



EXECUTIVE SUMMARY

MEETING DATE: July 9, 2026

HCR26-039

SUBJECT: Action to Amend the San Diego Housing Commission's Conflict of Interest Code and Related Provisions

COUNCIL DISTRICT: Citywide

ORIGINATING DEPARTMENT: Community and Strategic Initiatives

CONTACT/PHONE NUMBER: Debra Fischle-Faulk (619) 578-7411

REQUESTED ACTION:

Recommend that the San Diego City Council adopt the amended Conflict of Interest Code for the San Diego Housing Commission and that the Housing Authority of the City of San Diego approve the proposed revisions to San Diego Housing Commission Policy PO101.000 "Conflict of Interest Code and Related Provisions."

EXECUTIVE SUMMARY OF KEY FACTORS:

- SDHC establishes and maintains written policies related to its method of operations.
- San Diego Municipal Code 98.0301(d)(8)(D) requires SDHC to present its policies to the Housing Authority for review, consideration and potential approval.
- California Government Code section 87306.5 requires that, by July 1 of each even-numbered year, "code reviewing bodies" must direct each local agency under their jurisdiction to review its previously adopted conflict-of-interest code.
- California Government Code 82011(c) identifies the City Council as the "code reviewing body" for the City's local agencies, including boards and commissions, such as SDHC.
- On May 19, 2026, the City Council passed Resolution No. 316787, directing all City departments, agencies and appropriate boards and commissions, including SDHC, to review their previously approved conflict-of-interest codes and if an amendment is necessary, provide the proposed amendment to the Office of the City Clerk by August 7, 2026, for presentation to the City Council for consideration and potential approval.
- SDHC's conflict-of-interest code has been updated to include minor revisions to contractor disclosure requirements, positions (including alphabetizing the lists of positions) and disclosure categories, and SDHC's jurisdiction, as outlined in Appendix A (Attachment 2) and Appendices B – E (Attachment 3) of SDHC Policy PO101.000 "Conflict of Interest Code and Related Provisions" (Attachment 1).
- Additionally, the following sections of Policy PO101.000 are proposed to be amended:
 - Section 2.4(B)(iv): Adds the definition of "Agreement."
 - Section 2.5(C): Updates the requirements for contractors to submit a Statement for Public Disclosure.
- Other than these minor adjustments, the wording of the policy remains unchanged.
- These actions do not have any fiscal impact.



REPORT

DATE ISSUED: July 2, 2026

REPORT NO: HCR26-039

ATTENTION: Chair and Members of the San Diego Housing Commission Board of Commissioners
For the Agenda of July 9, 2026

SUBJECT: Action to Amend the San Diego Housing Commission's Conflict of Interest Code and
Related Provisions

COUNCIL DISTRICT: Citywide

REQUESTED ACTION

Recommend that the San Diego City Council adopt the amended Conflict of Interest Code for the San Diego Housing Commission and that the Housing Authority of the City of San Diego approve the proposed revisions to San Diego Housing Commission Policy PO101.000 "Conflict of Interest Code and Related Provisions."

STAFF RECOMMENDATION

That the San Diego Housing Commission (SDHC) Board of Commissioners (Board) recommend that the City Council of the City of San Diego (City Council) and Housing Authority of the City of San Diego (Housing Authority) take the following actions:

City Council

- 1) Adopt the amended Conflict of Interest Code for SDHC.

Housing Authority

- 1) Approve the proposed revisions to SDHC Policy PO101.000 "Conflict of Interest Code and Related Provisions."
- 2) Authorize SDHC's President and Chief Executive Officer (President and CEO), or designee, to execute all documents and instruments as are necessary and/or appropriate to implement this approval, in a form approved by General Counsel, and to take such actions as necessary, and/or appropriate to implement the approved policy.

SUMMARY

SDHC establishes and maintains written policies related to its method of operations. San Diego Municipal Code 98.0301(d)(8)(D) requires SDHC to present its policies to the Housing Authority for review, consideration and potential approval.

California Government Code section 87306.5 requires that, by July 1 of each even-numbered year, "code reviewing bodies" must direct each local agency under their jurisdiction to review its previously adopted conflict-of-interest code. California Government Code 82011(c) identifies the City Council as the "code reviewing body" for the City's local agencies, including boards and commissions, such as SDHC.

On May 19, 2026, the City Council passed Resolution No. 316787, directing all City departments, agencies and appropriate boards and commissions, including SDHC, to review their previously approved conflict-of-interest codes and if an amendment is necessary, provide the proposed amendment to the Office of the City Clerk by August 7, 2026, for presentation to the City Council for consideration and potential approval.

SDHC's conflict-of-interest code has been updated to include minor revisions to contractor disclosure requirements, positions (including updating and alphabetizing the lists of positions), updated filing deadline language, and SDHC's jurisdiction, as outlined in Appendix A (Attachment 2) and Appendices B – E (Attachment 3) of SDHC Policy PO101.000 "Conflict of Interest Code and Related Provisions" (Attachment 1).

Additionally, the following sections of Policy PO101.000 are proposed to be amended:

- Section 2.4(B)(iv): Adds the definition of "Agreement."
- Section 2.5(C): Updates the requirements for contractors to submit a Statement for Public Disclosure.

Other than these minor adjustments, the wording of the policy remains unchanged.

The SDHC Board most recently approved an update to SDHC's conflict-of-interest code on October 10, 2024 (Report No. HCR24-076). The City Council subsequently approved SDHC's amended conflict-of-interest code on October 29, 2024 (Resolution No. 315849).

FISCAL CONSIDERATIONS

These actions do not have any fiscal impact.

NONDISCRIMINATION ASSURANCE

At SDHC, we're about people. We are committed to ensuring a compassionate, person-centered approach to SDHC's programs, policies, projects and activities and to serving our community impartially, fairly and without bias. We are also committed to ensuring compliance with all applicable federal, state and local laws and protections to the extent that they affect this action relative to nondiscrimination.

SDHC STRATEGIC PLAN

This item relates to the Core Value "Commit to transparency and being strong financial stewards" in SDHC's Strategic Plan for Fiscal Year (FY) 2026-2030.

ENVIRONMENTAL REVIEW

The conflict-of-interest code amendment is not a project as defined by the California Environmental Quality Act Section 2106 and State CEQA Guidelines Section 15378(b) (5), as it is an administrative activity of government that will not result in direct or indirect physical changes in the environment. The determination that this activity is not subject to CEQA, pursuant to Section 15060(c)(3), is not appealable and a Notice of Right to Appeal the Environmental Determination (NORA) is not required. The provision of any federal funds as the result of this action is conditioned on the City of San Diego's final NEPA review and approval.

Processing under the National Environmental Policy Act is not required as no federal funds are involved in the activities.

Respectfully submitted by,

Debra Fischle-Faulk

Debra Fischle-Faulk
Senior Vice President
San Diego Housing Commission

Approved by,

Lisa C. Jones

Lisa C. Jones
President and Chief Executive Officer
San Diego Housing Commission

Attachments:

1. Conflict of Interest Code and Related Provisions
2. Designated Employees and Designated Positions – Appendix A
3. Disclosure Categories – Appendix B through E
4. Strikeout Version – Conflict of Interest Code and Related Provisions

A printed copy is available for review during business hours at the information desk in the main lobby of SDHC's offices at 1122 Broadway, San Diego, CA 92101. Docket materials are also available in the "Governance & Legislative Affairs" section of SDHC's website at www.sdhc.org.

POLICY

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**

Number: **PO101.000**

| Effective Date: 11/3/94

| Page 1 of 5

1. BACKGROUND

1.1 Federal, State and Local Conflict Laws Incorporated by Reference.

All employees, Commissioners, consultants for the Commission, contractors doing business with the Commission, agents of the Commission, and each of them, shall comply with and adhere to all applicable conflict of interest provisions contained in the applicable federal, state and local law to the full extent required by the applicable federal, state and local law.

1.2 The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and together constitute the Conflict of Interest Code of the San Diego Housing Commission.

1.3 Pursuant to Section b (4) of the Standard Code, designated employees shall file statements of economic interests with the Clerk of the City of San Diego and copies will be made available to any person upon request.

2. POLICY AND ADOPTION OF CODE

2.1 Compliance with Applicable Laws.

All employees, officers, commissioners of the San Diego Housing Commission, consultants, contractors, subcontractors, grantees, and borrowers shall, to the full extent required by the applicable law, comply with all applicable laws including, but not limited to, HOME, CDBG, etc., and all other federal conflict requirements and provisions, if federal funds and/or programs are involved, including 24 CFR 570.611, 24 CFR Part 982, 24 CFR Part 92, 24 CFR Part 85, and any and all other federal applicable federal conflict provisions. State conflict provisions shall include, but are not limited to, Government Code Sections 87100, et. seq., Government Code Sections 1126, et. seq., Government Code Sections 1090, et. seq., Government Code Section 19990 et. seq., and Health and Safety Code Section 34281 et. seq. Local conflict of interest provisions shall include San Diego Municipal Code Sections 27.3501 et. Seq. (San Diego Ethics Ordinance) and any and all administrative regulations promulgated by the President & Chief Executive Officer, or designee, to implement the federal, state and local conflict laws, if any.

2.2 The Standard Code as referenced in 2 Cal. Code of Regulations Section 18730 is hereby adopted by the San Diego Housing Commission. A true and correct copy of the standard code contained in 2 Cal. Code of Regulations Section 18730 may be obtained by contacting the San Diego Housing Commission offices, located at 1122 Broadway, San Diego, CA 92101. Said copy of the Code of Regulations is incorporated herein by reference.

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 2 of 5

2.3 2 Cal. Code of Regulations 18730. Provisions of Conflict-of-Interest Code.

Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section 87300 or the amendment of a conflict of interest code within the meaning of Government Code Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 81000, et seq. The requirements of a conflict-of-interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to other state or local laws pertaining to conflicts of interest.

2.4 General Definitions:

A. Designated Employees. Disclosure Categories. Definitions:

The designation of officers and employees, disclosure categories, and definitions referenced in the conflict-interest code amended or adopted and promulgated pursuant to this regulation are as follows:

- (i) Designated Employees The persons holding positions listed in Appendix A are designated employees. It has been determined that these persons make or participate in the making of decisions which may have a foreseeable material effect on financial interests.
- (ii) Disclosure Categories This Code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their financial interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 87200, et seq.¹ Such persons are covered by this code for disqualification purposes only.

With respect to all other designated employees and positions, the disclosure categories

set forth in Appendix B specify which kinds of financial interests are reportable.

Such

Such a designated employee or position shall disclose in his/her statement of economic interests those financial interests he/she has which are of the kind described in the disclosure categories to which he/she is assigned in Appendix A. It has been determined that the financial interests set forth in a designated employee's or position's disclosure categories are the kinds of financial interests which he/she foreseeably can affect materially through the conduct of his/her office.

POLICYSubject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 4 of 5

¹ Designated employees who are required to file statements of economic interests under any other agency's Conflict of Interest Code, or under Article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code Section 81004

(iii) Definitions The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. Sections 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict-of-interest code and in Appendix C.

B. Other Definitions: The following definitions are applicable to all portions of this policy except as referenced herein in Section 2.4 (A) above.

(i) "Contractor" means any individual or firm that enters into an agreement with the Housing Commission or the Housing Authority of the City of San Diego for the provision of goods and services, construction, architect/engineering, consulting services, loans and/or grants.

(ii) "Contract" means any mutually binding legal relationship obligating the seller to furnish supplies or services (including construction) and the buyer to pay for them. Examples include, but are not limited to, contracts, and amendments thereto, purchase orders, leases, maintenance agreements, and ordering agreements. Contract also includes loans and/or grants.

(iii) "Solicitation" means any informal or formal request for prices, bids, proposals, and/or qualifications that are issued in anticipation of making a contract, award and/or loan or grant.

(iv) Agreement An Agreement where the filing of Form 700 is legally required

.2.5 Mandatory Disclosure of Interests by Prospective Contractors, Consultants, Suppliers, etc.

A. Purpose

To establish principles for determining the name and identity of any and all persons directly or indirectly involved in the proposed transaction, the precise nature of all interests of all persons therein, and other data pertinent to the award of a contract, including grants and/or loans.

B. Policy

No employee, officer, or agent of the Housing Commission or of the Housing Authority of the City of San Diego shall participate directly or indirectly in the selection or in the award or administration of any contract if a conflict, real or

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 4 of 5

apparent, would be involved. Such conflict would arise when a financial or other interest in a firm selected for award is held by an employee, officer or agent involved in making the award or his/her Spouse and/or dependent children.

C. Disclosure Required

To ensure that all potential conflicts of interest are identified, all contractors, including grantees and borrowers, selected for award of contracts for any amount including options, for architect/engineering and professional consultants, and all contractors selected for award of contracts including options for construction and goods and services, shall be required to submit a Statement for Public Disclosure.

D. Failure to Submit

Failure to submit a Statement for Public Disclosure, or failure to fully disclose all of the information enumerated in the Statement for Public Disclosure, shall be grounds for denial of contract award and may result in forfeiture of any and all rights and privileges that have been granted heretofore

2.6 Notification of Conflicts or Potential Conflicts and Manner of Abstention All legally mandated abstentions should be filled out and transmitted to the Commission in advance of a hearing, but not later than the time of the hearing, using the form attached hereto as Appendix E. Examples of required written disclosures include, but are not limited to, conflicts involving economic interests under the Political Reform Act, Government Code sections 1090, 1091 and 1091.5 disclosures, Health and Safety Code section 34281 disclosures, City's Ethics Ordinance, and disclosures required by the "rule of necessity" under Government Code section 87100, et. seq.

2.7 Provision Governing Former Employees. No employee or member of the Housing Commission or of the Housing Authority of the City of San Diego shall have any prohibited interest, direct or indirect, not shall profit from any Housing Commission contract to the extent prohibited by applicable federal, state or local law.

3. Promulgation of Conflict-of-Interest Administrative Regulations The President & Chief Executive Officer of the Commission shall, from time to time, promulgate administrative regulations to implement the various conflict of interest provisions referenced above, if and when required. Such administrative regulations shall be made available to members of the public upon request. The Board of Commissioners may, but shall not be required to, review, approve and amend such administrative regulations, at such times as the Board, in its sole discretion shall determine. Subject to such discretionary review by the Board, all authority to promulgate, amend, review and revise the administrative regulations shall be vested in the President & Chief Executive Officer of the Commission.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87300-87302, 89501, 89502, 89503, and 89504, Government Code.

POLICYSubject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 5 of 5

HISTORY:

New Section filed 4/2/80 as an emergency; effective upon filing. Certificate of Compliance included. Editorial correction

Amendment of subsection (b) filed 1/9/81; effective thirtieth day thereafter

Amendment of subsection (b)(7)(B) I. filed 1/26/83; effective thirtieth day thereafter

Amendment of subsection (b)(7)(A) filed 11/10/83; effective thirtieth day thereafter

Amendment filed 4/13/87; effective thirtieth day thereafter

Amendment of subsection (b) filed 10/21/88; effective thirtieth day thereafter

Amendment filed 8/28/90; effective thirtieth day thereafter

Amendment filed 8/7/92; effective thirtieth day thereafter

Amendment filed 2/5/93; effective upon filing

Amendment filed 3/14/95; effective upon filing

Amendment filed 4/23/96; effective upon filing

Amendment filed 11/26/96; effective upon filing

Amendment filed 12/08/98; effective upon filing

Amendment filed 11/14/00; effective upon filing

Amendment filed 8/16/02; effective upon filing

Amendment filed 12/15/06; effective upon filing

Amendment filed 09/12/08; effective upon filing

Amendment filed 02/20/09; effective upon filing

Amendment filed 12/07/10; effective upon filing

Amendment filed 11/13/12; effective upon filing

Amendment filed 07/20/20; effective upon filing

Amendment filed 11/17/2020 effective upon filing

Amendment filed 10/16/24 effective upon filing

Amendment filed 10/29/24 effective upon filing

Amendment filed 07/09/26; effective upon filing

Supersedes Policy 101.000, Issued 11/3/94; Rev: 4/23/96, 11/26/96, 12/08/98, 11/14/00, 8/16/02, 12/15/06, 9/18/08, 02/12/09, 11/17/20, 10/16/24 07/09/2026

 Authorized

 Azucena Valladolid
 Chief Operating Officer

 Date

APPENDIX A

**DESIGNATED EMPLOYEES and DESIGNATED POSITIONS
(Alphabetical Order)**

Positions Requiring Full Disclosure Type I as set forth in Appendix B:

Board of Commissioners
Chief Operating Officer
Controller
Directors
Directors of SDHC Building Opportunities Inc.
Directors of the HDP Mason Housing Corporation
Directors of the Housing Development Partners of San Diego
Executive Vice President
Legal Counsel
Members of Real Estate Committee
Members of the Loan Committee
President & Chief Executive Officer
Senior Directors
Senior Vice President of Communications & Chief of Communications
Senior Vice Presidents
Senior Vice President of Financial Services & Chief Financial Officer
Vice President of Information Technology & Chief Information Officer
Vice Presidents

Positions Requiring Full Disclosure Type II, as set forth in Appendix B:

Executive Assistant to President & Chief Executive Officer

**Positions Requiring Limited Disclosure Type I, as set forth in Appendix B:
(contracting) – (Alphabetical Order)**

Communications Manager
Community Liaison
Contracts Analysts
Facilities Coordinator
Housing Construction/Inspection Coordinator
Human Resources Manager
Information Technology Manager
Labor and Contracts Compliance Supervisor
Maintenance Coordinator

**Positions Requiring Limited Disclosure Type II, as set forth in Appendix B: (services
and grants) - (Alphabetical Order)**

Accountant
Affordable Housing Compliance Manager
Contract Employees (who make/participate in Commission decisions in Board & Executive

Functions, Business Services, Financial Services, Communication & Public Affairs, and/or Policy Departments)
Cybersecurity Engineer
Information Systems Service Manager
Information Technology Project Manager
Manager of Budget and Reporting
Project Manager
Real Estate/Housing Development Partners Accountant
Senior Accountant
Senior Budget Analyst
Senior Grants Accountant
Senior Grants Analyst
Senior Information Project Manager
Senior Information Technology Business Analyst
Senior Program Analyst in Homeless Housing Innovations Team
Senior Program Analyst in Operations
Senior Real Estate Accountant
Senior Systems Administrator
Senior Work Readiness Department Program Analyst
Strategic Plan/Budget Administrator
Systems Administrator

**Positions Requiring Limited Disclosure III, as set forth in Appendix B:
(services/grants with RP) – (Alphabetical Order)**

Assistant Real Estate Managers
Assistant Real Estate Project Development Administrator
Budget Manager
Contract Employees (who make/Participate in Commission decisions in Real Estate Operations Housing Innovations and/or Rental Assistance Departments)
Equal Opportunity Contracting Program Manager
HCV Quality Assurance/Compliance Manager
Housing Programs Manager
Housing Supervisor
Loan Services Manager
Loan Servicing Specialist
Loan Underwriting Specialist
Manager
Off-Site Property Manager
On-Site Property Manager
Real Estate Project Development Administrator
Senior Program Analyst in Real Estate
Senior Program Analyst in Rental Assistance
Senior Real Estate Project Development Administrator
Senior Rental Assistance Analyst
Special Programs Manager

CONSULTANTS AND NEW POSITIONS

“Consultant” is an individual who, pursuant to a contract with the Housing Commission, either:

(1) Makes a governmental decision whether to: (a) Approve a rate, rule or regulation; (b) Adopt or enforce a law; (c) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement; (d) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval; (e) Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract; (f) Grant agency approval to a plan, design, report, study, or similar item; (g) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

(2) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.

Consultants and new positions shall make Full Disclosure subject to the President & Chief Executive Officer's (or his/her designated authority's) determination, in writing, that a particular consultant, or new position, although a ¹¹designated 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 determination 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 President & Chief Executive Officer'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.

Nothing herein excuses any such consultant or new position from any other provision of this Conflict-of-Interest Code.

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Director of Financial Services/Budget Officer - This position manages public investments and will file a Statement of Economic Interests pursuant to Government Code §87200.

APPENDIX B

DISCLOSURE CATEGORIES

Full Disclosure - Type I

You are required to disclose the following interests:

- any and all interests in real property that are within the jurisdiction* of the San Diego Housing Commission ("Housing Commission");
- any and all investments, business positions and sources of income from a person or business in the jurisdiction* of the Housing Commission. A business is in the jurisdiction of the Housing Commission if it is currently doing business in the City of San Diego, is planning on doing business in the City of San Diego or has done business in the city of San Diego in the last two (2) years; and
- any and all gifts, loans, travel expenses, etc. from any person or business entity doing business with the Housing Commission and/or the Housing Authority of the City of San Diego ("Housing Authority").

Full Disclosure -Type II (excluding interest in real property)

You are required to disclose the following interests:

- any and all investments, business positions and sources of income from a person or business in the jurisdiction* of the Housing Commission. A business is in the jurisdiction of the Housing Commission if it is currently doing business in the City of San Diego, is planning on doing business in the City of San Diego or has done business in the city of San Diego in the last two (2) years; and
- any and all gifts, loans, travel expenses, etc. from any person or business entity doing business with the Housing Commission and/or the Housing Authority.

Limited Disclosure - Type I (contracting)

You are required to disclose the following interests:

- any and all investments, business positions and sources of income from a person or business in the jurisdiction* of the Housing Commission that provides leased facilities, goods, equipment, machinery, vehicles, and/or services, including training and/or consulting services, of a type utilized by your department. A business is in the jurisdiction of the Housing Commission if it is currently doing business in the City of San Diego, is planning on doing business in the City of San Diego or has done business in the City of San Diego in the last two (2) years; and
- any and all gifts, loans, travel expenses, etc. from a person or business doing business with the Housing Commission and/or the Housing Authority, that provide leased facilities, goods, equipment, machinery, vehicles, and/or services, including training and/or consulting services, of the type utilized by your department.

Limited Disclosure - Type II (grant/service providers)

You are required to disclose the following interests:

- any and all investments, business positions and/or income from any person or business (including a non-profit entity) doing business in the jurisdiction* of the Housing Commission and that provides goods and/or services of a nature similar to those utilized by your department. A business is in the jurisdiction of the Housing Commission if it is currently doing business in the City of San Diego, is planning on doing business in the City of San Diego or has done business in the City of San Diego in the last two (2) years;
- any and all investments, business positions and/or income from any person or business (including a non-profit entity) within the jurisdiction* of the Housing Commission that is of the type to receive grants or other monies from or through the Housing Commission. A business is in the jurisdiction of the Housing Commission if it is currently doing business in the City of San Diego, is planning on doing business in the City of San Diego or has done business in the City of San Diego in the last two (2) years; and
- any and all gifts, loans, travel expenses, etc. from a person or business doing business with the Housing Commission and/or the Housing Authority that provides goods or services of a nature similar to those utilized by your department.

Limited Disclosure - Type III (grant/service providers with disclosure of real property interest)

You are required to disclose the following interests:

- any and all interests in real property that are within the jurisdiction* of the Housing Commission;
- all investments, business positions and/or income from any person or business (including a non-profit entity) doing business in the jurisdiction* of the Housing Commission and that provides goods and/or services of a nature similar to those utilized by your department.
- A business is in the jurisdiction of the Housing Commission if it is currently doing business in the City of San Diego, is planning on doing business in the City of San Diego or has done business in the City of San Diego in the last two (2) years;
- any and all investments, business positions and/or income from any person or business (including a non-profit entity) within the jurisdiction* of the Housing Commission that is of the type to receive grants or other monies from or through the Housing Commission.
- and any and all gifts, loans, travel expenses, etc. from a person or business doing business with the Housing Commission and/or the Housing Authority that provides goods or services of a nature similar to those utilized by your department.

"Jurisdiction" means the geographical area encompassing the City of San Diego, as depicted on the map in Appendix D. Real property is considered to be "within the jurisdiction" if the property or any part of it is located within or not more than two miles outside the boundaries of the City of San Diego or within two miles of any land owned or used by the San Diego Housing Commission. (82035)

APPENDIX C

General Provisions

When a designated employee is required to disclose investments and sources of income, the employee need only disclose investments in business entities and sources of income that do business in the jurisdiction or have done business in the jurisdiction, within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction.

When a designated employee is required to disclose interests in real property, the employee shall disclose real property located whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned by the local government agency. (The boundaries of the Housing Commission's jurisdiction are depicted and described in Appendix D.)

Designated employees or designated positions shall disclose their financial interest pursuant to the appropriate disclosure category(ies) as indicated in the chart in Appendix A.

Filing Deadlines:

- a. No later than thirty (30) days after the execution of an agreement where the filing of a Form 700 is required;
- b. Annually on or before April 1 of each year;
- c. Within thirty (30) days after full performance of this Agreement, as determined by the Commission in its sole discretion;

Amendment to Appendix A: The President & Chief Executive Officer is authorized to implement proposed revisions to the Designated Positions List as classifications are added and deleted. Changes to the approved Designated Positions List will be forwarded for document approval during the biennial review process per City Council Resolution 287239.

APPENDIX D

"Jurisdiction" means the geographical area encompassing the City of San Diego. Real property is considered to be "within the jurisdiction" if the property or any part of it is located within or not more than two miles outside the boundaries of the City of San Diego or within two miles of any land owned or used by the San Diego Housing Commission.

APPENDIX E

**WRITTEN DISCLOSURE OF CONFLICT OR POTENTIAL CONFLICT OR
OTHER REASON FOR ABSTENTION AND NOTICE OF INTENTION TO
ABSTAIN FROM PARTICIPATION AND ACTION ON THE ITEM**

DATE: _____

TO: The Clerk of the City of San Diego, President & President & Chief Executive
Officer, Secretary and General Counsel of the San Diego Housing Commission

FROM: (Name) (Title)

SUBJECT: San Diego Housing Commission Item _____
for Meeting Scheduled on----- ("the Item")

NATURE OF CONFLICT OR POTENTIAL CONFLICT OR OTHER REASON
FOR ABSTENTION:

The undersigned requests that this written disclosure be made part of the public record and incorporated into the minutes of the meeting, if, and to the extent, required by law, including but not limited to Government Code Sections 87100, 87101, 1090, 1091, 1091.5, Health and Safety code Section 32481, City's Ethics Ordinance and the applicable regulations, including, but not limited to 2 Cal. Regs. I 8730(b)(10).

Executed thisof, at San Diego, California.

(Name Printed or Typed)
Commissioner or Employee of the
San Diego Housing Commission

San Diego Housing Commission
POLICYSubject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 1 of 15

1. BACKGROUND**1.1 Federal, State and Local Conflict Laws Incorporated by Reference.**

All employees, Commissioners, consultants for the Commission, contractors doing business with the Commission, agents of the Commission, and each of them, shall comply with and adhere to all applicable conflict of interest provisions contained in the applicable federal, state and local law to the full extent required by the applicable federal, state and local law.

1.2 The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and together constitute the Conflict-of-Interest Code of the San Diego Housing Commission.

1.3 Pursuant to Section b (4) of the Standard Code, designated employees shall file statements of economic interests with the Clerk of the City of San Diego and copies will be made available to any person upon request.

2. POLICY AND ADOPTION OF CODE**2.1 Compliance with Applicable Laws.**

All employees, officers, commissioners of the San Diego Housing Commission, consultants, contractors, subcontractors, grantees, and borrowers shall, to the full extent required by the applicable law, comply with all applicable laws including, but not limited to, HOME, CDBG, etc., and all other federal conflict requirements and provisions, if federal funds and/or programs are involved, including 24 CFR 570.611, 24 CFR Part 982, 24 CFR Part 92, 24 CFR Part 85, and any and all other federal applicable federal conflict provisions. State conflict provisions shall include, but are not limited to, Government Code Sections 87100, et. seq., Government Code Sections 1126, et. seq., Government Code Sections 1090, et. seq., Government Code Section 19990 et. seq., and Health and Safety Code Section 34281 et. seq. Local conflict of interest provisions shall include San Diego Municipal Code Sections 27.3501 et. Seq. (San Diego Ethics Ordinance) and any and all administrative regulations promulgated by the President & Chief Executive Officer, or designee, to implement the federal, state and local conflict laws, if any.

2.2 The Standard Code as referenced in 2 Cal. Code of Regulations Section 18730 is hereby adopted by the San Diego Housing Commission. A true and correct copy of the standard code contained in 2 Cal. Code of Regulations Section 18730 may be obtained by contacting the San Diego Housing Commission offices, located at 1122 Broadway, San Diego, CA 92101 Said copy of the Code of Regulations is incorporated herein by reference.

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 2 of 15

2.3 2 Cal. Code of Regulations 18730. Provisions of Conflict-of-Interest Code.

Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section 87300 or the amendment of a conflict of interest code within the meaning of Government Code Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 81000, et seq. The requirements of a conflict-of-interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to other state or local laws pertaining to conflicts of interest.

2.4 General Definitions:

A. Designated Employees, Disclosure Categories, Definitions:

The designation of officers and employees, disclosure categories, and definitions referenced in the conflict-of-interest code amended or adopted and promulgated pursuant to this regulation are as follows:

- (i) Designated Employees The persons holding positions listed in Appendix A are designated employees. It has been determined that these persons make or participate in the making of decisions which may have a foreseeable material effect on financial interests.
- (ii) Disclosure Categories This Code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their financial interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 87200, et seq.¹ Such persons are covered by this code for disqualification purposes only.

With respect to all other designated employees and positions, the disclosure categories set forth in Appendix B specify which kinds of financial interests are reportable. Such a designated employee or position shall disclose in his/her statement of economic interests those financial interests he/she has which are of the kind described in the disclosure categories to which he/she is assigned in Appendix A. It has been determined that the financial interests set forth in a designated employee's or position's disclosure categories are the kinds of financial interests which he/she foreseeably can affect materially through the conduct of his/her office.

¹ Designated employees who are required to file statements of economic interests under any other agency's Conflict of Interest Code, or under Article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 3 of 15

each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code Section 81004

(iii) **Definitions** The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. Sections 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict-of-interest code and in Appendix C.

B. **Other Definitions:** The following definitions are applicable to all portions of this policy except as referenced herein in Section 2.4 (A) above.

(i) "Contractor" means any individual or firm that enters into an agreement with the Housing Commission or the Housing Authority of the City of San Diego for the provision of goods and services, construction, architect/engineering, consulting services, loans and/or grants.

(ii) "Contract" means any mutually binding legal relationship obligating the seller to furnish supplies or services (including construction) and the buyer to pay for them. Examples include, but are not limited to, contracts, and amendments thereto, purchase orders, leases, maintenance agreements, and ordering agreements. Contract also includes loans and/or grants.

(iii) "Solicitation" means any informal or formal request for prices, bids, proposals, and/or qualifications that are issued in anticipation of making a contract, award and/or loan or grant.

(iv) **"Agreement" means any Agreement where the filing of Form 700 is legally required.**

2.5 Mandatory Disclosure of Interests by Prospective Contractors, Consultants, Suppliers, etc.

A. Purpose

To establish principles for determining the name and identity of all persons directly or indirectly involved in the proposed transaction, the precise nature of all interests of all persons therein, and other data pertinent to the award of a contract, including grants and/or loans.

B. Policy

No employee, officer, or agent of the Housing Commission or of the Housing Authority of the City of San Diego shall participate directly or indirectly in the selection or in the award or administration of any contract if a conflict, real or apparent, would be involved. Such conflict would arise when a financial or other interest in a firm selected for award is held by an employee, officer or agent involved in making the award or his/her Spouse and/or dependent children.

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 4 of 15

C. Disclosure Required

~~To ensure that all potential conflicts of interest are identified, all contractors, including grantees and borrowers, selected for award of contracts in excess of \$25,000 including options, for architect/engineering and professional consultants, and all contractors selected for award of contracts in excess of \$40,000 including options for construction and goods and services, shall be required to submit a Statement for Public Disclosure.~~

To ensure that all potential conflicts of interest are identified, all contractors, including grantees and borrowers, selected for award of contracts for any amount including options, for architect/engineering and professional consultants, and all contractors selected for award of contracts including options for construction and goods and services, shall be required to submit a Statement for Public Disclosure.

D. Failure to Submit

Failure to submit a Statement for Public Disclosure, or failure to fully disclose all the information enumerated in the Statement for Public Disclosure, shall be grounds for denial of contract award and may result in forfeiture of any and all rights and privileges that have been granted heretofore.

2.6 **Notification of Conflicts or Potential Conflicts and Manner of Abstention** All legally mandated abstentions should be filled out and transmitted to the Commission in advance of a hearing, but not later than the time of the hearing, using the form attached hereto as Appendix E. Examples of required written disclosures include, but are not limited to, conflicts involving economic interests under the Political Reform Act, Government Code sections 1090, 1091 and 1091.5 disclosures, Health and Safety Code section 34281 disclosures, City's Ethics Ordinance, and disclosures required by the "rule of necessity" under Government Code section 87100, et. seq.

2.7 **Provision Governing Former Employees.** No employee or member of the Housing Commission or of the Housing Authority of the City of San Diego shall have any prohibited interest, direct or indirect, nor shall profit from any Housing Commission contract to the extent prohibited by applicable federal, state or local law.

3. **Promulgation of Conflict-of-Interest Administrative Regulations** The President & Chief Executive Officer of the Commission shall, from time to time, promulgate administrative regulations to implement the various conflict of interest provisions referenced above, if and when required. Such administrative regulations shall be made available to members of the public upon request. The Board of Commissioners may, but shall not be required to, review, approve and amend such administrative regulations, at such times as the Board, in its sole discretion shall determine. Subject to such discretionary review by the Board, all authority to promulgate, amend, review and revise the administrative regulations shall be vested in the President & Chief Executive Officer of the Commission.

POLICYSubject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 5 of 15

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87300-87302, 89501, 89502, 89503, and 89504, Government Code

HISTORY:

New Section filed 4/2/80 as an emergency; effective upon filing. Certificate of Compliance included. Editorial correction

Amendment of subsection (b) filed 1/9/81; effective thirtieth day thereafter

Amendment of subsection (b)(7)(B)l. filed 1/26/83; effective thirtieth day thereafter

Amendment of subsection (b)(7)(A) filed 11/10/83; effective thirtieth day thereafter

Amendment filed 4/13/87; effective thirtieth day thereafter

Amendment of subsection (b) filed 10/21/88; effective thirtieth day thereafter

Amendment filed 8/28/90; effective thirtieth day thereafter

Amendment filed 8/7/92; effective thirtieth day thereafter

Amendment filed 2/5/93; effective upon filing

Amendment filed 3/14/95; effective upon filing

Amendment filed 4/23/96; effective upon filing

Amendment filed 11/26/96; effective upon filing

Amendment filed 12/08/98; effective upon filing

Amendment filed 11/14/00; effective upon filing

Amendment filed 8/16/02; effective upon filing

Amendment filed 12/15/06; effective upon filing

Amendment filed 09/12/08; effective upon filing

Amendment filed 02/20/09; effective upon filing

Amendment filed 12/7/10; effective upon filing

Amendment filed 11/13/12; effective upon filing

Amendment filed 07/20/20; effective upon filing

Amendment filed 11/17/2020 effective upon filing

Amendment filed 10/29/24 effective upon filing

Amendment filed 7/09/26; effective upon filing

Supersedes Policy 101.000, Issued 11/3/94; Rev: 4/23/96, 11/26/96, 12/08/98, 11/14/00, 8/16/02, 12/15/06, 9/18/08, 02/12/09, **11/17/20, 10/16/24, 07/09/2026**

Authorized

Azucena Valladolid
Chief Operating Officer

Date

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**

Number: **PO101.000**

Effective Date: 11/3/94

Page 6 of 15

APPENDIX A

DESIGNATED EMPLOYEES and DESIGNATED POSITIONS (Alphabetical Order)

Positions Requiring Full Disclosure Type I as set forth in Appendix B:

~~Assistant Directors~~
~~Board of Commissioners~~
~~Controller~~
~~Directors~~
~~Executive Vice President~~
~~Legal Counsel~~
~~Deputy Chief Executive Officer~~
~~Directors of the Housing Development Partners of San Diego~~
~~Directors of the HDP Mason Housing Corporation~~
~~Directors of SDHC Building Opportunities, Inc.~~
~~Members of the Loan Committee~~
~~Members of Real Estate Committee~~
~~President & Chief Executive Officer~~
~~Senior Directors~~
~~Senior Vice President of Communications & Chief of Communications~~
~~Senior Vice Presidents~~
~~Vice President of Information Technology & Chief Information Officer~~
~~Vice President of Financial Services & Chief Financial Officer~~
~~Vice Presidents~~

Board of Commissioners
Chief Operating Officer
Controller
Directors
Directors of SDHC Building Opportunities Inc.
Directors of the HDP Mason Housing Corporation
Directors of the Housing Development Partners of San Diego
Executive Vice President
Legal Counsel
Members of Real Estate Committee
Members of the Loan Committee
President & Chief Executive Officer
Senior Directors
Senior Vice President of Communications & Chief of Communications
Senior Vice Presidents
Senior Vice President of Financial Services & Chief Financial Officer
Vice President of Information Technology & Chief Information Officer
Vice Presidents

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**

Number: **PO101.000**

Effective Date: 11/3/94

Page 7 of 15

Positions Requiring Full Disclosure Type II, as set forth in Appendix B:

Executive Assistant to President & Chief Executive Officer

**Positions Requiring Limited Disclosure Type I, as set forth in Appendix B: (contracting)
(Alphabetical Order)**

~~Communications Manager
Community Liaison
Contracts Analysts
Facilities Coordinator
Maintenance Coordinator
Housing Construction/Inspection Coordinator
Housing Construction Supervisor
Human Resources Manager
Information Technology Manager
Labor and Contracts Compliance Supervisor~~

**Communications Manager
Community Liaison
Contracts Analysts
Facilities Coordinator
Housing Construction/Inspection Coordinator
Human Resources Manager
Information Technology Manager
Labor and Contracts Compliance Supervisor
Maintenance Coordinator**

Positions Requiring Limited Disclosure Type II, as set forth in Appendix B: (services and grants)

~~Accountant
Affordable Housing Compliance Manager
Contract Employees (who make/participate in Commission decisions in Board & Executive Functions, Business Services, Financial Services, Communication & Public Affairs, and/or Policy Departments)
Information Systems Service Manager
Information Technology Project Manager
Manager of Budget and Reporting
Project Manager
Real Estate/Housing Development Partners Accountant
Senior Real Estate Accountant
Senior Accountant
Senior Grants Accountant
Senior Budget Analyst
Senior Grants Analyst
Senior Program Analyst in Homeless Housing Innovations Team
Senior Work Readiness Department Program Analyst
Senior Information Project Manager
Senior Information Technology Business Analyst
Senior Program Analyst in Operations
Strategic Plan/Budget Administrator~~

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 8 of 15

Accountant
Affordable Housing Compliance Manager
Contract Employees (who make/participate in Commission decisions in Board & Executive Functions, Business Services, Financial Services, Communication & Public Affairs, and/or Policy Departments)
Cybersecurity Engineer
Information Systems Service Manager
Information Technology Project Manager
Manager of Budget and Reporting
Project Manager
Real Estate/Housing Development Partners Accountant
Senior Accountant
Senior Budget Analyst
Senior Grants Accountant
Senior Grants Analyst
Senior Information Project Manager
Senior Information Technology Business Analyst
Senior Program Analyst in Homeless Housing Innovations Team
Senior Program Analyst in Operations
Senior Real Estate Accountant
Senior Systems Administrator
Senior Work Readiness Department Program Analyst
Strategic Plan/Budget Administrator
Systems Administrator

Positions Requiring Limited Disclosure III, as set forth in Appendix B: (services/grants with RP)

~~Assistant Real Estate Managers~~
~~Assistant Real Estate Project Development Administrator~~
~~Budget Manager~~
~~Contract Employees~~
~~(who make/Participate in Commission decisions in Real Estate Operations Housing Innovations and/or Rental Assistance Departments)~~
~~Equal Opportunity Contract Manager~~
~~HCV Quality Assurance/Compliance Manager~~
~~Housing Programs Manager~~
~~Housing Supervisor~~
~~Loan Services Manager~~
~~Loan Underwriting Specialist~~
~~Loan Servicing Specialist~~
~~Manager~~
~~Off Site Property Manager~~
~~On Site Property Manager~~
~~Real Estate Project Development Administrator~~
~~Senior Program Analyst in Real Estate~~
~~Senior Program Analyst in Rental Assistance~~
~~Senior Real Estate Project Development Administrator~~
~~Senior Rental Assistance Analyst~~

POLICY

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**

Number: **PO101.000**

| Effective Date: 11/3/94

| Page 9 of 15

~~Special Programs Manager~~

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 10 of 15

Assistant Real Estate Managers
Assistant Real Estate Project Development Administrator
Budget Manager
Contract Employees (who make/Participate in Commission decisions in Real Estate Operations
Housing Innovations and/or Rental Assistance Departments)
Equal Opportunity Contracting Program Manager
HCV Quality Assurance/Compliance Manager
Housing Programs Manager
Housing Supervisor
Loan Services Manager
Loan Servicing Specialist
Loan Underwriting Specialist
Manager
Off-Site Property Manager
On-Site Property Manager
Real Estate Project Development Administrator
Senior Program Analyst in Real Estate
Senior Program Analyst in Rental Assistance
Senior Real Estate Project Development Administrator
Senior Rental Assistance Analyst
Special Programs Manager

CONSULTANTS AND NEW POSITIONS

“Consultant” is an individual who, pursuant to a contract with the Housing Commission, is either:

(1) Makes a governmental decision whether to: (a) Approve a rate, rule or regulation; (b) Adopt or enforce a law; (c) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement; (d) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval; (e) Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract; (f) Grant agency approval to a plan, design, report, study, or similar item; (g) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

(2) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.

Consultants and new positions shall make Full Disclosure subject to the President & Chief Executive Officer's (or his/her designated authority's) determination, in writing, that a particular consultant, or new position, although a ¹¹designated 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 determination shall include a description of the consultant's or new position's duties and,

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**

Number: **PO101.000**

| Effective Date: 11/3/94

| Page 11 of 15

based upon that description, a statement of the extent of disclosure requirements. The President & Chief Executive Officer'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.

Nothing herein excuses any such consultant or new position from any other provision of this Conflict-of-Interest Code.

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Director of Financial Services/Budget Officer - This position manages public investments and will file a Statement of Economic Interests pursuant to Government Code §87200.

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 12 of 15

APPENDIX B

DISCLOSURE CATEGORIES

Full Disclosure - Type I

You are required to disclose the following interests:

- any and all interests in real property that are within the jurisdiction* of the San Diego Housing Commission ("Housing Commission");
- any and all investments, business positions and sources of income from a person or business in the jurisdiction* of the Housing Commission. A business is in the jurisdiction of the Housing Commission if it is currently doing business in the City of San Diego, is planning on doing business in the City of San Diego or has done business in the city of San Diego in the last two (2) years; and
- any and all gifts, loans, travel expenses, etc. from any person or business entity doing business with the Housing Commission and/or the Housing Authority of the City of San Diego ("Housing Authority").

Full Disclosure -Type II (excluding interest in real property)

You are required to disclose the following interests:

- any and all investments, business positions and sources of income from a person or business in the jurisdiction* of the Housing Commission. A business is in the jurisdiction of the Housing Commission if it is currently doing business in the City of San Diego, is planning on doing business in the City of San Diego or has done business in the city of San Diego in the last two (2) years; and
- any and all gifts, loans, travel expenses, etc. from any person or business entity doing business with the Housing Commission and/or the Housing Authority.

Limited Disclosure - Type I (contracting)

You are required to disclose the following interests:

- any and all investments, business positions and sources of income from a person or business in the jurisdiction* of the Housing Commission that provides leased facilities, goods, equipment, machinery, vehicles, and/or services, including training and/or consulting services, of a type utilized by your department.

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 13 of 15

- A business is in the jurisdiction of the Housing Commission if it is currently doing business in the City of San Diego, is planning on doing business in the City of San Diego or has done business in the City of San Diego in the last two (2) years; and
- any and all gifts, loans, travel expenses, etc. from a person or business doing business with the Housing Commission and/or the Housing Authority, that provide leased facilities, goods, equipment, machinery, vehicles, and/or services, including training and/or consulting services, of the type utilized by your department

Limited Disclosure - Type II (grant/service providers)

You are required to disclose the following interests:

- any and all investments, business positions and/or income from any person or business (including a non-profit entity) doing business in the jurisdiction* of the Housing Commission and that provides goods and/or services of a nature similar to those utilized by your department. A business is in the jurisdiction of the Housing Commission if it is currently doing business in the City of San Diego, is planning on doing business in the City of San Diego or has done business in the City of San Diego in the last two (2) years;
- any and all investments, business positions and/or income from any person or business (including a non-profit entity) within the jurisdiction* of the Housing Commission that is of the type to receive grants or other monies from or through the Housing Commission. A business is in the jurisdiction of the Housing Commission if it is currently doing business in the City of San Diego, is planning on doing business in the City of San Diego or has done business in the City of San Diego in the last two (2) years; and
- any and all gifts, loans, travel expenses, etc. from a person or business doing business with the Housing Commission and/or the Housing Authority that provides goods or services of a nature similar to those utilized by your department.

Limited Disclosure - Type III (grant/service providers with disclosure of real property interest)

You are required to disclose the following interests:

- any and all interests in real property that are within the jurisdiction* of the Housing Commission;
- any and all investments, business positions and/or income from any person or business (including a non-profit entity) doing business in the jurisdiction* of the Housing Commission and that provides goods and/or services of a nature similar to those utilized by your department.

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**

Number: **PO101.000**

| Effective Date: 11/3/94

| Page 14 of 15

- A business is in the jurisdiction of the Housing Commission if it is currently doing business in the City of San Diego, is planning on doing business in the City of San Diego or has done business in the City of San Diego in the last two (2) years;
- any and all investments, business positions and/or income from any person or business (including a non-profit entity) within the jurisdiction* of the Housing Commission that is of the type to receive grants or other monies from or through the Housing Commission.
- any and all gifts, loans, travel expenses, etc. from a person or business doing business with the Housing Commission and/or the Housing Authority that provides goods or services of a nature similar to those utilized by your department.

"Jurisdiction" means the geographical area encompassing the City of San Diego, as depicted on the map in Appendix D. Real property is considered to be "within the jurisdiction" if the property or any part of it is located within or not more than two miles outside the boundaries of the City of San Diego or within two miles of any land owned or used by the San Diego Housing Commission. (82035)

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**Number: **PO101.000**

Effective Date: 11/3/94

Page 15 of 15

APPENDIX C**General Provisions**

When a designated employee is required to disclose investments and sources of income, the employee need only disclose investments in business entities and sources of income that do business in the jurisdiction or have done business in the jurisdiction, within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction.

When a designated employee is required to disclose interests in real property, the employee shall disclose real property located whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned by the local government agency. (The boundaries of the Housing Commission's jurisdiction are depicted and described on Appendix D.)

Designated employees or designated positions shall disclose their financial interest pursuant to the appropriate disclosure category(ies) as indicated in the chart in Appendix A.

~~Late Filing. The filing officer may impose penalties for statements of economic interest that are filed late. The fine is \$10 per day beginning the day after the filing deadline, up to a maximum of \$100. Late filing penalties can be reduced or waived under certain circumstances.~~

Filing Deadlines:

- a. **No later than thirty (30) days after the execution of an agreement where the filing of a Form 700 is required;**
- b. **Annually on or before April 1 of each year;**
- c. **Within thirty (30) days after full performance of this Agreement, as determined by the Commission in its sole discretion;**

Amendment to Appendix A: The President & Chief Executive Officer is authorized to implement proposed revisions to the Designated Positions List as classifications are added and deleted. Changes to the approved Designated Positions List will be forwarded for document approval during the biennial review process per City Council Resolution 287239.

POLICY

Subject: **CONFLICT OF INTEREST CODE AND RELATED PROVISIONS**

Number: **PO101.000**

| Effective Date: 11/3/94

| Page 16 of 15

APPENDIX D

~~"Jurisdiction" means the geographical area encompassing the City of San Diego, as depicted on the map in Appendix D. Real property is considered to be "within the jurisdiction" if the property or any part of it is located within or not more than two miles outside the boundaries of the City of San Diego or within two miles of any land owned or used by the San Diego Housing Commission.~~

~~(Jurisdiction Map)~~

"Jurisdiction" means the geographical area encompassing the City of San Diego. Real property is considered to be "within the jurisdiction" if the property or any part of it is located within or not more than two miles outside the boundaries of the City of San Diego or within two miles of any land owned or used by the San Diego Housing Commission.

APPENDIX E

**WRITTEN DISCLOSURE OF CONFLICT OR POTENTIAL CONFLICT OR
OTHER REASON FOR ABSTENTION AND NOTICE OF INTENTION TO
ABSTAIN FROM PARTICIPATION AND ACTION ON THE ITEM**

DATE: _____

TO: The Clerk of the City of San Diego, President & President & Chief Executive
Officer, Secretary and General Counsel of the San Diego Housing Commission

FROM: (Name) (Title)

SUBJECT: San Diego Housing Commission Item _____
for Meeting Scheduled on----- ("the Item")

NATURE OF CONFLICT OR POTENTIAL CONFLICT OR OTHER REASON
FOR ABSTENTION:

The undersigned requests that this written disclosure be made part of the public record and incorporated into the minutes of the meeting, if, and to the extent, required by law, including but not limited to Government Code Sections 87100, 87101, 1090, 1091, 1091.5, Health and Safety code Section 32481, City's Ethics Ordinance and the applicable regulations, including, but not limited to 2 Cal. Regs. I 8730(b)(10).

Executed thisof, at San Diego, California.

(Name Printed or Typed)
Commissioner or Employee of the
San Diego Housing Commission