

COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
**2010 CONFLICT OF INTEREST CODE**  
**BIENNIAL REVIEW REPLY FORM**

AUG 30 PM 1 51

THOMAS J. PASTUSZKA  
CLERK OF THE BOARD  
OF SUPERVISORS

Contact Person: Daniel S. Hentschke Telephone Number: 858-522-6791

Name of Agency: San Diego County Water Authority

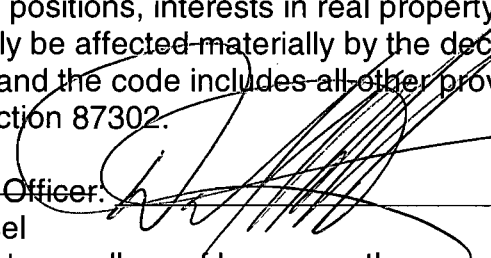
Mailing Address: 4677 Overland Avenue, San Diego, CA 92123

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

**Amendments are necessary:** (Attach Amended Code)  
(Check all that applies)

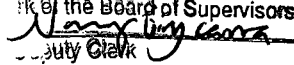
- Include new positions (including consultants) which must be designated
- Revise the titles of existing positions
- Delete titles of positions that have been abolished
- Delete positions that manage public investments
- Revise disclosure categories
- Other \_\_\_\_\_

**No amendments are necessary.** Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foresee-ably be affected materially by the decision made by those designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer:  Date: 8/26/2010  
General Counsel

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than August 31, 2010 to:**

**Clerk of the Board of Supervisors  
(Conflict of Interest Code)  
1600 Pacific Highway, Room 402  
San Diego, CA 92101**

Approved and/or authorized by the Board  
of Supervisors of the County of San Diego  
Date: 10/21/10 Minute Order No. 1  
THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors  
  
Deputy Clerk

## **APPENDIX**

### **SAN DIEGO COUNTY WATER AUTHORITY LOCAL CONFLICT OF INTEREST CODE**

#### **List of Designated Positions and Disclosure Requirements (2010 Update)**

#### **SECTION 1: AUTHORITY AND SCOPE**

This Appendix is adopted pursuant to and as a part of the San Diego County Water Authority Local Conflict of Interest Code, which adopts by reference the latest provisions of Section 18730 of Title 2 of the California Code of Regulations.

The San Diego County Water Authority Local Conflict of Interest Code contains both requirements for the disclosure of financial interests and disqualification requirements. Violations of the local conflict of interest code are subject to the administrative, criminal and civil sanctions of the Political Reform Act.

This Appendix contains a list of designated positions and disclosure requirements for employees holding designated positions. This Appendix is the "Appendix" referred to in subsection (b)(3) [Disclosure Categories] of 2 Cal. Code of Regs. Section 18730. The General Manager, in consultation with the General Counsel, may add designated positions and establish disclosure requirements for such positions whenever a new job classification is created. Such designation shall be effective pending amendment of the Code or this Appendix by the Board of Directors.

The Members of the Board of Directors, the General Manager, the Director of Finance and the Treasurer are designated as "other public officials who manage public investments" under Government Code Section 87200 and 2 Cal. Code of Regulation Section 18720. Persons in these positions are required to disclose financial interests pursuant to Government Code sections 87200 - 87210 and are, therefore, not included in the list set forth below. However, such persons are subject to the disqualification requirements of the San Diego County Water Authority Local Conflict of Interest Code.

#### **SECTION 2: EFFECTIVE DATE**

This 2010 update of the Appendix shall be effective the day following its approval by the code reviewing body. The San Diego County Board of Supervisors is designated by statute as the code reviewing body for the San Diego County Water Authority. Following approval by the code reviewing body, this Appendix remains in effect until repealed or superseded.

#### **SECTION 3: LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES**

The positions within the Water Authority listed in this section are "designated positions." Any person whose employment position (whether full time, part time or temporary) with the Water Authority is a designated position, is a "designated employee" for the purposes of the local conflict of interest code. Designated employees shall disclose in the manner provided in the local conflict of interest code, those reportable financial interests which are within each of the categories

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represented by the numerals following each listed position. Each disclosure category is identified by a number and is described below. Disclosure requirements for interests in each disclosure category are set forth in subsection (b)(7) [Manner of Reporting] of 2 Cal. Code of Regs. Section 18730.

Category Number	Reportable Financial Interests
1	All investments
2	All sources of income
3	All interests in real property
4	All business positions
5	Investments and business positions in business entities, and sources of income, engaged directly or indirectly, in land development, construction, civil engineering, environmental consulting, land planning, real estate (including without limitation brokerage, sales, marketing, leasing, appraisal, and lending), commercial lending, banking or farming.
6	Investments and business positions in business entities, and sources of income, engaged, directly or indirectly, in development, distribution, transfer, conservation, storage, treatment, reclamation or marketing of water.
7	Investments and business positions in business entities, and sources of income, engaged in architecture, engineering, accounting, auditing, law, public relations, provision of temporary employees, office products, telecommunications, computer hardware and software, personnel services, management services, or in the manufacture, production, vending or servicing of goods, materials, machinery or equipment of the type routinely used or purchased by public water agencies; including those entities and sources within the scope of category 8.
8	Investments and business positions in business entities, and sources of income who have contracted with the Authority within the past two years or who in the future may foreseeably contract with the Authority to provide services, supplies, materials, machinery or equipment. Reporting under this category shall apply to those contracts for services, supplies, materials, machinery or equipment acquisition, the solicitation, negotiation, or administration of which are within the scope of regular and customary job duties of the employee.

**Designated Positions**

**Disclosure Categories**

*General Manager's Office*

Assistant General Manager	1, 2, 3, 4
Deputy General Manager	1, 2, 3, 4
Executive Administrative Assistant	8
Management Analyst	5, 6, 7
Government Relations Manager	5, 6, 7

*General Counsel's Office*

General Counsel	1, 2, 3, 4
Assistant General Counsel	1, 2, 3, 4
Deputy General Counsel	1, 2, 3, 4
Legal Administrative Assistant	8

*Administrative Services Department*

Director of Administrative Services	1, 2, 3, 4
Clerk of the Board	7
Deputy Clerk of the Board	7
Management Analyst	7
Assistant Management Analyst	7
Data Base Administrator	7
Facilities Services Technician	7
Information Systems Supervisor	7
Information Systems Manager	7
Purchasing Manager	1, 2, 3, 4
Purchasing Technician I and II	8
Risk Manager	7
Safety Officer	8
Senior Management Analyst	1, 2, 3, 4
Administrative Services Manager	1, 2, 3, 4
Warehouse Supervisor	7

*Colorado River Program*

Colorado River Program Manager	1, 2, 3, 4
Management Analyst	5, 6, 7
Senior Engineer	5, 6, 7
Principal Engineer	1, 2, 3, 4
Principal Water Resources Specialist	6, 7
Senior Public Affairs Representative	7
Senior Water Resource Specialist	6, 8
Engineer (P.E.)	5, 6, 7

Conservation Program

Water Conservation Program Executive	1, 2, 3, 4
Principal Water Resource Specialist	5, 6, 7
Water Resources Specialist	5, 6, 7
Senior Water Resource Specialist	5, 6, 7
Project Scheduler	8

Engineering Department

Director of Engineering	1, 2, 3, 4
Assistant Management Analyst	5, 7
Construction Manager	5, 7
Cost Estimator	5, 7
Engineer (P.E.)	5, 7
Engineer I	5, 7
Engineer II	5, 7
Engineering Manager	1, 2, 3, 4
Engineering Technician I	5
Engineering Technician II	5
Management Analyst	5, 7
Principal Construction Manager	1, 2, 3, 4
Principal Engineer	1, 2, 3, 4
Program Control Manager	5, 7
Senior Construction Manager	5, 7
Senior Project Scheduler	5, 7
Senior Engineer	5, 7
Senior Engineering Technician	5, 7
Senior Management Analyst	1, 2, 3, 4
Supervising Administrative Assistant	7
Supervising Engineering Technician	5, 7
Supervising Management Analyst	1, 2, 3, 4

Finance Department

Controller	1, 2, 3, 4
Accounting Supervisor	7
Investment Analyst	7
Financial Unit Manager	1, 2, 3, 4

Human Resources Department

Director of Human Resources	1, 2, 3, 4
Human Resources Analyst	7
Human Resources Assistant	7
Senior Human Resources Analyst	7

MWD Program

MWD Program Chief	1, 2, 3, 4
MWD Water Policy Manager	5, 6, 7
Senior Water Resources Specialist	6, 8
Assistant Water Resources Specialist	8

Operations and Maintenance Department

Director of Operations and Maintenance	1, 2, 3, 4
Electrical/Electronics Supervisor	7
Fleet Maintenance Supervisor	7
Management Analyst	5, 6, 7
Operations and Maintenance Manager	5, 7
Principal Water Resources Specialist	5, 6, 7
Senior Electrical/Electronics Technician	7
Senior Engineering Technician	7
Senior Maintenance Technician	7
Supervising Management Analyst	1, 2, 3, 4
Senior System Operator	8
Systems Operations Supervisor	7
System Maintenance Supervisor	7
Water Resources Specialist	5, 6, 7

Public Affairs Department

Director of Public Affairs	1, 2, 3, 4
Education Programs Supervisor	7
Education Programs Specialist	8
Public Affairs Manager	7
Public Affairs Supervisor	7
Public Affairs Representative II	8
Public Affairs Representative I	8
Senior Public Affairs Representative	7
Small Business Contracting Manager	5, 7

Right of Way Department

Director of Right of Way	1, 2, 3, 4
Right of Way Technician I	5, 7
Right of Way Technician II	5, 7
Right of Way Technician III	5, 7
Right of Way Technician IV	5, 7
Supervising Land Surveyor	5, 7
Land Surveyor (P.L.S.)	5, 7
Management Analyst	5, 7
Right of Way Supervisor	5, 7
Right of Way Agent	5, 7
Right of Way Inspector	5
Senior Right of Way Agent	5, 7
Senior Survey Technician	5, 8
Survey Technician	5, 8

Water Resources Department

Director of Water Resources	1, 2, 3, 4
Water Resources Manager	1, 2, 3, 4
Principal Water Resources Specialist	5, 6, 7
Water Resources Specialist	5, 6, 7
Senior Water Resources Specialist	5, 6, 7
Management Analyst	5, 6, 7
Assistant Management Analyst	5, 6, 7
Principal Engineer	1, 2, 3, 4
Engineer (P.E.)	5, 6, 7

Consultants

Fair Political Practices Commission regulation [2 Cal. Code of Regs. section 18701(a)] defines "consultant" as an individual whom, pursuant to a contract with a state or local governmental agency:

(a) Makes a governmental decision whether to:

- (1) Approve a rate, rule or regulation;
- (2) Adopt or enforce a law;
- (3) Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement;
- (4) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
- (5) Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;

- (6) Grant agency approval to a plan, design, report, study, or similar item;
- (7) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision of the agency; or

(b) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's local conflict of interest code.

Disclosure required:

Disclosure required by consultants shall be determined on a case-by-case basis by the General Manager, or in the case of legal service contracts, by the General Counsel. The General Manager, in consultation with the General Counsel, or General Counsel may determine whether a person is a consultant and what disclosure, if any, is required by the consultant. The determination shall be in writing and shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The written determination is a public record and shall be retained for public inspection in the office of the Clerk of the Board. The written determination may be made as a part of the contract pursuant to which the consultant provides services to the Authority. Subject to the foregoing, consultants that meet the definition of paragraph (b), above, generally will disclose financial interests in the same manner as is required for the designated position the duties of which are performed, in whole or in part, by the consultant.

RESOLUTION NO. 2010- 16

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY WATER AUTHORITY APPROVING AMENDMENTS TO THE SAN DIEGO COUNTY WATER AUTHORITY LOCAL CONFLICT OF INTEREST CODE

Whereas, on July 22, 2010 the Board of Directors set August 26, 2010 as the date for the Administrative and Finance Committee to hold a public hearing to consider amendments to the San Diego County Water Authority Local Conflict of Interest Code; and

Whereas, on August 26, 2010 the Administrative and Finance Committee held a public hearing to consider amendments to the San Diego County Water Authority Local Conflict of Interest Code; and

Whereas, following the public hearing the Administrative and Finance Committee recommended adoption of amendments to the San Diego County Water Authority Local Conflict of Interest Code;

Now, therefore, the Board of Directors of the San Diego County Water Authority resolves:

1. The San Diego County Water Authority Local Conflict of Interest Code Appendix (2010 Update), attached hereto, is approved.
2. The General Counsel is directed to provide a certified copy of this resolution to the Clerk of the Board of Supervisors.

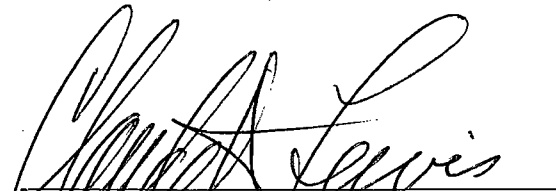
PASSED, APPROVED AND ADOPTED, on this 26th day of August, 2010 by the following vote:

AYES: Unless noted below, all Directors present voted aye.

NOES:

ABSTAIN:

ABSENT: Blackburn, Croucher (p)  
McIntosh (p) and Petty

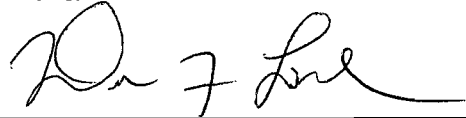
  
\_\_\_\_\_  
Claude A. Lewis, Chair

ATTEST:

  
\_\_\_\_\_  
Thomas V. Wornham, Secretary

Resolution No. 2010- 16  
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I, Doria F. Lore, Clerk of the Board of Directors of the San Diego County Water Authority, certify that the vote shown above is correct and this Resolution No. 2010- 16 was duly adopted at the meeting of the Board of Directors on the date stated above.

A handwritten signature in cursive script, appearing to read "Doria F. Lore", written over a horizontal line.

Doria F. Lore  
Clerk of the Board

## **APPENDIX**

### **SAN DIEGO COUNTY WATER AUTHORITY LOCAL CONFLICT OF INTEREST CODE**

#### **List of Designated Positions and Disclosure Requirements (201008 Update)**

#### **SECTION 1: AUTHORITY AND SCOPE**

This Appendix is adopted pursuant to and as a part of the San Diego County Water Authority Local Conflict of Interest Code, which adopts by reference the latest provisions of Section 18730 of Title 2 of the California Code of Regulations.

The San Diego County Water Authority Local Conflict of Interest Code contains both requirements for the disclosure of financial interests and disqualification requirements. Violations of the local conflict of interest code are subject to the administrative, criminal and civil sanctions of the Political Reform Act.

This Appendix contains a list of designated positions and disclosure requirements for employees holding designated positions. This Appendix is the "Appendix" referred to in subsection (b)(3) [Disclosure Categories] of 2 Cal. Code of Regs. Section 18730. The General Manager, in consultation with the General Counsel, may add designated positions and establish disclosure requirements for such positions whenever a new job classification is created. Such designation shall be effective pending amendment of the Code or this Appendix by the Board of Directors.

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#### **SECTION 2: EFFECTIVE DATE**

This 201008 update of the Appendix shall be effective the day following its approval by the code reviewing body. The San Diego County Board of Supervisors is designated by statute as the code reviewing body for the San Diego County Water Authority. Following approval by the code reviewing body, this Appendix remains in effect until repealed or superseded.

#### **SECTION 3: LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES**

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represented by the numerals following each listed position. Each disclosure category is identified by a number and is described below. Disclosure requirements for interests in each disclosure category are set forth in subsection (b)(7) [Manner of Reporting] of 2 Cal. Code of Regs. Section 18730.

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1	All investments
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3	All interests in real property
4	All business positions
5	Investments and business positions in business entities, and sources of income, engaged directly or indirectly, in land development, construction, civil engineering, environmental consulting, land planning, real estate (including without limitation brokerage, sales, marketing, leasing, appraisal, and lending), commercial lending, banking or farming.
6	Investments and business positions in business entities, and sources of income, engaged, directly or indirectly, in development, distribution, transfer, conservation, storage, treatment, reclamation or marketing of water.
7	Investments and business positions in business entities, and sources of income, engaged in architecture, engineering, accounting, auditing, law, public relations, provision of temporary employees, office products, telecommunications, computer hardware and software, personnel services, management services, or in the manufacture, production, vending or servicing of goods, materials, machinery or equipment of the type routinely used or purchased by public water agencies; including those entities and sources within the scope of category 8.
8	Investments and business positions in business entities, and sources of income who have contracted with the Authority within the past two years or who in the future may foreseeably contract with the Authority to provide services, supplies, materials, machinery or equipment. Reporting under this category shall apply to those contracts for services, supplies, materials, machinery or equipment acquisition, the solicitation, negotiation, or administration of which are within the scope of regular and customary job duties of the employee.

**Designated Positions**

**Disclosure Categories**

*General Manager's Office*

Assistant General Manager	1, 2, 3, 4
Deputy General Manager	1, 2, 3, 4
Executive Administrative Assistant	8
Management Analyst	5, 6, 7, 8
<del>Water Policy Manager</del>	<del>5, 6, 7</del>
Government Relations Manager	5, 6, 7

*General Counsel's Office*

General Counsel	1, 2, 3, 4
Assistant General Counsel	1, 2, 3, 4
Deputy General Counsel	1, 2, 3, 4
Legal Administrative Assistant	8

*Administrative Services Department*

Director of Administrative Services	1, 2, 3, 4
Clerk of the Board	7
Deputy Clerk of the Board	7
Management Analyst	<del>5, 6, 7, 8</del>
Assistant Management Analyst	<del>5, 6, 7, 8</del>
Data Base Administrator	7
Facilities Services Technician	7
Information Systems Supervisor	7
Information Systems Manager	7
Purchasing Manager	1, 2, 3, 4
Purchasing Technician I and II	8
Risk Manager	<del>5, 6, 7</del>
Safety Officer	8
Senior Management Analyst	1, 2, 3, 4
<del>Supervising Management Analyst</del> Administrative Services Manager	1, 2, 3, 4
Warehouse Supervisor	7

*Colorado River Program*

Colorado River Program Manager	1, 2, 3, 4
Management Analyst	5, 6, 7, 8
Senior Engineer	5, 6, 7
Principal Engineer	1, 2, 3, 4
Principal Water Resources Specialist	6, 7
Senior Public Affairs Representative	7
Senior Water Resource Specialist	6, 8
Engineer (P.E.)	5, 6, 7

Conservation Program

<u>Water Conservation Program Executive</u>	1, 2, 3, 4
<u>Principal Water Resource Specialist</u>	5, 6, 7
<u>Water Resources Specialist</u>	5, 6, 7
<u>Senior Water Resource Specialist</u>	5, 6, 7
<u>Project Scheduler</u>	8

Engineering Department

Director of Engineering	1, 2, 3, 4
Assistant Management Analyst	5, 6, 7, 8
Construction Manager	5, 7 1, 2, 3, 4
Cost Estimator	5, 6, 7
Engineer (P.E.)	5, 6, 7
Engineer I	5, 6, 7
Engineer II	5, 6, 7
Engineering Manager	1, 2, 3, 4
Engineering Technician I	5
Engineering Technician II	5
Management Analyst	5, 6, 7, 8
<u>Principal Construction Manager</u>	1, 2, 3, 4
Principal Engineer	1, 2, 3, 4
Program Control Manager	5, 6, 7
<u>Senior Construction Manager</u>	5, 7
Senior Project Scheduler	5, 6, 7
Senior Engineer	5, 6, 7
Senior Engineering Technician	5, 6, 7
Senior Management Analyst	1, 2, 3, 4
Supervising Administrative Assistant	7, 8
<u>Supervising Engineering Technician</u>	5, 6, 7
Supervising Management Analyst	1, 2, 3, 4

Finance Department

Controller	1, 2, 3, 4
<u>Deputy Director of Finance</u>	1, 2, 3, 4
<u>Budget Officer</u>	8
Accounting Supervisor	8
<u>Accountant</u>	8
<u>Assistant Management Analyst</u>	5, 6, 7, 8
Investment Analyst	8
<u>Rate and Debt Administrator</u>	1, 2, 5
<u>Financial Analyst</u>	8
<u>Financial Unit Manager</u>	1, 2, 3, 4
<u>Financial Services Manager/Asst. Treasurer</u>	1, 2, 3, 4
<u>Senior Accountant</u>	8

Human Resources Department

Director of Human Resources	1, 2, 3, 4
Human Resources Analyst	7
<u>Human Resources Assistant</u>	7
Senior Human Resources Analyst	7

MWD Program

MWD Program Chief	1, 2, 3, 4
<u>MWD Water Policy Manager</u>	5, 6, 7
Senior Water Resources Specialist	6, 8
<u>Assistant Water Resources Specialist</u>	8

Operations and Maintenance Department

Director of Operations and Maintenance	1, 2, 3, 4
Electrical/Electronics Supervisor	7
Fleet Maintenance Supervisor	7
Management Analyst	5, 6, 7, 8
Operations and Maintenance Manager	5, 7
Principal Water Resources Specialist	5, 6, 7
Senior Electrical/Electronics Technician	7
Senior Engineering Technician	7
Senior Maintenance Technician	7
Supervising Management Analyst	1, 2, 3, 4
Senior System Operator	8
Systems Operations Supervisor	7
System Maintenance Supervisor	7
Water Resources Specialist	5, 6, 7

Public Affairs Department

Director of Public Affairs	1, 2, 3, 4
Education Programs Supervisor	7
Education Programs Specialist	8
Public Affairs Manager	5, 6, 7
Public Affairs Supervisor	7
Public Affairs Representative II	8
Public Affairs Representative I	8
Senior Public Affairs Representative	7
Small Business Contracting Manager	5, 7

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Right of Way Department

Director of Right of Way	1, 2, 3, 4
<del>Engineering/Right of Way Technician I</del>	<del>5</del>
<del>Engineering/Right of Way Technician II</del>	<del>5</del>
<u>Right of Way Technician I</u>	<u>5, 7</u>
<u>Right of Way Technician II</u>	<u>5, 7</u>
<u>Right of Way Technician III</u>	<u>5, 7</u>
<u>Right of Way Technician IV</u>	<u>5, 7</u>
Supervising Land Surveyor	5, 7
<u>Land Surveyor (P.L.S.)</u>	<u>5, 7</u>
<u>Management Analyst</u>	<u>5, 7</u>
Right of Way Supervisor	5, 7
Right of Way Agent	5, 7
Right of Way Inspector	5
Senior Right of Way Agent	5, 7
<del>Senior Right of Way Inspector</del>	<del>5, 7</del>
Senior Survey Technician	5, 8
Survey Technician	5, 8

Water Resources Department

Director of Water Resources	1, 2, 3, 4
Water Resources Manager	<del>5, 6, 7</del> 1, 2, 3, 4
Principal Water Resources Specialist	5, 6, 7
Water Resources Specialist	5, 6, 7
Senior Water Resources Specialist	5, 6, 7
Management Analyst	5, 6, 7, 8
Assistant Management Analyst	5, 6, 7, 8
Principal Engineer	<del>5, 6, 7</del> 1, 2, 3, 4
Engineer (P.E.)	5, 6, 7

Consultants

Fair Political Practices Commission regulation [2 Cal. Code of Regs. section 18701(a)] defines "consultant" as an individual whom, pursuant to a contract with a state or local governmental agency:

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- (7) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision of the agency; or

(b) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's local conflict of interest code.

Disclosure required:

Disclosure required by consultants shall be determined on a case-by-case basis by the General Manager, or in the case of legal service contracts, by the General Counsel. The General Manager, in consultation with the General Counsel, or General Counsel may determine whether a person is a consultant and what disclosure, if any, is required by the consultant. The determination shall be in writing and shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The written determination is a public record and shall be retained for public inspection in the office of the Clerk of the Board. The written determination may be made as a part of the contract pursuant to which the consultant provides services to the Authority. Subject to the foregoing, consultants that meet the definition of paragraph (b), above, generally will disclose financial interests in the same manner as is required for the designated position the duties of which are performed, in whole or in part, by the consultant.