

Franchise Compliance Review Committee

July 6, 2023



Agenda

- I. Call to Order
- II. Roll Call
- III. Non-Agenda Public Comment
- IV. Approval of May 31, 2023 Minutes
- V. Informational Item: Presentation from SDG&E
- VI. Discuss topics for the July 24th meeting
- VII. Adjournment
 - a. Next Meeting: July 24, 2023 at 1pm



02:00

mins: secs: type:

Breaktime for PowerPoint by Flow Simulation Ltd. Pin controls when stopped



Item IV: Approval of May 31, 2023 Minutes

We have evaluated the conflict of interest code issue for this board. There is no legal obligation for the Council to adopt a Conflict of Interest Code for the Franchise Compliance Review Committee because it does not have decision-making authority and will not, as currently structured, have authority to make substantive recommendations over an extended period of time that will be approved without amendment or modification.

Additionally, since the resolution and Franchise Agreement creating this Committee called for its members to not have conflicts of interest, we recommend that the member comply with Council Policy 000-04 to the extent it is applicable to Committee appointees who are not legally required to file a Form 700. Essentially, the Committee members should consider complying with these two requirements:

- First: No elected official, officer, **appointee**, or employee of the City of San Diego shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence or judgment or action in the performance of such duties.
- Second: No elected official, officer, **appointee**, or employee of the City of San Diego shall engage in any enterprise or activity which results in any of the following: (a) Using the prestige or influence of the City of San Diego office or employment for anyone's private gain or advantage. (b) Using time, facilities, equipment, or supplies of the City of San Diego for anyone's private gain or advantage. (c) Using official information not available to the general public for private gain or advantage. (d) Receiving or accepting money or other consideration from anyone other than the City of San Diego for the performance of acts done in the regular course of employment or duty. (e) Receiving or accepting, directly or indirectly, any gift or favor from anyone doing business with the City of San Diego under circumstances from which it could reasonably be inferred that such was intended to influence that elected official, officer, appointee, or employee in his or her official employment or duties, or as a reward for official action. (f) Engaging in or accepting private employment or rendering services for private interests when such activities are incompatible with the proper discharge of official responsibilities or duties.