

**2012 CONFLICT OF INTEREST CODE
BIENNIAL REVIEW REPLY FORM**

2012 OCT 1 PM 4 09

THOMAS J. ...
CLERK OF THE BOARD
OF SUPERVISORS

Contact Person: Amy Pederson Telephone Number: 619-258-4614

Name of Agency: Padre Dam Municipal Water District

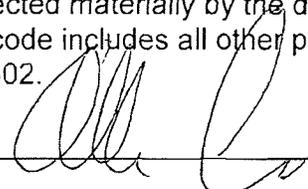
Mailing Address PO Box 719003, Santee, CA 92071

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

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

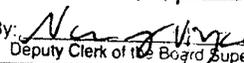
- Include new positions (including consultants) which must be designated
- Revise the titles of existing positions
- Delete titles of positions that have been abolished
- Delete positions that manage public investments
- Revise disclosure categories
- Other incorporate Reg. 18730; include clarifying language provided by FPPC

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: 9/28/12

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**

Approved and/or authorized by the
Board of Supervisors of the County of San Diego.
Meeting Date: 10/4/12 Minute Order No: 20
By:  Date: 10/14/12
Deputy Clerk of the Board Supervisors

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2012 CONFLICT OF INTEREST CODE
BIENNIAL REVIEW REPLY FORM
THOMAS J. PASTUSZKA
CLERK OF THE BOARD
OF SUPERVISORS

Contact Person: Amy Pederson Telephone Number: 619-258-4614

Name of Agency: Padre Dam Municipal Water District

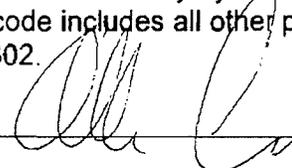
Mailing Address PO Box 719003, Santee, CA 92071

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

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

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



PADREDAM
MUNICIPAL WATER DISTRICT

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS

2012 NOV 14 PM 12 21

THOMAS J. PASTUSZKA
CLERK OF THE BOARD
OF SUPERVISORS

November 14, 2012

Clerk of the Board of Supervisors
(Conflict of Interest Code Biennial Review)
1600 Pacific Highway, Room 402
San Diego, CA 92101-2471

RE: Padre Dam Municipal Water District
Amended Conflict of Interest Code ("Code")

Enclosed for review and approval by the Board of Supervisors is a copy of the amended Code for Padre Dam Municipal Water District. Also enclosed is a copy of Resolution 2012-51 adopted by the Board of Directors on November 7, 2012 approving the amended Code.

Once approved by the Board of Supervisors, please return the approving resolution or minute order to my attention.

Should you have any questions, please contact me at 619.258.4614.

Sincerely,

Amy Pederson
Board Secretary

cc: Diana Valdez, BB&K

BOARD OF DIRECTORS
Douglas S. Wilson
Augie Scatizzi
Bill Pommering
August A. Cairns
James Peasley

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Santee, CA 92072-9003

RESOLUTION 2012-51

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE PADRE DAM MUNICIPAL WATER DISTRICT
AMENDING ITS CONFLICT OF INTEREST CODE
PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, the Legislature of 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 Padre Dam 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 23, 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 to be held on November 7, 2012 at 3:30 p.m. for consideration by the Board of Directors of the proposed amended Code was provided each designated employee 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 November 7, 2012, at which all present were given the opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Padre Dam Municipal Water District as follows:

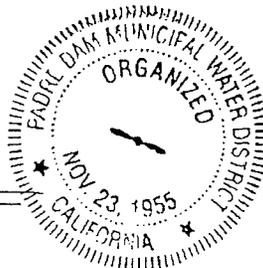
1. That the Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the District's Board Secretary and available for inspection to the public.
2. The Board Secretary is hereby authorized to submit a copy of this Resolution and the amended Conflict of Interest Code to the Board of Supervisors of the County of San Diego for approval and said amended Code shall become effective 30 days after approval by the Board of Supervisors.

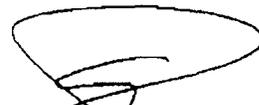
PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Padre Dam Municipal Water District held on the November 7, 2012, by the following vote, to wit:

AYES: Caires, Peasley, Pommering, Scalzitti and Wilson
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:


Board Secretary




Board President

LAW OFFICES OF
BEST BEST & KRIEGER LLP

LEGISLATIVE VERSION
(SHOWS CHANGES MADE)

CONFLICT OF INTEREST CODE

OF THE

PADRE DAM MUNICIPAL
WATER DISTRICT

PADRE DAM MUNICIPAL WATER DISTRICT
CONFLICT OF INTEREST CODE

(Amended November 7, 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) that 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 Section 18730 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 regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Padre Dam Municipal Water District (the "District").

All officials and designated positions shall file their statements of economic interests with the Board Secretary as the District's Filing Officer/Official. The Board 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 Board Secretary shall retain the originals of the statements filed by all other officials and designated positions and 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

PADRE DAM MUNICIPAL WATER DISTRICT

(Amended ~~October 23, 2008~~ November 7, 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 officials who manage public investments¹:

Members of the Board of Directors

General Manager

Director of Finance

Financial Consultants

¹ 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 Manager	4, <u>54</u>
Assistant Operations Manager	<u>65</u>
Catholic Protection Program Coordinator	<u>65</u>
Communications Coordinator	<u>65</u>
Communications Manager	<u>65</u>
<u>Communications Officer</u>	<u>5</u>
<u>Construction Inspector</u>	<u>3, 6</u>
Cost Center Managers	<u>65</u>
<u>Director of Communications</u>	<u>6</u>
Director of Engineering and Planning	2, 3, <u>65</u>
Director of Human Resources	<u>65</u>
Director of Operations and Water Quality	<u>65</u>
Director of Park & Recreation	<u>65</u>
Distribution Maintenance Supervisor	<u>65</u>
Employee Involvement Team	<u>54</u>
Engineering Manager	2, 3, <u>65</u>
General Counsel	1, 2
Industrial Code Compliance Specialist	<u>76</u>
Information Systems Manager	<u>65</u>

LAW OFFICES OF
BEST BEST *

<u>DESIGNATED EMPLOYEES' POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
<u>Meter Services Administrator</u>	<u>5</u>
Operations Manager	<u>65</u>
Park and Recreation Manager	<u>65</u>
Plant Manager	<u>65</u>
Right-of-Way Agent	<u>2, 65</u>
Safety and Risk Manager	<u>65</u>
Warehouse Specialist	<u>54</u>
<u>Water Quality Compliance Specialist</u>	<u>6</u>

Consultants and New Positions²

² 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: Individuals serving as a consultant as defined in FPPC Reg 18701 or in a new position must file under the broadest disclosure set forth 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. 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. The General Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to designate 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. 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.

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 investments that the ~~Designated Employee position~~ must disclose for each disclosure category to which he or she is assigned.³

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, from ~~business entities 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, unit or division.~~

Category 76: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, from ~~business entities subject to the regulatory, permit, or licensing authority of the Designated Employee's position's Department, unit or division.~~

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)