

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

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
2012 SEP 4 AM 9 46

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

THOMAS J. RASTUSZKA
CLERK OF THE BOARD
OF SUPERVISORS

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

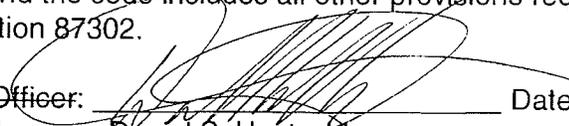
Delete titles of positions that have been abolished

Delete positions that manage public investments

Revise disclosure categories

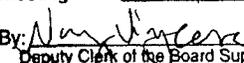
Other _____

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: 8/24/12
General Counsel Daniel S. Hentschke

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: 12/4/12 Minute Order No. 20
By:  Date: 12/17/12
Deputy Clerk of the Board Supervisors



San Diego County Water Authority

4677 Overland Avenue • San Diego, California 92123-1233
(858) 522-6600 FAX (858) 522-6568 www.sdcwa.org

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS

2012 SEP 4 AM 9 46

THOMAS J. PASTUSZKA
CLERK OF THE BOARD
OF SUPERVISORS

August 30, 2012

MEMBER AGENCIES

Carlsbad
Municipal Water District

City of Del Mar

City of Escondido

City of National City

City of Oceanside

City of Poway

City of San Diego

Fallbrook
Public Utility District

Helix Water District

Lakeside Water District

Olivewood
Municipal Water District

Otay Water District

Padre Dam
Municipal Water District

Comp Pendleton
Marine Corps Base

Rainbow
Municipal Water District

Ramona
Municipal Water District

Rincon del Diablo
Municipal Water District

San Dieguito Water District

Santa Fe Irrigation District

South Bay Irrigation District

Vallejitos Water District

Valley Center
Municipal Water District

Vista Irrigation District

Yuma
Municipal Water District

OTHER REPRESENTATIVE

County of San Diego

Thomas J. Pastuszka
Clerk of the Board of Supervisors
County of San Diego
1600 Pacific Highway, Room 402
San Diego, CA 92101

Dear Mr. Pastuszka:

Enclosed please find our Biennial Review Reply Form along with a copy of our amended Conflict of Interest Code for your records. Also enclosed is a certified copy of Resolution No. 2012-13, 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.

Sincerely,

Audrey R. Kroeger
Legal Administrative Assistant

cc: Doria F. Lore, Clerk of the Board, SDCWA

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS

2012 SEP 4 AM 9 46

THOMAS J. PASTUSZKA
CLERK OF THE BOARD
OF SUPERVISORS

APPENDIX

SAN DIEGO COUNTY WATER AUTHORITY LOCAL CONFLICT OF INTEREST CODE

List of Designated Positions and Disclosure Requirements
(2012 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 2012 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

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
Government Relations Manager	5, 6, 7
Management Analyst	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
Administrative Services Manager	1, 2, 3, 4
Assistant Management Analyst	7
Clerk of the Board	7
Data Base Administrator	7
Deputy Clerk of the Board	7
Facilities Services Technician	7
Information Systems Manager	7
Information Systems Supervisor	7
Management Analyst	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
Warehouse Supervisor	7

Colorado River Program

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

Local Conflict of Interest Code Appendix

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Engineering Department

Director of Engineering	1, 2, 3, 4
Assistant Management Analyst	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
Land Surveyor (P.L.S.)	5, 7
Management Analyst	5, 7
Principal Construction Manager	1, 2, 3, 4
Principal Engineer	1, 2, 3, 4
Right of Way Agent	5, 7
Right of Way Manager	1, 2, 3, 4
Right of Way Supervisor	5, 7
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
Senior Construction Manager	5, 7
Senior Engineer	5, 7
Senior Engineering Technician	5, 7
Senior Management Analyst	1, 2, 3, 4
Senior Project Scheduler	5, 7
Senior Right of Way Agent	5, 7
Senior Survey Technician	5, 8
Supervising Administrative Assistant	7
Supervising Engineering Technician	5, 7
Supervising Land Surveyor	5, 7
Supervising Management Analyst	1, 2, 3, 4
Survey Technician	5, 8

Finance Department

Accounting Supervisor	7
Controller	1, 2, 3, 4
Financial Planning Manager	1, 2, 3, 4
Financial Resources Manager	1, 2, 3, 4
Investment Analyst	7
Rate and Budget Analyst	7

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 Director	1, 2, 3, 4
Assistant Water Resources Specialist	8
Public Affairs Senior Manager	5, 6, 7
Senior Water Resources Specialist	6, 8

Operations and Maintenance Department

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

Public Outreach and Conservation Department

Director of Public Outreach and Conservation	1, 2, 3, 4
Education Programs Specialist	8
Management Analyst	5, 7
Principal Water Resources Specialist	5, 6, 7
Public Affairs Manager	7
Public Affairs Representative I	8
Public Affairs Representative II	8
Public Affairs Supervisor	7
Senior Public Affairs Representative	7
Senior Water Resources Specialist	5, 6, 7
Small Business Contracting Manager	5, 7
Water Resources Specialist	5, 6, 7

Water Resources Department

Director of Water Resources	1, 2, 3, 4
Engineer (P.E.)	5, 6, 7
Management Analyst	5, 6, 7
Principal Engineer (P.E.)	1, 2, 3, 4
Principal Water Resources Specialist	5, 6, 7
Senior Water Resources Specialist	5, 6, 7
Water Resources Manager	1, 2, 3, 4
Water Resources Specialist	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 participates in making a governmental decision or 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. 2012-13

2012 SEP 4 AM 9 46

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

THOMAS J. PASTUSZKA
CLERK OF THE BOARD
OF SUPERVISORS

Whereas, on July 26, 2012 the Board of Directors set August 23, 2012 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 23, 2012 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 (2012 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.

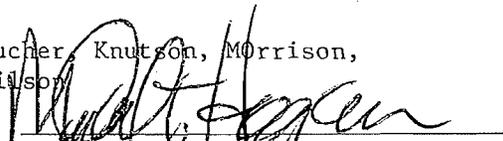
PASSED, APPROVED AND ADOPTED, on this 23rd day of August, 2012 by the following vote:

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

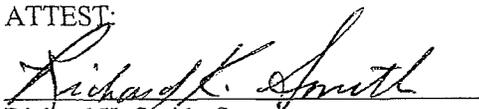
NOES: None

ABSTAIN: None

ABSENT: Arant, Boyle, Brady, Croucher, Knutson, Morrison, Price, Tu, Weston, and Wilson

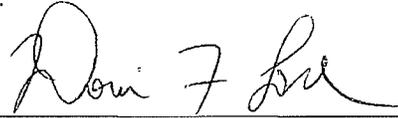

Michael R. Hogan, Chair

ATTEST:


Richard K. Smith, Secretary

Resolution No. 2012- 13
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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. 2012- 13 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

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(2012~~0~~ Update)

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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
Government Relations Manager	5, 6, 7
Management Analyst	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
Administrative Services Manager	1, 2, 3, 4
Assistant Management Analyst	7
Clerk of the Board	7
Data Base Administrator	7
Deputy Clerk of the Board	7
Facilities Services Technician	7
Information Systems Manager	7
Information Systems Supervisor	7
Management Analyst	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
Warehouse Supervisor	7

Colorado River Program

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

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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
<u>Land Surveyor (P.L.S.)</u>	<u>5, 7</u>
Management Analyst	5, 7
Principal Construction Manager	1, 2, 3, 4
Principal Engineer	1, 2, 3, 4
Program Control Manager	5, 7
<u>Right of Way Agent</u>	<u>5, 7</u>
<u>Right of Way Manager</u>	<u>1, 2, 3, 4</u>
<u>Right of Way Supervisor</u>	<u>5, 7</u>
<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>
Senior Construction Manager	5, 7
Senior Engineer	5, 7
Senior Engineering Technician	5, 7
Senior Management Analyst	1, 2, 3, 4
Senior Project Scheduler	5, 7
<u>Senior Right of Way Agent</u>	<u>5, 7</u>
<u>Senior Survey Technician</u>	<u>5, 8</u>
Supervising Administrative Assistant	7
Supervising Engineering Technician	5, 7
<u>Supervising Land Surveyor</u>	<u>5, 7</u>
Supervising Management Analyst	1, 2, 3, 4
<u>Survey Technician</u>	<u>5, 8</u>

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Finance Department

Accounting Supervisor	7
Controller	1, 2, 3, 4
<u>Financial Planning Manager</u>	<u>1, 2, 3, 4</u>
<u>Financial Unit Resources Manager</u>	<u>1, 2, 3, 4</u>
Investment Analyst	7
<u>Rate and Budget Analyst</u>	<u>7</u>

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

<u>MWD Program Chief Director</u>	<u>1, 2, 3, 4</u>
Assistant Water Resources Specialist	8
<u>MWD Water Policy Manager</u>	<u>5, 6, 7</u>
<u>Public Affairs Senior Manager</u>	<u>5, 6, 7</u>
Senior Water Resources Specialist	6, 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
<u>Principal Engineer</u>	<u>1, 2, 3, 4</u>
Principal Water Resources Specialist	5, 6, 7
Senior Electrical/Electronics Technician	7
<u>Senior Engineer</u>	<u>5, 7</u>
Senior Engineering Technician	7
Senior Maintenance Technician	7
Senior System Operator	8
<u>Senior Water Resources Specialist</u>	<u>5, 6, 7</u>
Supervising Management Analyst	1, 2, 3, 4
System Maintenance Supervisor	7
Systems Operations Supervisor	7
Water Resources Specialist	5, 6, 7

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Public Affairs Outreach and Conservation Department

Director of Public Affairs Outreach and Conservation	1, 2, 3, 4
Education Programs Specialist	8
Education Programs Supervisor	7
Management Analyst	5, 7
Principal Water Resources Specialist	5, 6, 7
Public Affairs Manager	7
Public Affairs Representative I	8
Public Affairs Representative II	8
Public Affairs Supervisor	7
Senior Public Affairs Representative	7
Senior Water Resources Specialist	5, 6, 7
Small Business Contracting Manager	5, 7
Water Resources Specialist	5, 6, 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
Assistant Management Analyst	5, 6, 7
Engineer (P.E.)	5, 6, 7
Management Analyst	5, 6, 7
Principal Engineer (P.E.)	1, 2, 3, 4
Principal Water Resources Specialist	5, 6, 7
Senior Water Resources Specialist	5, 6, 7
Water Resources Manager	1, 2, 3, 4
Water Resources Specialist	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:

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(b) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision or 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.