

MWWD - 9006

001997

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

1. CERTIFICATE NUMBER (FOR AUDITOR'S USE) 132
12/02

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT): Metropolitan Wastewater Department

3. DATE: July 28, 2008

4. SUBJECT:

CONFLICT OF INTEREST CODE FOR METROPOLITAN WASTEWATER DEPARTMENT

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)
Richard Enriquez, Metropolitan Wastewater Dept. MS, 901, (858) 292-6364

6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.)
Angie Beasley, Metropolitan Wastewater Dept. MS 901, (858) 654-4219

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND				
DEPT.				
ORGANIZATION				
OBJECT ACCOUNT				
JOB ORDER				
C.I.P. NUMBER				
AMOUNT				

9. ADDITIONAL INFORMATION / ESTIMATED COST:

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT.	<i>[Signature]</i>	7/31/08	8		<i>[Signature]</i>	8/7/08
2				9			
3				10	CITY ATTORNEY	<i>[Signature]</i>	10/30/08
4				11			
5				DOCKET COORD: _____ COUNCIL LIAISON _____			
6				<input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO: _____ COUNCIL DATE: 12/2/08			
7							

11. PREPARATION OF: RESOLUTIONS ORDINANCE(S) AGREEMENT(S) DEED(S)

Adopting the revised Conflict of Interest Code for the Metropolitan Wastewater Department

11A. STAFF RECOMMENDATIONS:

Approve the revised Conflict of Interest Code and appendix as submitted.

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): All

COMMUNITY AREA(S): Citywide

ENVIRONMENTAL IMPACT: This activity (Adopting a revised Conflict of Interest Code) is not a "project" as defined by CEQA Section §15378, and therefore is not subject to CEQA pursuant to State CEQA Guidelines Section §15060(c)(3).

CITY CLERK INSTRUCTIONS: Please provide two copies of the Resolution to MWWD, MS 901A, Attn: Rose Salarda

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED:

July 28, 2008

**REPORT
NO.:**

ATTENTION:

CITY COUNCIL

**ORIGINATING
DEPARTMENT:**

METROPOLITAN WASTEWATER DEPARTMENT

SUBJECT:

BIENNIAL REVIEW: CONFLICT OF INTEREST CODES

COUNCIL DISTRICT(S):

N/A

STAFF CONTACT:

RICHARD ENRIQUEZ, (858) 292-6364

REQUESTED ACTION:

Resolution

STAFF RECOMMENDATION:

Pass Resolution

EXECUTIVE SUMMARY:

This revision is intended to conform to Government Code Section 87305.5 requiring a biennial review and update of local conflict of interest codes as reflected in City Council Resolution No. R-303718 adopted on May 27, 2008. The Metropolitan Wastewater Department code has been revised to address additions and deletions of designated positions within the Department and organizational and budgetary changes due to recent departmental reorganization. These changes are noted in proposed Conflict of Interest Code.

FISCAL CONSIDERATIONS:

0

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

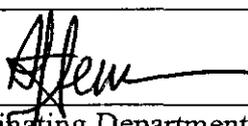
N/A

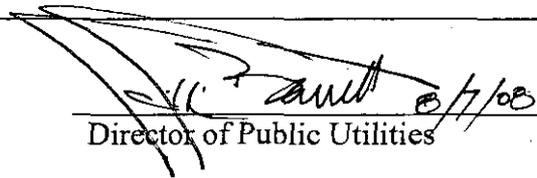
COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

N/A

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

N/A


Originating Department

 8/7/08
Director of Public Utilities

002001

2008 Local Agency Biennial Notice

Name of Agency: City of San Diego, Metropolitan Wastewater Department

Mailing Address: 9192 Topaz Way, San Diego, CA 92123

Contact Person: Richard Enriquez

Phone Number: (858) 292-6364 Fax Number: (858) 292-6310

E-mail: RJEnriquez@sandiego.gov

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

- The code needs to be amended and the following amendments are necessary:
(Check all that apply)
- Include new positions (including consultants) which must be designated (App. A)
 - Delete positions that manage public investments from the list of designated positions.
 - Revise disclosure categories (App. B)
 - Revise the titles of existing positions (App. A)
 - Delete the titles of positions that have been abolished (App. A)
 - Other

No amendments are necessary. The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require 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 holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



 Signature of Chief Executive Officer

7/31/08

 Date

You must complete this report regardless of how recently your code was approved or amended.

Please return this report by August 22, 2008, to:

Denise Jenkins, Elections Analyst
 Office of the City Clerk
 202 C Street, MS 2A
 San Diego, CA 92101

002003

CERTIFICATION

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

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



(signature of executive officer)

7/31/08

(date)

Metropolitan Wastewater Department

002005

Conflict of Interest Code
Designated Positions
APPENDIX A

POSITION	DUTIES	CATEGORY
ADMINISTRATION ADMINISTRATIVE SERVICES		
<u>Director of Public Utilities</u>	Administration of the Metropolitan Wastewater Department and Water Departments.	4.1
Assistant Director	Assist Director in administration of the Metropolitan Wastewater Department	1
INFORMATION AND ORGANIZATIONAL SUPPORT		
Deputy Director	Approves or recommends policy and financial decisions regarding Information Systems, Human Resources, Strategic Planning and Performance Measurement, COMNET, and Safety.	4
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 overall departmental human resources activities and functions employee and organizational resources including Human Resources, Strategic Planning and Performance Measurement and budgetary data.	2
Senior Control Systems Engineer (bus)	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
<u>Supervising Public Information Officer</u>	<u>Responsible for the the City's departmental storm water public information and outreach efforts; negotiates service contracts and consultant agreements; reviews work products and invoices for payment.</u>	2
SERVICES AND CONTRACTS		
Deputy Director	Approves or recommends policy and financial decisions regarding construction and contracts; engineering contracts, modification to existing facilities, and procurement of materials	1

Metropolitan Wastewater Department

002006

Conflict of Interest Code
Designated Positions
APPENDIX A

and equipment; Oversees information systems, human resources, strategic planning, performance measurement, training, and safety. Negotiates and administers agency contracts; Oversees independent rates oversight issues, wastewater debt and rate analysis; administers grants; prepares operations and maintenance and capital improvements budgets.

002007

Conflict of Interest Code
Designated Positions
APPENDIX A

<u>Administrative Services Manager</u>	<u>Assists in approval and recommendation of policy and financial decisions regarding construction and engineering contracts, and procurement of materials and equipment. Assists in oversight of information systems, human resources, strategic planning, performance measurement, training and safety. Assists in oversight of negotiation and administration of agency contracts. Assists in oversight of independent rates oversight issues, wastewater debt and rate analysis; administers grants; prepares operations and maintenance and capital improvements budgets.</u>	1
Supervising Management Analyst	<u>Supervises, analyzes and administers revenue plan data, independent rates oversight issues, cost and budgetary data, grant and loan requests, or agency contracts and payments, and wastewater debt and rate analysis.</u>	2
<u>Asset Management Coordinator</u>	<u>Responsible for the coordination and supervision of Department's asset management responsibilities.</u>	2
<u>Contract Management Specialist</u>	<u>Approves or recommends financial and contractual decisions regarding construction contracts, engineering contracts, and procurement of materials and equipment.</u>	2
Principal Contract Specialist	<u>Approves or recommends financial decisions regarding construction contracts, engineering contracts, modifications to existing facilities, and procurement of materials and equipment.</u>	2

ENGINEERING AND PROGRAM MANAGEMENT

Deputy Director	<u>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.</u>	1
Assistant Deputy Director	<u>Assists in the approval and/or recommendation of policy and financial decisions regarding schedule, planning, design, land acquisition, permits, environmental issues, value engineering, construction, contracts and cost control of new treatment and reclamation facilities.</u>	4
Senior Civil Engineer	<u>Supervises the engineering functions for wastewater treatment projects including <u>planning, condition assessment, program management design and construction</u> or supervises technical support functions including permits and land acquisition, quality assurance/quality control, engineering support, and technical studies.</u>	2

Metropolitan Wastewater Department

002008

Conflict of Interest Code
Designated Positions
APPENDIX A

Senior Mechanical Engineer	<u>Supervises the function related to energy management including, energy usage and generation, energy audits and conservation and project management of energy projects mechanical and electrical design and operation of water reclamation systems including control systems and biosolids management.</u>	2
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Senior Structural Engineer	<u>Supervises the functions related to providing technical support to design management including computer-assisted design programs (CADD) and the development of standard guidelines.</u>	2
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Project Officer II	<u>Supervises the functions related to environmental review including environmental compliance, permit support, revegetation and mitigation, support to Wastewater Collection Division on canyon projects, redirection of flow studies, substantial conformance review, and canyon access planning and implementation. 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.</u>	2
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OPERATION AND MAINTENANCE WASTEWATER TREATMENT AND DISPOSAL DIVISION

Deputy Director	<u>Approves and/or recommends policy and financial decisions regarding the wastewater treatment and disposal operation and maintenance of regional wastewater treatment and conveyance facilities. Oversees COMNET, facilities maintenance and security.</u>	1
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Assistant Deputy Director	<u>Assists in the approval and/or recommendation of policy and financial decisions regarding the wastewater treatment and disposal operation and maintenance of regional wastewater treatment and conveyance facilities. Assists in the oversight of COMNET, facilities maintenance and security.</u>	1
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Metropolitan Wastewater Department

002009

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 <u>Operations and Maintenance Wastewater Treatment and Disposal Division</u> budget for the Department.	2
Senior Civil Engineer	Supervise the <u>O&M Wastewater Treatment and Disposal</u> Division's engineering programs, including design, planning, and operations.	2
Senior Control Systems Engineer	<u>Supervises and oversees the administration and support of Instrumentation and Control for the Department.</u>	2
Senior Corrosion Engineer	<u>Responsible for managing and implementing the department's Corrosion Control Program including mitigation, design, maintenance and supervision.</u>	2
ENVIRONMENTAL MONITORING AND 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.	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.	4
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	2

Metropolitan Wastewater Department

002010

Conflict of Interest Code
Designated Positions
APPENDIX A

	wastewater.	
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. <i>Influences methods and requirements of chemical and mechanical treatment for</i> —wastewater.	2

002011

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

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

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.	4
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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
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Supervising Public	Responsible for the City's storm water public information and	2
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Metropolitan Wastewater Department

092012

Conflict of Interest Code
Designated Positions
APPENDIX A

Information Officer

~~outreach efforts; negotiates service contracts and consultant agreements; reviews work products and invoices for payment.~~

CONSULTANTS

Performs financial, engineering, and varied professional consultant sServices for the Metropolitan Wastewater Department.

3

Metropolitan Wastewater Department

002013

Conflict of Interest Code
Designated Positions
APPENDIX A

POSITION	DUTIES	CATEGORY
ADMINISTRATIVE SERVICES		
Director of Public Utilities	Administration of the Metropolitan Wastewater and Water Departments.	1
Assistant Director	Assist Director in administration of the Metropolitan Wastewater Department	1
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 overall departmental human resources activities and functions	2
Deputy Director	Approves or recommends policy and financial decisions regarding construction and engineering contracts, and procurement of materials and equipment. Oversees information systems, human resources, strategic planning, performance measurement, training, and safety. Negotiates and administers agency contracts. Oversees independent rates oversight issues, wastewater debt and rate analysis; administers grants; prepares operations and maintenance and capital improvements budgets.	1
Administrative Services Manager	Assists in approval and recommendation of policy and financial decisions regarding construction and engineering contracts, and procurement of materials and equipment. Assists in oversight of information systems, human resources, strategic planning, performance measurement, training and safety. Assists in oversight of negotiation and administration of agency contracts. Assists in oversight of independent rates oversight issues, wastewater debt and rate analysis; administers grants; prepares operations and maintenance and capital improvements budgets.	1
Supervising Management Analyst	Supervises, analyzes and administers revenue plan data, independent rates oversight issues, cost and budgetary data, grant and loan requests, agency contracts and payments, and wastewater debt and rate analysis.	2
Asset Management Coordinator	Responsible for the coordination and supervision of Department's asset management responsibilities.	2
Contract Management Specialist	Approves or recommends financial and contractual decisions regarding construction contracts, engineering contracts, and procurement of materials and equipment.	2

Metropolitan Wastewater Department

Conflict of Interest Code
Designated Positions
APPENDIX A

002014

ENGINEERING AND PROGRAM MANAGEMENT

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
Senior Civil Engineer	Supervises the engineering functions for wastewater treatment projects including planning, condition assessment, program management quality assurance/quality control, engineering support, and technical studies.	2
Senior Mechanical Engineer	Supervises the function related to energy management including, energy usage and generation, energy audits and conservation and project management of energy projects	2
Project Officer II	Supervises the functions related to environmental review including environmental compliance, permit support, revegetation and mitigation, support to Wastewater Collection Division on canyon projects, redirection of flow studies, substantial conformance review, and canyon access planning and implementation.	2

WASTEWATER TREATMENT AND DISPOSAL DIVISION

Deputy Director	Approves and/or recommends policy and financial decisions regarding the wastewater treatment and disposal of regional wastewater treatment facilities. Oversees COMNET, facilities maintenance and security.	1
Assistant Deputy Director	Assists in the approval and/or recommendation of policy and financial decisions regarding the wastewater treatment and disposal of regional wastewater treatment facilities. Assists in the oversight of COMNET, facilities maintenance and security.	1
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

Metropolitan Wastewater Department

002015

Conflict of Interest Code
Designated Positions
APPENDIX A

Supervising Management Analyst	Supervises, analyzes, prepares and administers the Wastewater Treatment and Disposal Division budget for the Department.	2
Senior Civil Engineer	Supervise the Wastewater Treatment and Disposal Division's engineering programs, including design, planning, and operations.	2
Senior Control Systems Engineer	Supervises and oversees the administration and support of Instrumentation and Control for the Department.	2
Senior Corrosion Engineer	Responsible for managing and implementing the department's Corrosion Control Program including mitigation, design, maintenance and supervision.	2

ENVIRONMENTAL MONITORING AND 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.	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
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

Metropolitan Wastewater Department

002016

Conflict of Interest Code
Designated Positions
APPENDIX A

WASTEWATER COLLECTION

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
Program Manager	Responsible for and coordinates all Food Establishment Wastewater Discharge Permit Program (FEWD) activities.	2

CONSULTANTS

	Performs financial, engineering, and varied professional consultant services for the Metropolitan Wastewater Department.	3
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**METROPOLITAN WASTEWATER DEPARTMENT
Conflict of Interest Code**

**APPENDIX B
Disclosure Categories**

<u>CATEGORY</u>	<u>DESCRIPTION</u>
1	<p><i>Investments and business positions in any business entity located in or doing business with the City.</i></p> <p>Income and gifts from sources located in or doing business with the City.</p> <p>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.</p>
2	<p>All investments and business positions in any firm or business entity that 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.</p> <p>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.</p> <p>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 adverse party to the Department in a legal proceeding, is granted authority by the Department to use City facilities, or that engages in land development, construction or the acquisition or sale of real property for the Department.</p>
3	<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 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.</p>

002019

RESOLUTION NUMBER R- _____

DATE OF FINAL PASSAGE _____

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

WHEREAS, Government Code sections 87300 and 87302 require local agencies to adopt conflict of interest codes designating positions that involve the making or participation in making of decisions which may foreseeably have a material effect on financial interests, and for each position, the financial interests which are reportable; and

WHEREAS, in compliance with Government Code section 87306.5, the City is in the midst of a required City-wide biennial review of all conflict of interest codes for which the City Council serves as code-reviewing body; and

WHEREAS, by Resolution R-303718 (approved by the City Council on May 20, 2008), the City Council directed every City department, agency, board and commission for which the City Council serves as code-reviewing body to make biennial reports and to update their conflict of interest codes as necessary; and

WHEREAS, as the City's code-reviewing body, the City Council finds it in the public interest to adopt the standard conflict of interest code promulgated by the California Fair Political Practices Commission [FPPC] in Regulation 18730, and hereby declares its intention to incorporate by reference the terms of FPPC Regulation 18730 and any amendments to that regulation duly adopted by the FPPC as part of each conflict of interest code for which the City Council has responsibility; and

002520

WHEREAS, by Resolution No. R-302194, the City Council on December 5, 2006, approved a revised Conflict of Interest Code for the Metropolitan Wastewater Department; and

WHEREAS, the Metropolitan Wastewater Department now seeks to revise its conflict of interest code to account for reorganization, and to add new positions, delete positions more appropriately included in other department codes or that have been abolished, and revise titles of existing positions; and

WHEREAS, the City Council concurs that a revised Conflict of Interest Code be adopted for the Metropolitan Wastewater Department; and

WHEREAS, Government Code section 87303 provides that when a proposed conflict of interest code or amendment is approved by the code-reviewing body, it shall be deemed adopted, and, accordingly, this resolution is not subject to veto by the Mayor; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that a Conflict of Interest Code for the Metropolitan Wastewater Department is hereby adopted, consisting of standard language embodied in title 2, section 18730 of the California Code of Regulations, and any amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories.

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

BE IT FURTHER RESOLVED, that the persons whose positions are designated in the revised Conflict of Interest Code for the Metropolitan Wastewater Department shall file their

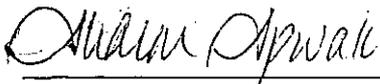
002021

statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political Practices Commission Regulation 18730, or any amendments thereto, which set forth the deadlines for the filing of initial statements, assuming office statements, annual statements and leaving office statements.

BE IT FURTHER RESOLVED, that the statements of economic interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction.

BE IT FURTHER RESOLVED, that the Conflict of Interest Code for the Metropolitan Wastewater Department becomes effective upon the date of adoption of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 

Sharon B. Spivak
Deputy City Attorney

SBS:als
10/30/08
Or.Dept:Metropolitan Wastewater
R-2009-218