

RESOLUTION NUMBER R- 284777

ADOPTED ON OCT 17 1994

ADOPTING REVISED CONFLICT OF
INTEREST CODE FOR THE METROPOLITAN
WASTEWATER DEPARTMENT.

WHEREAS, Government Code section 87306.5 requires biennial review of local conflict of interest codes every even-numbered year; and

WHEREAS, by Resolution No. 284140, adopted June 27, 1994, the City Council directed each City Department to make its biennial report and to update its conflict of interest code as necessary; and

WHEREAS, the Metropolitan Wastewater Department was formerly known as the Clean Water Department, whose Conflict of Interest Code was adopted previously by City Council Resolution No. R-277554 on March 25, 1991, and was amended by Resolution No. R-280731, on September 29, 1992; and

WHEREAS, the Conflict of Interest Code for the Metropolitan Wastewater Department must be revised to reflect changes in the department's organization and to reflect changes in positions and duties (Appendix A); NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the revised Conflict of Interest Code of the Metropolitan Wastewater Department of The City of San Diego, including Appendix A in which employees are designated and Appendix B in which disclosure categories are set forth, is hereby approved. A copy of the Conflict of Interest Code as revised is attached

hereto and on file in the office of the City Clerk as Document
No. RR-~~284777~~

BE IT FURTHER RESOLVED, that pursuant to section (b)(4) of
the Conflict of Interest Code, designated employees shall file
their Statements of Economic Interest ("SEI's") with the Director
and upon receipt of the statements, the Director shall make and
retain a copy and forward the original of these statements to the
City Clerk.

BE IT FURTHER RESOLVED, that the revised Conflict of
Interest Code shall become effective upon the date of adoption of
this resolution.

APPROVED: JOHN W. WITT, City Attorney

By *Cristie C McGuire*
Cristie C. McGuire
Deputy City Attorney

CCM:jrl
09/26/94
Or.Dept:MWW
R-95-521
Form=r+t

LOCAL AGENCY BIENNIAL REPORT

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in the code, or a statement that their code is not in need of amendment. Normally, such reports are to be submitted no later than October 1 of each even-numbered year. This year, the report is due no later than October 3, 1994, and is to be returned to your agency's respective code reviewing body (Section 82011). You may use this form or you may prepare your own report. When completed, submit this form, along with your Request for Council Action, to:

City Attorney's Office
City of San Diego
202 "C" Street, MS 3A
San Diego, CA 92101

SEP 14 10 29 AM '94

CITY ATTORNEY

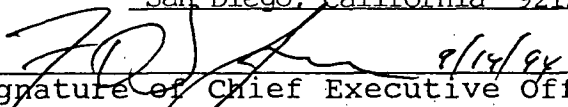
NOTE: WE REQUEST YOU SUBMIT THIS BY SEPTEMBER 1, 1994

This agency has reviewed its conflict of interest code and has determined that:

- 1) _____ Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or
- 2) X Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- X Include new positions which must be designated
- _____ Make changes to the reportable sources of income, investments, business positions, or real property
- X Make changes to the positions assigned
- _____ Change or add the provisions required by Government Code Section 87302

Contact Person Charles E. Mueller, Jr.
 Name of Agency Metropolitan Wastewater Department
 Mailing Address 600 B Street, Suite 500, Mail Station 905
San Diego, California 92129


 (Signature of Chief Executive Officer)

Note: Government Code Section 87306 requires that when an agency has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

DOCUMENT NO. BB284777

FILED OCT 17 1994
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

R-284777

(Regulations of the Fair Political Practices Commission, Title 2,
Division 6 of the California Code of Regulations)

18730. Provisions of Conflict of Interest Codes

(a) 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.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. --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.

(2) Section 2. Designated Employees. The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

(3) Section 3. 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.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

B) The disclosure assigned in the code of the other agency is the same as that required under Article 2 of Chapter 7 of the Political Reform Act, Government Code Section 87200; and

C) The filing officer is the same for both-agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of financial interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those financial interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the financial interests set forth in a designated employee's disclosure categories are the kinds of financial interests which he or she foreseeably can affect materially through the conduct of his or her office. '

(4) Section 4. Statements of Economic Interests: Place of Filing. The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

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.

² See Government Code Section 81010 and 2 Cal. Code of Regs. Section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office. Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office

statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later.

(D) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting. Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investments and Real Property Disclosure. When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

3. The address or other precise location of the real property;

4. A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000).

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$1,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

1. The name and address of each source of income aggregating two hundred fifty dollars (\$250) or more in value or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), or greater than ten thousand dollars (\$10,000);

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. State Agency Prohibition on Receipt of Honoraria. No member of a state board or commission, and no designated employee of a state agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (b), (c), (d), and (e) of Government Code Section 89502 shall apply to the prohibitions in this section.

(8.1) Section 8.1 State Agency Prohibition on Receipt of Gifts of \$250 or More. No member of a state board or commission, and no designated employee of a state agency, shall accept gifts with a total value of more than two hundred fifty dollars (\$250) in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subsections (b), (c), (d), and (e) of Government Code Section 89504 shall apply to the prohibitions in this section.

(9) Section 9. Disqualification. No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth one thousand dollars (\$1,000) or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth one thousand dollars (\$1,000) or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating two hundred fifty dollars (\$250) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$250 or more in value provided to; received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation. No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees. In addition to the general disqualification provisions of Section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

(10) Section 10. Manner of Disqualification. When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act must be accompanied by disclosure of the disqualifying interest. In the case of a voting body, this determination and disclosure shall be made part of the agency's official record; in the case of a designated

employee who is the head of an agency, this determination and disclosure shall be made in writing to his or her appointing authority; and in the case of other designated employees, this determination and disclosure shall be made in writing to the designated employee's supervisor.

(11) Section 11. Assistance of the Commission and Counsel. Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations. This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 - 91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

Note: Authority: Section 83112, Gov. Code
Reference: Sections 87300-87302, 89503, and 89504, Gov. Code

History

- (1) New section filed 4-2-80 as an emergency; effective upon filing. Certificate of Compliance included.
- (2) Editorial correction.
- (3) Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter.
- (4) Amendment of subsection (b) (7) (B)1. filed 1-26-83; effective thirtieth day thereafter.
- (5) Amendment of subsection (b) (7) (A) filed 11-10-83; effective thirtieth day thereafter.
- (6) Amendment filed 4-13-87; effective thirtieth day thereafter.
- (7) Amendment of subsection (b) filed 10-21-88; effective thirtieth day thereafter.
- (8) Amendment filed 8-28-90; effective thirtieth day thereaft
- (9) Amendment filed 8-7-92; effective thirtieth day thereafte
- (10) Amendment filed 2-5-93; effective upon filing.

AMENDMENT NO. 2

METROPOLITAN WASTEWATER DEPARTMENT
CONFLICT OF INTEREST CODE
DESIGNATED POSITIONS

APPENDIX A

<u>POSITION</u>	<u>DUTIES</u>	<u>CATEGORY</u>
	<u>ADMINISTRATION</u>	
Director	Administration of the Metropolitan Wastewater Department.	All
Assistant Director	Assist Director in administration of the Metropolitan Wastewater Department.	All
Consultant	The Department Director may determine in writing that a particular consultant, 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 duties and, based upon that description, a statement of the extent of disclosure requirements. The Department Director'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.	5
	<u>CONTRACTS MANAGEMENT</u>	
Deputy Director	Approves or recommends financial decisions regarding construction contracts, engineering contracts, modification to existing facilities, and procurement of materials and equipment.	All
Principal Contract Specialist	Approves or recommends financial decisions regarding construction contracts, engineering contracts, and procurement of materials and equipment.	All

Senior Contract Specialist	Coordinates and participates in the review and evaluation of statements of qualifications, proposals and bids; negotiates agreements; coordinates the review and approval of contractor's submittals; and develops and negotiates contract changes.	1,2,4
Senior Civil Engineer	Makes pre-bid cost estimates of proposed contract scopes; participates in the review and evaluation of proposals and bids; participates in the negotiation of contract changes.	1,2,4
Associate Civil Engineer - Materials Management	Coordinates and participates in the review and evaluation of equipment and material bids; negotiates agreements; coordinates the review and approval of vendors' submittals; and develops and negotiates contract changes.	1,2,4
Contract Specialist	Coordinates and participates in the review and evaluation of statements of qualifications, proposals and bids; negotiates agreements; coordinates the review and approval of contractor's submittals; and develops and negotiates contract changes.	1,2,4
Consultant	The Department Director, Assistant Director or Deputy Director may determine in writing that a particular consultant, 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 duties and, based upon that description, a statement of the extent of disclosure requirements. The Department Director's, Assistant Director's or Deputy Director'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.	5

ENGINEERING AND WATER RECLAMATION

Deputy Director	Approves or recommends financial decisions regarding the planning, design, and construction of water reclamation plants; develops privatization framework; and coordinates and manages value engineering evaluations.	All
Assistant Deputy Director	Assists in the approval and recommendation of financial decisions regarding the planning, design and construction of water reclamation plants; the development of privatization framework; and the coordination and management of value engineering evaluations.	All
Senior Civil Engineer - Design Management	Supervises the functions related to the planning, design and construction of water reclamation plants including quality assurance/quality control, engineering support and technical studies.	1,2,4
Senior Civil Engineer - Structural Engineering, CADD, and Guidelines	Supervises the functions related to providing technical support to design management including computer assisted design programs (C.A.D.D.) and the development of standards and guidelines.	1,2,4
Senior Mechanical Engineer - Biosolids, Mechanical and Electrical Engineering	Supervises the function related to mechanical and electrical design and operation of water reclamation systems including control systems and biosolids management.	1,2,4
Project Officer II	Performs high level engineering analysis of water reclamation plant ancillary facilities.	1,2,4
Consultants	The Department Director, Assistant Director or Deputy Director may determine in writing that a particular consultant, 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 in this section.	5

Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Department Director's, Assistant Director's or Deputy Director'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.

OPERATIONS AND MAINTENANCE

Deputy Director	Approves and/or recommends financial decisions regarding the operation and maintenance of regional wastewater treatment and conveyance facilities.	All
Assistant Deputy Director	Assists in the approval and/or recommendation of financial decisions regarding the operation and maintenance of regional wastewater treatment and conveyance facilities.	All
Senior Civil Engineer - Wastewater Plant Engineer	Supervise the O&M Division's engineering programs including design, planning and operations.	1,2,4
Wastewater Treatment Superintendent - Point Loma and Fiesta Island	Responsible for supervising maintenance and operation of wastewater plants and and sludge processing facilities. Request and recommend purchase of equipment, machine parts, and chemical supplies for treatment processes. Recommend repair and maintenance services. Make recommendations regarding capital improvements including expansion, modification and replacement. Can approve/disapprove items of equipment in new construction projects. Participate in acceptance of completed construction work.	1,2,4
Wastewater Treatment Superintendent - Outlying Facilities	Responsible for supervising maintenance and operation of major wastewater pumping stations. Request and recommend purchases of equipment, machine parts and chemical supplies for treatment processes. Recommend repair and maintenance services. Make	1,2,4

recommendations regarding capital improvements including expansion, modification and replacement. Can approve/disapprove items of equipment in new construction projects. Participate in acceptance of completed construction work.

Wastewater Treatment Superintendent - Resources Development Responsible for supervision and operation of all training programs. Approve all materials, supplies, equipment and services purchased for these operations. Review and approve reports and studies pertaining to training. 1,2,4

Senior Power Plant Supervisor Responsible for supervising maintenance and operation of power generation plants. Request and recommend purchase of equipment and machine parts. Recommend repair and maintenance services. Make recommendations regarding capital improvements including expansion, modification and replacement. Can approve/disapprove items of equipment in new construction projects. Participate in acceptance of completed construction work. 1,2,4

Consultant The Department Director, Assistant Director or Deputy Director may determine in writing that a particular consultant, 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 in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Department Director's, Assistant Director's or Deputy Director'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. 5

PROGRAM MANAGEMENT

Deputy Director Approves or recommends financial decisions regarding the schedule, All

planning, design, land acquisition, permits, environmental issues, value engineering, construction contracts, constructability review and construction cost control of new treatment facilities.

Senior Planner	Responsible for functions related to environmental and land issues, consultant compliance with environmental regulations; and oversees public review of environmental documents.	1,2,4
Senior Civil Engineer - Permits/Land Acquisition	Supervises the functions related to technical support including permits, land acquisition, value engineering and regulatory guidelines.	1,2,4
Senior Civil Engineer - Senior Project Manager	Supervises the engineering functions for wastewater treatment projects including pre-design, design, preconstruction, construction and operations.	1,2,4
Associate Civil Engineer - Project Manager	Oversees the pre-design, design, preconstruction, construction and operations of wastewater treatment facilities; directs consultants to assure that work progresses according to schedule, work concept and cost; and provides technical expertise and input in selecting project consultants.	1,2,4
Senior Civil Engineer/Project Officer II	Approves and/or recommends financial decisions regarding the construction of new wastewater treatment facilities, construction contracts, constructability review and construction cost control.	All
Associate Civil Engineer/Project Officer I	Coordinates value engineering and constructability review of design construction documents; monitors construction management consultants; monitors and investigates project sites; and monitors the activities of the various construction contractors.	1,2,4
Consultant	The Department Director, Assistant Director or Deputy Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that	5

is limited in scope and thus is not required to fully comply with the disclosure requirement described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Department Director's Assistant Director's or Deputy Director'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.

SUPPORT SERVICES

Deputy Director	Administers agency contracts; negotiates amendments to agency contracts; administers grants; prepares operation and maintenance and capital improvement program budgets.	All
Supervising Administrative Analyst - Rates/ Bonds/Policy	Analyzes revenue plan data; approves data collection and presentation methodology; schedules and reviews bond monies' transfers for payment; and performs high level special studies on a variety of financial topics.	All
Supervising Administrative Analyst - Finance/ Accounting	Analyzes cost and budgetary data; approves proper disbursements and expenditures; prepares and administers budgets; and performs special procedural, operational and cost analyses.	All
Supervising Administrative Analyst - Grants/Records Management	Applies for grants and loans; requests grant and loan reimbursements; supervises records management functions; and works with local, State and Federal laws and staff to ensure grant and records compliance.	All
Supervising Administrative Analyst - Agency Contracts/IS	Supervises and administers agency contracts and payments; supervises and administers overall departmental computer and data systems programs; oversees data system training; and develops data processing budgets.	All
Administrative Analyst - Grants	Approves and/or recommends financial decisions regarding grants and loans.	1,2,4

Associate Administrative Analyst - Grants Approves and/or recommends financial decisions regarding grants and loans. 1,2,4

Consultant The Department Director, Assistant Director or Deputy Director may determine in writing that a particular consultant, 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 in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Department Director's Assistant Director's or Deputy Director'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. 5

TECHNICAL SERVICES

Deputy Director Makes or approves all decisions to request equipment, supplies, materials and services. Develops and proposes Division's budget. Makes recommendations and administers all work programs of the Division. All

Senior Marine Biologist - Biology Lab Responsible for administration and supervision of Ocean Operations and Biology Laboratory for wastewater. Responsible for research programs and projects. Approves all materials, supplies, equipment and services purchased for these operations. Reviews and approves all technical reports and studies. Influences methods and requirements of chemical and mechanical treatment for wastewater. 1,2,4

Senior Chemist - Wastewater Laboratory Responsible for administration and supervision of Wastewater Laboratory. Responsible for research programs and projects. Approves all materials, supplies, equipment and services purchased for these operations. Reviews and approves all technical reports and studies. Influences methods and 1,2,4

requirements of chemical and mechanical treatment for wastewater.

Industrial Waste Program Manager Supervises the Industrial Waste Control Program. Inspects and issues permits to industrial facilities and waste haulers to ensure compliance with industrial waste discharge regulations. 1,2,4

Senior Chemist - Industrial Waste Laboratory Responsible for administration of Industrial Waste Laboratory; monitors and tests Industrial Waste discharges. 1,2,4

Consultant The Department Director, Assistant Director or Deputy director may determine in writing that a particular consultant, 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 in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Department Director's, Assistant Director's or Deputy Director'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. 5

AMENDMENT 2

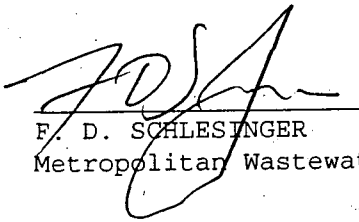
METROPOLITAN WASTEWATER DEPARTMENT
CONFLICT OF INTEREST CODE
DISCLOSURE CATEGORIES

APPENDIX B

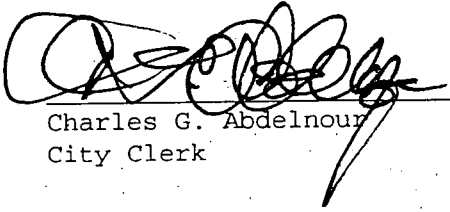
<u>CATEGORY</u>	<u>SCHEDULE</u>	<u>DESCRIPTION</u>
1	A,C-2	All investments and business positions in any firm or entity which supplies goods or services to the Metropolitan Wastewater Department of the City of San Diego.
2	B,C-1	All interests in real property owned or used by, and business positions in, any firm or entity which supplies goods or services to the Metropolitan Wastewater Department of the City of San Diego.
3	B,C-1	Investments and business positions in business entities, and sources of income, which engage in land development, construction or the acquisition or sale of real property, and all interests in real property.
4	D,E,F,G,H	All sources of income from any person, firm or entity which supplies goods or services to the Metropolitan Wastewater Department of the City of San Diego.
5	As Required	The Department Director, Assistant Director, Deputy Directors or Assistant Deputy Directors may determine in writing that a particular consultant, 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 in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Department Director's, Assistant Director's, Deputy Director's or Assistant Deputy Director'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.

R-284777

The foregoing amendment to the Conflict of Interest Code was prepared by the Metropolitan Wastewater Department after a fair opportunity was offered to the employees of the Department to present their views. The Code is submitted to the City Council this 23rd day of September, 1994.


F. D. SCHLESINGER
Metropolitan Wastewater Director

The above amendment to the Conflict of Interest Code was approved by the Council of the City of San Diego, acting as the code reviewing body pursuant to the Political Reform Act of 1974, as amended, by Resolution No. R- 284777, on OCT 17 1994.


Charles G. Abdelnour
City Clerk

R-284777