

143  
12/5/06

RESOLUTION NUMBER R- 302194

DATE OF FINAL PASSAGE DEC 15 2006

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

WHEREAS, by Resolution No. R-299957, the City Council on December 7, 2004, adopted a revised Conflict of Interest Code for the Metropolitan Wastewater Department; 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 that must be designated, and relevant changes in the duties assigned to existing positions; and

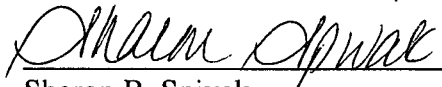
WHEREAS, the Metropolitan Wastewater Department has proposed changes to its code to better reflect the designated positions of the Department, by adding positions and deleting other positions that were eliminated from the Department; NOW THEREFORE,

BE IT RESOLVED, that the Metropolitan Wastewater Department's proposed changes to Appendix A of that department's Conflict of Interest Code are hereby approved and incorporated into its Conflict of Interest Code.

BE IT FURTHER RESOLVED, that revised Appendix A to the Conflict of Interest Code for the Metropolitan Wastewater Department be placed on file in the Office of the City Clerk as Document No. RR- 302194.

BE IT FURTHER RESOLVED, that the revised Conflict of Interest Code for the Metropolitan Wastewater Department shall become effective on the date of final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Sharon B. Spivak  
Deputy City Attorney

SBS:als  
11/7/06  
Or.Dept: Metropolitan Wastewater  
R-2007-491

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC - 5 2006.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 12.15.06  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

# CERTIFICATION

The foregoing amendment to the Conflict of Interest Code was prepared by the City of San Diego's Metropolitan Wastewater Dept.  
(name of department/agency/board)

after a fair opportunity was offered to the members of the department/agency/board to present their views.

*[Handwritten Signature]*

(signature of executive officer)

*8/22/05*

(date)

DOCUMENT NO. *RR* 302194  
DEC 05 2006  
FILED \_\_\_\_\_  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

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SAN DIEGO, CALIF.

*R-* 302194

Metropolitan Wastewater Department

Conflict of Interest Code  
Designated Positions  
APPENDIX A

POSITION	DUTIES	CATEGORY
<b>ADMINISTRATION</b>		
Director	Administration of the Metropolitan Wastewater Department	1
Assistant Director	Assist Director in administration of the Metropolitan Wastewater Department	1
<b>INFORMATION AND ORGANIZATIONAL SUPPORT</b>		
Deputy Director	Approves or recommends policy and financial decisions regarding Information Systems, Human Resources, Strategic Planning and Performance Measurement, COMNET, and Safety.	1
Department Information Officer	Manages technology related functions for the Metropolitan Wastewater Department including staff, budget, contracts, policies, strategic planning, and procurement of technology services.	2
Information Systems Administrator	Supervises and administers overall departmental Information Systems; oversees IT project management, infrastructure and customer support; and develops IT budget.	2
Supervising Human Resources Manager	Supervises and administers employee and organizational resources including Human Resources, Strategic Planning and Performance Measurement and budgetary data.	2
Senior Control Systems Engineer	Supervises and oversees the administration and support of Instrumentation and Control for the Department.	2
Project Officer II	Oversees the design, construction and operation of Instrumentation and Control for the Department.	2
Senior Mechanical Engineer	Oversees the design, construction and operation of Instrumentation and Control for the Department.	2
Supervising Public Information Officer	Responsible for the departmental public information and outreach efforts; negotiates service contracts and consultant agreements; reviews work products and invoices for payment.	2
<b>SERVICES AND CONTRACTS</b>		
Deputy Director	Approves or recommends policy and financial decisions regarding construction contracts, engineering contracts, modification to existing facilities, and procurement of materials and equipment; negotiates and administers agency contracts; administers grants; prepares operations and maintenance and capital improvements budgets.	1

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Metropolitan Wastewater Department

Conflict of Interest Code  
Designated Positions  
APPENDIX A

Supervising Management Analyst	Supervises, analyzes and administers revenue plan data, cost and budgetary data, grant and loan requests, or agency contracts and payments.	2
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**ENGINEERING AND PROGRAM MANAGEMENT**

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Deputy Director	Approves or recommends policy and financial decisions regarding the schedule, planning, design, land acquisition, permits, environmental issues, value engineering, construction, contracts and cost control of new treatment and reclamation facilities.	1
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Senior Civil Engineer	Supervises the engineering functions for wastewater treatment projects including design and construction or supervises technical support functions including permits and land acquisition, quality assurance/quality control, engineering support, and technical studies.	2
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Senior Mechanical Engineer	Supervises the function related to mechanical and electrical design and operation of water reclamation systems including control systems and biosolids management.	2
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Senior Structural Engineer	Supervises the functions related to providing technical support to design management including computer assisted design programs (CADD) and the development of standard guidelines.	2
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Project Officer II	Performs high level engineering analysis of water reclamation plant ancillary facilities, oversees construction projects; responsible for functions related to environmental and land issues, consultant compliance with City and environmental regulations.	2
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**OPERATION AND MAINTENANCE**

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Deputy Director	Approves and/or recommends policy and financial decisions regarding the operation and maintenance of regional wastewater treatment and conveyance facilities.	1
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Assistant Deputy Director	Assists in the approval and/or recommendation of policy and financial decisions regarding the operation and maintenance of regional wastewater treatment and conveyance facilities.	1
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Metropolitan Wastewater Department

Conflict of Interest Code  
Designated Positions  
APPENDIX A

Wastewater Treatment Plant Superintendent	Responsible for supervising maintenance and operation for wastewater plants, sludge processing facilities, training, and major pump stations. Makes recommendations regarding equipment purchases and capital improvements including expansion, modification and replacement.	2
Principal Plant Technician Supervisor	Responsible for supervising maintenance and operation for major pump stations. Also supervises all divisional maintenance planning functions and does specialized maintenance throughout the Division. Makes recommendations regarding equipment purchases and capital improvements including expansion, modification and replacement.	2
Supervising Management Analyst	Supervises, analyzes, prepares and administers the Operations and Maintenance budget for the Department.	2
Senior Civil Engineer	Supervise the O&M Division's engineering programs, including design, planning, and operations.	2
<hr/> <b>ENVIRONMENTAL MONITORING AND TECHNICAL SERVICES</b> <hr/>		
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.	1
Assistant Deputy Director	Assists in making or approving decisions to request equipment, supplies, materials and services. Develops and proposes Division's budget. Makes recommendations and administers all work programs of the Division.	1
Senior Biologist	Responsible for administration and supervision of Marine Microbiology and Vector Management programs, research programs and projects, and approves all materials, supplies, equipment and services. Influences methods and requirements of chemical and mechanical treatment for wastewater.	2
Senior Marine Biologist	Responsible for the administration and supervision of the Marine Biology Laboratory and Ocean Monitoring programs, research programs and projects, and approves all materials, supplies, equipment and services. Influences methods and requirements of chemical and mechanical treatment for wastewater.	2
Senior Chemist	Responsible for administration and supervision of Wastewater Laboratory, Industrial Waste Laboratory regulatory permits and compliance, research programs and projects, and approves all materials, supplies, equipment and services. Influences methods and requirements of chemical and mechanical treatment for wastewater.	2

Metropolitan Wastewater Department

Conflict of Interest Code  
Designated Positions  
APPENDIX A

Pretreatment 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.	2
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**WASTEWATER COLLECTION**

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Deputy Director	Administers work programs, policy and budget of the Wastewater Collection Division.	1
Assistant Deputy Director	Assists with the administration of work programs, policy and budget of the Wastewater Collection Division.	1
Senior Civil Engineer	Supervises the Wastewater Collection Division's engineering programs including design, planning, and operation.	2
General Water Utility Supervisor	Responsible for coordination of all wastewater collection maintenance in the City of San Diego.	2
General Water Utility Supervisor - ISO	Create and manage documents, training, work requests, and business plans to ensure a successful ISO audit and certification.	2
Program Manager	Responsible for and coordinates all Food Establishment Wastewater Discharge Permit Program (FEWD) activities.	2
Project Officer II	Performs high level engineering analysis and oversees planning and construction of wastewater collection facilities: responsible for maintaining compliance with regulatory agencies..	2

**STORM WATER POLLUTION PREVENTION**

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Deputy Director	Prepares and administers budgets and manages division activities; approves and/or recommends financial decisions regarding construction/engineering/consultant contracts, procurement of materials and equipment.	1
Storm Water Environmental Specialist	Reviews and evaluates agreements for professional/technical services, approves procurement of materials; approves contract payments; reviews and approves technical reports and studies.	2
Supervising Public Information Officer	Responsible for the City's stormwater public information and outreach efforts; negotiates service contracts and consultant agreements; reviews work products and invoices for payment.	2

**CONSULTANTS**

	Performs consultant services for the Metropolitan Wastewater Department.	3
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**METROPOLITAN WASTEWATER DEPARTMENT  
Conflict of Interest Code**

**APPENDIX B  
Disclosure Categories**

**CATEGORY**

**DESCRIPTION**

- 1 Investments and business positions in any business entity located in or doing business with the City.
- Income and gifts from sources located in or doing business with the City.
- Interests in real property located in the City, including property located within a two-mile radius of any property owned or used by the City.
- 2 All investments and business positions in any firm or entity which supplies goods or services to the Metropolitan Wastewater Department of the City, ("Department"), that is a tenant of the Department, that is an adverse party to the Department in a legal proceeding, is granted authority by the City to use Department facilities, or that engages in land development, construction or the acquisition or sale of real property for the Department.
- All interests in real property owned or used by any firm or entity that supplies goods or services to the Department, that is a tenant of the Department, that is an adverse party to the Department in a legal proceeding, is granted authority by the City to use Department facilities, or that engages in land development, construction or the acquisition or sale of real property for the Department.
- All sources of income, loans or gifts from any person, firm or entity that supplies goods or services to the Department, that is a tenant of the Department, that is an adverse party to the Department in a legal proceeding, is granted authority by the City to use Department facilities, or that engages in land development, construction or the acquisition or sale of real property for the Department.
- 3 Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in this code subject to the following limitation:
- 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 on 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.

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DEC 05 2006

Passed by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 15 2006

AUTHENTICATED BY:

JERRY SANDERS  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Mary Cepeda*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number *R-302194*