

# CIVIC SAN DIEGO BOARD POLICY

Section: 2.0 — Ethics and Conflict of Interest  
Sub-section: 2.06 — Disclosure Requirements for Ex Parte Communications  
Effective Date: June 27, 2018

## 1. PURPOSE

- 1.1 The CORPORATION participates in and takes action on certain discretionary decisions relating to projects within its jurisdiction. In some cases, the CORPORATION negotiates development agreements with developers and property owners on behalf of the CITY or AGENCY. An individual DIRECTOR may have an EX PARTE COMMUNICATION with interested third parties, outside of the formal BOARD meetings regarding these discretionary decisions and development agreements. It is the intent of the BOARD that these EX PARTE COMMUNICATIONS be disclosed.
- 1.2 Failure to comply with this Policy does not invalidate the action of the HEARING BODY, but may be grounds for discipline of the DIRECTOR who fails to make the required disclosure, including suspension, termination or removal from office in accordance with Section 3.4 of the Bylaws of the CORPORATION.

## 2. EFFECTIVE DATE AND AMENDMENTS

- 2.1 This Policy shall be effective upon the approval of the BOARD of the CORPORATION. This Policy may only be amended by approval of the BOARD, except as provided in Policy 1.01, Section 5.8.

## 3. DEFINITIONS

- 3.1 AGENCY — The Successor Agency to the former Redevelopment Agency of the City of San Diego.
- 3.2 BOARD — The Board of Directors of the CORPORATION.
- 3.3 CITY — City of San Diego.
- 3.4 CORPORATION — Civic San Diego.
- 3.5 DIRECTOR — A Member of the Board of Directors of the CORPORATION.
- 3.6 EX PARTE COMMUNICATION — Any oral or written communication about a pending Board matter received by a DIRECTOR, that occurs outside of a public meeting of a HEARING BODY, except for communications regarding purely procedural matters such as the scheduling of a hearing.
- 3.7 HEARING BODY - The Board of Directors and any committee created by the Board of Directors on which a DIRECTOR serves.

3.8 PENDING BOARD MATTER – A matter is considered a PENDING BOARD MATTER when either of the following occur: (a) an application for a permit has been filed with the CORPORATION; or (b) an item has been placed on any agenda of the HEARING BODY, continued to another meeting, returned to staff with direction subject to further action by the HEARING BODY, or requires other follow-up action from the HEARING BODY on any item placed on any agenda.

4. PROCEDURES

4.1 The President is authorized to establish and disseminate administrative procedures to implement this Policy, as applicable.

5. POLICY

5.1 Each DIRECTOR who receives any EX PARTE COMMUNICATION from an applicant or from any person interested in a PENDING BOARD MATTER before a HEARING BODY on which that DIRECTOR serves must disclose the EX PARTE COMMUNICATION when the HEARING BODY considers the matter that is the subject of the EX PARTE COMMUNICATION. Disclosure should be made at the commencement of the item and must be made no later than the opening of public comment on the PENDING BOARD MATTER that is the subject of the EX PARTE COMMUNICATION. Disclosure of the EX PARTE COMMUNICATION shall be made as part of the official record of the matter that is the subject of the EX PARTE COMMUNICATION by identifying the date and the person from whom the EX PARTE COMMUNICATION was made and briefly describing the substance of the EX PARTE COMMUNICATION.