



## OFFICE OF THE CITY CLERK

# REPORT

### REPORT TO THE HONORABLE MAYOR AND COUNCIL

DATE: August 27, 2024

REPORT NO.: CC-24-01

SUBJECT: **BIENNIAL REPORT ON AMENDMENTS TO CITY'S CONFLICT OF INTEREST CODES IN COMPLIANCE WITH STATE LAW**

### ***INFORMATIONAL REPORT (FOR COUNCIL ACTION LATER THIS YEAR)***

The California Government Code designates the City Council (Council) as the City's "code reviewing body" for conflict of interest codes for City departments, agencies, boards and commissions. [California Government Code section 87306.5](#) states that, no later than July 1 of each even numbered year, code reviewing bodies are required to direct each local agency under their jurisdiction that has a previously adopted conflict of interest code ("Code") to review that agency's code. Upon review, if no change in the Code is required, the local agency is required to submit a written statement no later than October 1 that no amendment to the Code is required. "Local agencies" includes not only City departments, but also City-established corporations, certain City boards and commissions, and certain other local agencies (for example, the Housing Commission).

On June 11, 2024, the Council, by Resolution Number R-315625, directed each City department, agency, board, and commission subject to a Code to review its Code and provide to the City Clerk either a written statement that no amendment is required, or a proposed amended code for the Council's approval. The City Clerk provided to each local agency a 2024 Local Agency Biennial Notice form to identify proposed changes to their Code, or a statement that the Code does not need to be amended at this time. These biennial reports have been submitted to the City Clerk.

This report catalogs the Biennial Notices submitted to the City Clerk and notes forthcoming changes to be made to conflict of interest codes.

[Government Code section 87303](#) requires those entities that seek to amend their code to submit proposed amendments to the Council to ensure that the codes are considered and approved. Each of the entities intending to amend their code this year submitted their proposed amendments to the City Clerk for review. The City Attorney's Office is now conducting a legal review of proposed amendments submitted to date, working with each of

the City departments, agencies, boards and commissions that intend to amend their codes and assisting those entities to bring their proposed codes before the Council in the coming months. The newly amended codes will take effect on the date of their adoption by the Council and are not subject to mayoral veto.

I. Entities That Will Be Amending Conflict of Interest Codes

**City Departments:** The Council will receive thirty one (31) proposed amended codes from City departments, as follows:

- Chief Financial Officer, Office of the
- Chief Operating Officer & Administration, Office of the
- City Attorney, Office of the
- City Clerk, Office of the
- City Treasurer
- Commission on Police Practices, Office of the
- Communications
- Compliance Department
- Development Services Department
- Economic Development Department
- Engineering & Capital Projects Department
- Environmental Services Department
- Finance, Department of
- San Diego Fire-Rescue Department
- General Services, Department of
- Homelessness Strategies and Solutions Department
- Human Resources Department
- Information Technology, Department of
- Library Department
- Mayor, Office of the
- Parks & Recreation Department
- Planning Department
- San Diego Police Department
- Public Utilities Department
- Purchasing & Contracting
- Race and Equity, Office of
- Real Estate and Airport Management, Department of
- Risk Management Department
- Stormwater Department
- Sustainability and Mobility Department
- Transportation Department

**Corporations, Agencies, Boards and Commissions:** The Council will receive three (3) proposed amended codes from these entities, as follows:

- Housing Commission, San Diego
- San Diego City Employees' Retirement System (SDCERS)
- San Diego Convention Center Corporation

II. Entities That Will Not Be Amending Conflict of Interest Codes

The following departments, corporations, agencies, boards and commissions will not be amending their conflict of interest codes in 2024 as part of the biennial review:

**City Departments**

- Boards and Commissions, Office of
- City Auditor, Office of the
- Council Administration, City Council & Independent Budget Analyst
- Government Affairs Department
- Performance & Analytics
- Personnel
- Special Events & Filming
- Strategic Capital Projects Department

**Corporations, Agencies, Boards and Commissions**

- Arts and Culture, Commission for
- Audit Committee
- Board of Building Appeals and Advisors
- Civil Service Commission
- Community Parking District Advisory Board
- Consolidated Plan Advisory Board
- Convention Center Expansion Financing Authority
- Defined Contribution Plans Trustee Board (SPSP)
- Ethics Commission
- Facilities and Equipment Leasing Corporation
- Funds Commission
- Horton Plaza Theatres Foundation
- Housing Advisory and Appeals Board
- Independent Rates Oversight Committee
- Managed Competition Independent Review Board
- Mission Bay Park Committee
- Otay Mesa Enhanced Infrastructure Financing District Public Financing Authority
- Parks & Recreation Board
- Planning Commission – *87200 filers, file according to State's Regulation*
- Public Facilities Financing Authority
- Redistricting Commission
- San Diego Revolving Loan Fund Board

- Land Use Boards - San Diego Municipal Code section 26.0106, "Members of Land Use Boards and Commissions," is not being amended at this time. The section requires conflict of interest disclosures from those serving on land use boards, including but not limited to the following:
  - Agriculture Board
  - Crest Canyon Park Reserve Advisory Committee
  - Grading Advisory Board
  - Historical Resources Board
  - La Jolla Shores Planned District Advisory Board
  - La Jolla Underwater Park Advisory Committee
  - Los Peñasquitos Canyon Preserve Task Force
  - Mission Trails Regional Park Task Force
  - Old Town San Diego Planned District Design Review Board
  - Relocation Appeals Board
  - Tecolote Canyon Citizens Advisory Board
  - Tecolote Canyon Natural Park Task Force

III. Entities That Have Merged, Restructured or Dissolved

At the time this report was prepared, there are no anticipated departments, corporations, agencies, boards and commissions' conflict of interest code that will no longer exist as a result of restructuring process or dissolution.

**City Departments**

- None anticipated

**Corporations, Agencies, Boards and Commissions**

- None anticipated.

IV. Anticipated new Entities

**City Departments**

- None anticipated.

If you have any questions, please contact me at (619) 533-4080 or Deputy Director Cristina Hernandez at (619) 533-4024.

Diana J.S. Fuentes  
City Clerk