

2012 CONFLICT OF INTEREST CODE  
BIENNIAL REVIEW REPLY FORM

COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS

2012 AUG 24 PM 4 15

Contact Person: TIFFANY FRIEND Telephone Number: 760-789-1330

THOMAS J. PASTUSZYKA  
CLERK OF THE BOARD  
OF SUPERVISORS  
Name of Agency: RAMONA MUNICIPAL WATER DISTRICT

Mailing Address 105 EARLHAM STREET, RAMONA, CA 92065-1599

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 incorporate FPPC language to help clarify requirements.

**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: [Signature]

Date: 8/22/12

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than October 1, 2012 to:**

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

(Rev 7/02/2012)

Approved and/or authorized by the  
Board of Supervisors of the County of San Diego.  
Meeting Date: 12/4/12 Minute Order No 20  
By: [Signature] Date: 12/14/12  
Deputy Clerk of the Board Supervisors



**BEST BEST & KRIEGER**  
**ATTORNEYS AT LAW**

3390 UNIVERSITY AVENUE, 5TH FLOOR, P.O. Box 1028, RIVERSIDE, CA 92502  
 PHONE: (951) 686-1450 | FAX: (951) 686-3083 | [www.bbklaw.com](http://www.bbklaw.com)

2012 AUG 23 PM 4 14

THOMAS J. PASTUSZKA  
 CLERK OF THE BOARD  
 OF SUPERVISORS

INDIAN WELLS  
 (760) 568-2611

IRVINE  
 (949) 263-2600

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 (916) 325-4000

SAN DIEGO  
 (619) 525-1300

WALNUT CREEK  
 (925) 977-3300

WASHINGTON, DC  
 (202) 785-0600

August 21, 2012

Teresa Zurita, Deputy  
 Clerk of the Board of Supervisors  
 County of San Diego  
 1600 Pacific Highway, Room 402  
 San Diego, CA 92101-2471

Re: Ramona Municipal Water District -  
 Amendment of Conflict of Interest Code and Request for Notice

Dear Teresa:

Enclosed for review and approval by the Board of Supervisors is the amended Conflict of Interest Code of the Ramona Municipal Water District. The Code was amended by the District on July 24, 2012, by Resolution No. 12-1467, a copy of which is also enclosed. As you can see by the enclosed legislative version of the Code, the amendment was done to include new positions that must be designated, revise titles of existing positions, delete titles of positions abolished, revise disclosure categories and update language as provided by the Fair Political Practices Commission to clarify requirements.

Please notify me when this matter will be submitted to the Board for approval. I would also appreciate a copy of the Resolution or Minute Order approving the District's amended Code.



**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

Teresa Zurita, Deputy  
Clerk of the Board of Supervisors  
County of San Diego  
August 21, 2012  
Page 2

Please feel free to call or email me if you or County Counsel have any questions regarding the enclosed or this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'DMV', written over a faint, larger version of the signature.

Dianna Marie Valdez  
Conflicts of Interests & Ethics Coordinator  
for BEST BEST & KRIEGER LLP  
General Counsel  
Ramona Municipal Water District

:dmv

Encls:

Resolution of Adoption  
Amended Conflict of Interest Code  
Legislative Version of the Amended Code

LAW OFFICES OF  
BEST BEST & KRIEGER LLP

COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS

2012 AUG 23 PM 4 14

THOMAS J. PASTUSZKA  
CLERK OF THE BOARD  
OF SUPERVISORS

**CONFLICT OF INTEREST CODE**

**OF THE**

**RAMONA MUNICIPAL**

**WATER DISTRICT**

**CONFLICT OF INTEREST CODE  
OF THE  
RAMONA MUNICIPAL WATER DISTRICT**

**(Amended July 24, 2012)**

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Ramona Municipal Water District** (the "**District**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Administrative Secretary** as the District's Filing Officer. The **Administrative Secretary** shall make and retain a copy of all statements filed by Members of the Board of Directors and the General Manager, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Administrative Secretary** shall retain the originals of the statements filed by all other officials and designated positions and shall make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008).

# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

## RAMONA MUNICIPAL WATER DISTRICT

(Amended July 24, 2012)

### EXHIBIT "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are Other District Officials who manage public investments<sup>4</sup>:

Members and Board of Directors

General Manager

Financial Services Director

Financial Consultants

<sup>4</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

**DESIGNATED POSITIONS**

**GOVERNED BY THE CONFLICT OF INTEREST CODE**

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Accounting Supervisor	5
Collection Systems Supervisor	5
Fire Battalion Chief	5
General Counsel	1, 2
Human Resources Manager	5
Information Technology Supervisor	5
Meter Service Supervisor	5
Purchasing/Warehouse Supervisor	4
Systems Supervisor	5
Utility Supervisor	5
Wastewater Treatment Supervisor	5
Wastewater Operations Superintendent	2, 3, 5
Water Operations Superintendent	5

Consultant and New Positions <sup>5</sup>

<sup>5</sup> Individuals providing services as a Consultant defined in Regulation 18701, or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The General Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The General Manager'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. (Gov. Code Sec. 81008.)

## **EXHIBIT "B"** **DISCLOSURE CATEGORIES**

The disclosure categories listed below identify the types of economic interests that the Designated Position must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in business entities, and sources of income including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position's department.

RESOLUTION NO. 12-1467

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
RAMONA MUNICIPAL WATER DISTRICT AMENDING  
THE CONFLICT OF INTEREST CODE PURSUANT TO  
THE POLITICAL REFORM ACT OF 1974**

2012 AUG 23 PM 4 14  
THOMAS J. PASTUSZKA  
CLERK OF THE BOARD  
OF SUPERVISORS

**WHEREAS**, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Ramona Municipal Water District (the "District") and requires all public agencies to adopt and promulgate a conflict of interest code; and

**WHEREAS**, the Board of Directors adopted a Conflict of Interest Code (the "Code") which was amended on October 14, 2008, in compliance with the Act; and

**WHEREAS**, subsequent changed circumstances within the District have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the District's Code; and

**WHEREAS**, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the District being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

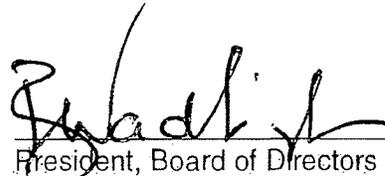
**WHEREAS**, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Code was provided each affected designated position and publicly posted for review at the offices of the District; and

**WHEREAS**, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Directors on July 24, 2012, at which all present were given an opportunity to be heard on the proposed amended Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Ramona Municipal Water District that the Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Administrative Secretary and available to the public for inspection and copying;

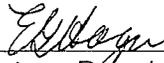
**BE IT FURTHER RESOLVED** that the said amended Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Code shall become effective 30 days after the Board of Supervisors approves the proposed amended Code as submitted.

**APPROVED AND ADOPTED** this 24th day of July, 2012.



\_\_\_\_\_  
President, Board of Directors  
Ramona Municipal Water District

ATTEST:



\_\_\_\_\_  
Secretary, Board of Directors  
Ramona Municipal Water District

LAW OFFICES OF  
BEST BEST & KRIEGER LLP

COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS

**LEGISLATIVE VERSION**

2012 AUG 23 PM 4:19  
**(showing changes made)**

THOMAS J. PASTUSZKA  
CLERK OF THE BOARD  
OF SUPERVISORS

**CONFLICT OF INTEREST CODE**

**OF THE**

**RAMONA MUNICIPAL**

**WATER DISTRICT**

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**RAMONA MUNICIPAL WATER DISTRICT**

**(Amended July 24, 2012)**

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Ramona Municipal Water District** (the "**District**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Administrative Secretary** as the District's Filing Officer. The **Administrative Secretary** shall make and retain a copy of all statements filed by Members of the Board of Directors and the General Manager, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Administrative Secretary** shall retain the originals of the statements filed by all other officials and designated positions and shall make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008).

[All previous provisions deleted]

# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

## RAMONA MUNICIPAL WATER DISTRICT

(Amended ~~October 14, 2008~~ July 24, 2012)

### EXHIBIT "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but ~~are subject to the disclosure requirements of the Act. (must file disclosure statements under Government Code Section 87200 et seq.)~~ [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are Other District Officials who manage public investments<sup>4</sup>:

Members and Board of Directors

General Manager

~~Chief Financial Officer~~ Financial Services Director

Financial Consultants

<sup>4</sup> Individuals holding one of the above-listed positions may contact the FPPC Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

**DESIGNATED POSITIONS**

**GOVERNED BY THE CONFLICT OF INTEREST CODE**

<u>DESIGNATED EMPLOYEES' POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Accounting Supervisor	<u>65</u>
Civil Engineer	2, 3, 6
Collection Systems Supervisor	<u>65</u>
District Engineer	2, 3, 6
Fire Battalion Chief	<u>65</u>
General Counsel	1, 2
Human Resources Manager	<u>65</u>
Information/ <del>Technical</del> <u>Technology</u> Supervisor	<u>65</u>
Meter Service Supervisor	<u>65</u>
Operations Superintendent	6
Purchasing/Warehouse Supervisor	<u>54</u>
Systems Supervisor	<u>65</u>
Utility Supervisor	<u>65</u>
<del>Wastewater Operations Manager</del>	6
Wastewater Treatment Supervisor	<u>65</u>
<u>Wastewater Operations Superintendent</u>	<u>2, 3, 5</u>
Water Operations Superintendent	<u>65</u>

DESIGNATED POSITIONS'  
TITLE OR FUNCTION

DISCLOSURE CATEGORIES  
ASSIGNED

Consultant and New Positions<sup>5</sup>

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<sup>5</sup> ~~Consultants shall be included in the list of Designated Employees and Individuals providing services as a Consultant defined in Regulation 18701, or in a new position created since this Code was last approved that makes or participates in making decisions, shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:~~

~~The General Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are 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. that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The General Manager'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. (Gov. Code Sec. 81008.)~~

## **EXHIBIT "B"** **DISCLOSURE CATEGORIES**

The disclosure categories listed below identify the types of ~~investments, business entities, sources of income, including gifts, loans and travel payments, or real property which~~ economic interests that the Designated Employee-Position must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income-, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in business entities, and sources of income ~~from, business entities~~ including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

~~Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.~~

Category 54: All investments and business positions in business entities, and sources of income including gifts, loans and travel payments, ~~from, business entities~~ that provide services, ~~supplies~~ products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 65: All investments and business positions in business entities, and sources of income including gifts, loans and travel payments, ~~from, business entities~~ that provide services, ~~supplies~~ products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's-Position's department.