTIFICATE NUMBER (FOR AUDITOR'S USE) 142
11/18

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT): Park and Recreation Department

8/13/08

4. SUBJECT: Conflict of Interest Code for the Park and Recreation Department

5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.)
Patty Jencks, (619) 235-5524, 37C

6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.)
Jane Witzke (619) 525-8213, MS 37C

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND				
DEPT.				
ORGANIZATION				
OBJECT ACCOUNT				
JOB ORDER				
C.I.P. NUMBER				
AMOUNT				

9. ADDITIONAL INFORMATION / ESTIMATED COST:

None.

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT		8/15/08	7	DEPUTY CHIEF		8/18/08
2				8			
3				9	CITY ATTORNEY		10/23/08
4				10	ORIGINATING DEPARTMENT		10/27/08
5					DOCKET COORD:		COUNCIL LIAISON:
6					COUNCIL PRESIDENT	<input checked="" type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION	
						<input type="checkbox"/> REFER TO:	COUNCIL DATE: 11/18/08

11. PREPARATION OF: RESOLUTION(S) ORDINANCE(S) AGREEMENT(S) DEED(S)

Adopting the revised Conflict of Interest Code for the Park and Recreation Department.

11A. STAFF RECOMMENDATIONS:

Approve the revised Conflict of Interest Code and appendices as submitted.

12. SPECIAL CONDITIONS:

COUNCIL DISTRICT(S): ALL
 COMMUNITY AREA(S): CITYWIDE
 ENVIRONMENTAL IMPACT: N/A
 HOUSING IMPACT: N/A
 OTHER ISSUES: NONE

001687

2008 Local Agency Biennial Notice

Name of Agency: Park & Recreation Department
 Mailing Address: 202 C Street, MS 37C, San Diego CA 92101
 Contact Person: Jane Witzke
 Phone Number: 619-525-8213 Fax Number: 619-525-8220
 E-mail: jwitzke@sandiego.gov

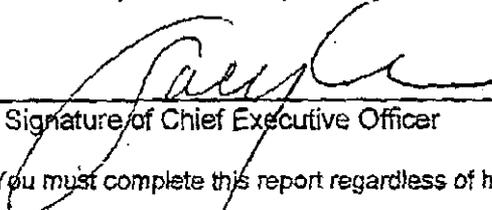
This agency has reviewed its conflict of interest code and has determined that:

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)

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.


 Signature of Chief Executive Officer

10-17-08
 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

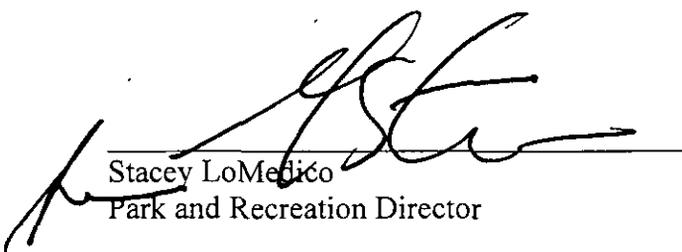
RECEIVED
 CITY CLERK'S OFFICE
 SAN DIEGO, CALIF.
 08 OCT 17 PM 12:22

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001689

CERTIFICATION

The foregoing amendment to the Conflict of Interest Code was prepared by the City of San Diego's Park and Recreation Department after a fair opportunity was offered to the members of the Department to present their views.



Stacey LoMedico
Park and Recreation Director

8/15/08

Date

CITY OF SAN DIEGO
PARK AND RECREATION DEPARTMENT

DESIGNATED POSITIONS, DUTIES AND CATEGORIES

Position	Duties	Category
Director	Park and Recreation policy formulation, departmental supervision, community relations	1
Deputy Director	Division administration, division policy formulation, community relations	1
Assistant Deputy Director, Program Manager	Assist the Deputy Director or Assistant Director in the administration of work programs and budget of their department division	1
Assistant to the Director -Assistant Director, Administrative Services Program Manager	Park and Recreation departmental supervision, budget administration, strategic planning, grants program, public relations, special projects	1
Project Officer II, Senior Engineer	Planning, designing, construction and negotiation for park projects; trail development and management	2
Senior Planner	Develop and implement plans and programs to manage, enhance, and protect natural resources within park and open space, and represent the department on natural resource issues and policies. Review planning documents for open space issues, and assist in the acquisition of open space.	2
Development Officer	Administer department's resource development program, corporation sponsorships, and donations. Oversee department's grant program.	2
District Manager, Golf Course Manager	District administration, division policy formulation, community relations, negotiation with developers and their agents	2
Training Manager	Administer overall department general job training and safety programs	2
Golf Operations Manager	Golf course administration, division policy formulation, community relations, negotiation with developers and their agents	1
Assistant Golf Operations Manager	Assist the Golf Operations Manager with golf course administration, division policy formulation, community relations, negotiation with developers and their agents	1
Golf Superintendent	Supervision, administration, scheduling of maintenance-related matters, contract preparation and monitoring	2

City of San Diego Park and Recreation Department Designated Positions, Duties and Categories

Appendix A, Strikethrough Version

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Position	Duties	Category
Associate Management Analyst, Senior Management Analyst, Supervising Management Analyst	Prepare and administer budget and serve as data systems liaison, perform special procedural, operational and cost analyses for the department, special projects, administer Capital Improvement Program and Maintenance Assessment Districts, grants, and fee schedule	2
Area Manager	Area Administrative Officer, assist in policy formulation, community relations; Supervision, administration, scheduling of maintenance-related matters, contract preparation and monitoring	2
Grounds Maintenance Manager, Horticulturist	Supervision, administration, scheduling of maintenance-related matters, contract preparation and monitoring	2
Senior Park Ranger	Management of large open space and regional parks including enforcement of applicable City and State codes	2
Supervising Recreation Specialist	Assist in division policy formulation, assist in division administration, community board support	2
Information Systems Manager	Administer the department's information systems, prepare long-rang automation goals, recommend technology	2
Public Information Manager	Administer the department's public information campaigns, and special events promotion	2
Consultant	Consultant 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 Department Director, Deputy Director, Assistant Deputy Director or Assistant to the 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 requirement 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 Department Director's, Deputy Director's, Assistant Deputy Director's, or Assistant to the 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.	3

Position	Duties	Category
Zoning Investigator	Investigate and resolve illegal encroachments and grading violations on Open Space Division managed parklands and Multi-Habitat Planning Areas.	2
Biologist	Implement and ensure compliance with the operational and maintenance requirements of the Multiple Species Conservation Program on Open Space Division managed parklands. Manage all aspects of brush management operations on Open Space Division managed parklands.	2
Cemetery Manager	Direct the operation of the cemetery in accordance with established policy and practices; administers contracts for services, equipment and supplies for cemetery use.	2

**PARK AND RECREATION DEPARTMENT
CONFLICT OF INTEREST CODE
APPENDIX B
DISCLOSURE CATEGORIES**

- Category 1 Investments and business positions in any business entity located in or doing business with the City. Income and gifts from sources located in or doing business with the City. Interests in real property located in the City, and property located within a two-mile radius of any property owned or used by the City.
- Category 2 Investments and business positions in any firm or business entity that supplies goods or services to the City of San Diego Park and Recreation Department ("Department"), that has a leasehold interest in park property, or that is an adverse party to the Department in a legal proceeding. Interests in real property owned or used by any person or business entity that supplies goods or services to the Department, that has a leasehold interest in park property, or that is an adverse party to the Department in a legal proceeding. Income and gifts from any person or business entity that supplies goods or services to the Department, that has a leasehold interest in park property, or that is an adverse party to the Department in a legal proceeding. For purposes of this Appendix, person or "business entity that supplies goods or services to the Department" includes construction firms, architectural, design, engineering, or consulting firms, recreational equipment or mortuary supply firms, financial institutions, aquatic equipment or supply firms, ground or custodial maintenance or supply firms, audiovisual equipment firms, computer firms, fire or safety equipment firms.
- Category 3 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 Department Director, Deputy Director, Assistant Deputy Director, or Assistant Director ~~Assistant to the 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 Department Director's, Deputy Director's Assistant Deputy Director's or Assistant Director's ~~Assistant to the 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.

CITY OF SAN DIEGO
PARK AND RECREATION DEPARTMENT
DESIGNATED POSITIONS, DUTIES AND CATEGORIES

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Assistant Director, Administrative Services Program Manager	Park and Recreation departmental supervision, budget administration, strategic planning, grants program, public relations, special projects	1
Project Officer II, Senior Engineer	Planning, designing, construction and negotiation for park projects; trail development and management	2
Senior Planner	Develop and implement plans and programs to manage, enhance, and protect natural resources within park and open space, and represent the department on natural resource issues and policies. Review planning documents for open space issues, and assist in the acquisition of open space.	2
District Manager, Golf Course Manager	District administration, division policy formulation, community relations, negotiation with developers and their agents	2
Training Manager	Administer overall department general job training and safety programs	2
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Associate Management Analyst, Senior Management Analyst, Supervising Management Analyst	Prepare and administer budget and serve as data systems liaison, perform special procedural, operational and cost analyses for the department, special projects, administer Capital Improvement Program and Maintenance Assessment Districts, grants, and fee schedule	2

City of San Diego Park and Recreation Department Designated Positions, Duties and Categories

Appendix A

Position	Duties	Category
Area Manager	Area Administrative Officer, assist in policy formulation, community relations; Supervision, administration, scheduling of maintenance-related matters, contract preparation and monitoring	2
Grounds Maintenance Manager, Horticulturist	Supervision, administration, scheduling of maintenance-related matters, contract preparation and monitoring	2
Senior Park Ranger	Management of large open space and regional parks including enforcement of applicable City and State codes	2
Supervising Recreation Specialist	Assist in division policy formulation, assist in division administration, community board support	2
Information Systems Manager	Administer the department's information systems, prepare long-rang automation goals, recommend technology	2
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Zoning Investigator	Investigate and resolve illegal encroachments and grading violations on Open Space Division managed parklands and Multi-Habitat Planning Areas.	2
Biologist	Implement and ensure compliance with the operational and maintenance requirements of the Multiple Species Conservation Program on Open Space Division managed parklands. Manage all aspects of brush management operations on Open Space Division managed parklands.	2

City of San Diego Park and Recreation Department Designated Positions, Duties and Categories

Appendix A

Page 3

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Position	Duties	Category
Cemetery Manager	Direct the operation of the cemetery in accordance with established policy and practices; administers contracts for services, equipment and supplies for cemetery use.	2

**PARK AND RECREATION DEPARTMENT
CONFLICT OF INTEREST CODE
APPENDIX B
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RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

RESOLUTION ADOPTING A REVISED CONFLICT OF
INTEREST CODE FOR THE PARK AND RECREATION
DEPARTMENT

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-299958, the City Council on December 7, 2004, approved a revised Conflict of Interest Code for the Park and Recreation Department; and

WHEREAS, the Park and Recreation Department now seeks to revise its conflict of interest code to account for organization changes, to delete titles of four positions no longer in the department, add titles and duties of new positions, and revise disclosure categories; and

WHEREAS, the City Council concurs that a revised Conflict of Interest Code be adopted for the Park and Recreation Department; 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 Park and Recreation Department 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 Park and Recreation Department as adopted be placed on file in the Office of the City Clerk as Document No. RR-_____.

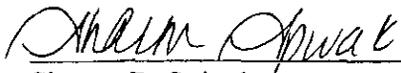
BE IT FURTHER RESOLVED, that the persons whose positions are designated in the revised Conflict of Interest Code for the Park and Recreation Department shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in

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.

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 Park and Recreation Department 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
10/23/08
Or.Dept:Park & Recreation
R-2009-219