



## EXECUTIVE SUMMARY

MEETING DATE: October 10, 2024

HCR24-076

SUBJECT: Adopt an Amended Conflict of Interest Code for the San Diego Housing Commission

COUNCIL DISTRICT: Citywide

ORIGINATING DEPARTMENT: General Counsel

CONTACT/PHONE NUMBER: Charles B. Christensen (619) 255-6428

REQUESTED ACTION:

Adopt the amended Conflict of Interest Code for the San Diego Housing Commission.

EXECUTIVE SUMMARY OF KEY FACTORS:

- This amendment is intended to conform to California Government Code section 87306.5 requiring a biennial review and update of local conflict of interest codes, as reflected in City Council Resolution No. R-315625, adopted on June 11, 2024.
- The San Diego Housing Commission's Conflict of Interest code has been amended to add new positions, revise the titles of existing positions, and revise the disclosure categories, all as detailed in Appendix A of Housing Commission policy PO101.000 "Conflict of Interest Code and Related Provisions," which is included as Attachment 1 to this report.
- The City Council is the legislative body responsible for reviewing and approving the conflict of interest codes for all City of San Diego departments, boards, and agencies.
- California 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 action will not be subject to a veto by the Mayor.
- The City Council last approved the San Diego Housing Commission's Conflict of Interest Code and Resolution No. R-313318 on November 17, 2020.
- This action has no fiscal impact.



## REPORT

**DATE ISSUED:** October 3, 2024

**REPORT NO:** HCR24-076

**ATTENTION:** Chair and Members of the San Diego Housing Commission Board of Commissioners

**SUBJECT:** Adopt an Amended Conflict of Interest Code for the San Diego Housing Commission

**COUNCIL DISTRICT:** Citywide

### **REQUESTED ACTION**

Adopt the amended Conflict of Interest Code for the San Diego Housing Commission.

### **STAFF RECOMMENDATION**

That the San Diego Housing Commission (Housing Commission) Board of Commissioners (Board) recommend that the City Council of the City of San Diego (City Council) adopt the amended Conflict of Interest Code for the San Diego Housing Commission.

### **SUMMARY**

This amendment is intended to conform to California Government Code section 87306.5 requiring a biennial review and update of local conflict of interest codes, as reflected in City Council Resolution No. R-315625, adopted on June 11, 2024.

The San Diego Housing Commission's code has been amended to add new positions, revise the titles of existing positions, and revise the disclosure categories, all as detailed in Appendix A of Housing Commission policy PO101.000 "Conflict of Interest Code and Related Provisions," which is included as Attachment 1 to this report.

The City Council is the code-reviewing body for City departments, boards, and agencies with conflict of interest codes. California 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.

The City Council last approved the San Diego Housing Commission's Conflict of Interest Code and Resolution No. R-313318 on November 17, 2020.

### **FISCAL CONSIDERATIONS**

This action has no fiscal impact.

### **HOUSING COMMISSION STRATEGIC PLAN**

This item relates to the Core Value "Believe in transparency and being good financial stewards" in the Housing Commission Strategic Plan for Fiscal Year 2022-2024. The Housing Commission is in the process of developing a new Strategic Plan.

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**EQUAL OPPORTUNITY CONTRACTING AND EQUITY ASSURANCE**

We're about people. At the San Diego Housing Commission, Diversity, Equity, Inclusion and Access are embedded in our values, mission, and culture. We make an intentional effort to provide equitable access to our programs and services and foster a diverse and inclusive workplace and community. Diversity and inclusion are catalysts for meaningful change. We encourage and welcome diverse approaches and points of view from employees, customers and our community as we continuously improve our programs, projects and policies.

**ENVIRONMENTAL REVIEW**

This activity is not a project as defined by the California Environmental Quality Act Section 21065 and State CEQA Guidelines Section 15378(b)(5), as it is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment. Thus, this activity would not be subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(3).

Respectfully submitted,

*Charles B. Christensen*  
Charles B. Christensen  
Christensen & Spath LLP  
General Counsel  
San Diego Housing Commission

Approved by,

*Jeff Davis*  
Jeff Davis  
Deputy Chief Executive Officer  
San Diego Housing Commission

Attachments: 1) Appendix A - Conflict of Interest Revisions for San Diego Housing Commission

Hard copies are available for review during business hours at the information desk in the main lobby of the San Diego Housing Commission offices at 1122 Broadway, San Diego, CA 92101. Docket materials are available in the "Governance & Legislative Affairs" section of the San Diego Housing Commission website at [www.sdhc.org](http://www.sdhc.org)

APPENDIX A

DESIGNATED EMPLOYEES and DESIGNATED POSITIONS

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

Assistant Directors  
Board of Commissioners  
Controller  
Directors  
~~Executive Vice President & Chief of Staff~~  
Executive Vice President ~~& Chief Operating Officer~~  
~~Executive Vice President & Chief Strategy Officer~~  
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

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

Senior Executive Assistant to President & Chief Executive Officer

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

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

**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, Communications & 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 Homeless Program Analyst  
Senior HR 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

**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 Contracting Program 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  
Special Programs Manager  
Work Readiness Department Program Supervisor

## **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 "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written 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, Vice President of Financial Services & Chief Financial Officer, and Controller - To the extent that any of these three positions manage public investments, employee will file a Statement of Economic Interests pursuant to Government Code §87200.