

RESOLUTION NUMBER 297309

ADOPTED ON NOV 18 2002

RESOLUTION ADOPTING THE REVISED
CONFLICT OF INTEREST CODE FOR THE
ENGINEERING & CAPITAL PROJECTS
DEPARTMENT

WHEREAS, by Resolution No. R-288133, adopted on December 2, 1996, the City Council approved the Engineering & Capital Projects Department's Conflict of Interest Code, which was revised and updated following the required City-wide biennial review of all conflict of interest codes for which the City Council serves as code reviewing body; and

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

WHEREAS, Government Code section 87306 requires agencies to amend their conflict of interest codes whenever an amendment is necessitated by changed circumstances, including the creation of new positions which must be designated and relevant changes in the duties assigned to existing positions; and

WHEREAS, the Engineering & Capital Projects Department has proposed changes to Appendix A and Appendix B of that office's conflict of interest code to accurately reflect designated positions and appropriate disclosure categories; NOW, THEREFORE,

BE IT RESOLVED that the Engineering & Capital Projects Department's proposed changes to Appendix A and Appendix B of that office's conflict of interest code are hereby approved and are incorporated into its conflict of interest code.

BE IT FURTHER RESOLVED that revised Appendix A and Appendix B to the Engineering & Capital Projects Department's Conflict of Interest Code be placed on file in the Office of the City Clerk as Document No. RR- **297309**.

BE IT FURTHER RESOLVED that the revised Conflict of Interest Code for the Engineering & Capital Projects Department become effective upon the date of adoption of this resolution.

APPROVED: CASEY GWINN, City Attorney

By *Lisa A Foster*
Lisa A. Foster
Deputy City Attorney

LAF:jab
09/23/2002
Or.Dept:Eng.&Cap.ProjectsDept.
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APPENDIX A

DESIGNATED POSITIONS, DUTIES AND CATEGORIES

ENGINEERING & CAPITAL PROJECTS DEPARTMENT

POSITIONS	DUTIES	CATEGORY
Engineering & Capital Projects Director	Policy formulation, contract approval, subdivision approval, redevelopment, administration, designated City Engineer.	1
Assistant to the Director	Policy formulation, contract approval, budget administration, public relations, special projects.	1
Deputy Director(s)	Contract preparation, consultant management, contract administration and payment, material approval, subdivision approval, redevelopment management.	1
Deputy Director/ Supervising Management Analyst(s) (EOC)	Direct daily operations and ensure City policy is followed; develop and monitor equal opportunity contracting programs in providing equal opportunity in City contracting.	1
Assistant Deputy Director	Contract preparation, consultant management, contract administration and payment, material approval, subdivision approval, redevelopment management.	1
Library Design and Development Manager (Public Buildings & Parks)	Administer the Library's development office.	1
Project Officer II (Public Buildings & Parks)	ADA/Title 24 Compliance Officer.	1
Senior Civil Engineer Senior Structural Project Officer II	Consultant agreement, construction management, material approval, subdivision approval, contract payment, and project management.	1
Senior Civil Engineer Project Officer II (Public Buildings & Parks)	Planning, designing, construction and negotiation for park projects.	1

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DESIGNATED POSITIONS, DUTIES AND CATEGORIES

ENGINEERING & CAPITAL PROJECTS DEPARTMENT

POSITIONS	DUTIES	CATEGORY
Senior Civil Engineer(s) Project Officer II (Water/Wastewater Facilities)	Supervise the design, survey and inspection functions for construction projects.	1
Senior Civil Engineer (Water/Wastewater Facilities)	Supervise the Long-Range Planning section.	1
Senior Land Surveyor	Land surveys, subdivision review, City-wide mapping and survey consultant.	1
Senior Planner Senior Public Info Officer (Water/Wastewater Facilities)	Review, recommend for selection, select and manage consultant contracts; and review public information recommendations, planning documents and plans.	1
Senior Planner (Transportation and Drainage Design)	Assist in the environmental review process: address permitting issues, review staff or consultant documents, work and negotiate with resource agencies to secure permits and review mitigation plans and costs.	1
Senior Traffic Engineer (Transportation and Drainage Design)	Supervise the design and checking of plans and specifications for traffic signals.	1
Supervising Management Analyst	Supervises professional staff, confers with department officials in solution of administrative, fiscal or organizational problems.	1
Contracts Administrator (Administration Division/ Contracts Processing)	Confers with department officials in solution of contract preparation and contract administration issues.	1

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ENGINEERING & CAPITAL PROJECTS DEPARTMENT

POSITIONS	DUTIES	CATEGORY
Consultant	<p>Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:</p> <p>The Engineering & Capital Projects Director and 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 Engineering & Capital Projects Director and Deputy Director's determination is public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.</p>	2

APPENDIX B

DISCLOSURE CATEGORY ENGINEERING & CAPITAL PROJECTS DEPARTMENT

Category 1: All real property interests located within the City of San Diego or within a 2 mile radius of its boundaries.

Investments and business positions in and income from any construction firm, building supply firm, real estate or land development firm, architectural or engineering firm or financial institution doing business in the City of San Diego or having the potential of doing business in or with the City of San Diego (See Section 7.B & 7.C).

Category 2: **Disclosure by Consultants**

As Required The Engineering & Capital Projects Director and 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 Engineering & Capital Projects Director and 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.

CERTIFICATION

The foregoing amendment to the Conflict of Interest Code was prepared by the City of San Diego, Engineering and Capital Projects Department after a fair opportunity was offered to the members of the Engineering and Capital Projects Department to present their views.

Shirley Ryznar for Frank Belock
(Signature of Executive Officer)

8/6/02
Date