

COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS

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

2012 AUG. 7 PM 3 02

Contact Person: THOMAS PAMALA Leavitt Telephone Number: 619-562-0096

**CLERK OF THE BOARD  
OF SUPERVISORS**

Name of Agency: RESOURCE CONSERVATION DISTRICT OF GREATER SAN DIEGO

Mailing Address 11769 WATERHILL RD., LAKESIDE, CA 92040

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 include clarifying language received from 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: Marty Leavitt Date: 07/31/2012  
Marty Leavitt, District Manager

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: Naylinca 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

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS  
SACRAMENTO (916) 325-4000  
SAN DIEGO (619) 525-1300

2012 AUG 7 PM 3:00  
WALNUT CREEK (925) 977-3300

WASHINGTON, DC (202) 785-0600  
THOMAS J. PA...  
CLERK OF THE BOARD  
OF SUPERVISORS

INDIAN WELLS  
(760) 568-2611

IRVINE  
(949) 263-2600

LOS ANGELES  
(213) 617-8100

ONTARIO  
(909) 989-8584

DIANNA MARIE VALDEZ  
(951) 826-8252  
DIANNAMARIE.VALDEZ@BBKLAW.COM

August 3, 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: Resource Conservation District of Greater San Diego  
County – Amendment of the 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 Resource Conservation District of Greater San Diego County. As you can see by the enclosed legislative version of the Code, this amendment was done to include clarifying language as provided by the Fair Political Practices Commission.

As described in 2 Cal. Code of Regs § 18752(e)(4) (copy enclosed), the foregoing changes are considered non-substantive and do not affect or modify any existing disclosure responsibilities.

Therefore, the Resource Conservation District of Greater San Diego County requests approval of these non-substantive amendments to its Conflict of Interest Code. Please let me know when this amendment is set for approval by the Board or Administrative Officer. I would also appreciate a copy of the County's order of approval. For your records, I have also enclosed a clean, final copy of the amended Code.

Lastly, as required by Government Code Section 87306.5, enclosed is the completed Biennial Notice indicating the results of the review of the District's Code.



**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

Teresa Zurita, Deputy  
Clerk of the Board of Supervisors  
County of San Diego  
August 3, 2012  
Page 2

As always, please feel free to call me if you or County Counsel have any questions regarding the enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Valdez'.

Dianna Marie Valdez  
Conflicts of Interests & Ethics Coordinator  
for BEST BEST & KRIEGER LLP  
General Counsel  
Resource Conservation District of Greater San  
Diego County

Cc: Marty Leavitt, District Manager

Encls:  
Amended Conflict of Interest Code (non-substantive)  
Legislative Version of the Amended Code (showing changes made)  
2012 Biennial Notice

COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
**LEGISLATIVE VERSION**  
(SHOWS CHANGES MADE)

2012 AUG 7 PM 3 03

**CONFLICT OF INTEREST CODE**

THOMAS J. PASTUSZKA  
CLERK OF THE BOARD  
OF SUPERVISORS

**RESOURCE CONSERVATION DISTRICT**

**OF GREATER SAN DIEGO COUNTY<sup>1</sup>**

**(Adopted December 7, 2004)**

The Political Reform Act (~~Government Gov. Code Section §~~ 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. ~~Section §~~ 18730) ~~which 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 section~~ 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, regulation (attached) Regulation 18730, and the attached Appendix designating ~~officials and employees positions~~ and establishing disclosure categories, shall constitute the conflict of interest code of the **Resource Conservation District Of Greater San Diego County (the "District")**.

All Officials and designated positions required to submit a statement of economic interests shall file their statements with the **District Manager** as the District's Filing Officer. The ~~Filing Officer~~ District Manager shall make and retain a copy of all statements filed by ~~officials who manage public investments~~ Members of the Board of Directors and the District Manager, and forward the originals of such statements to the Clerk of the Board of Supervisors. The ~~Filing Officer~~ District Manager shall retain the originals of the statements of all other ~~Designated Employees~~. The Filing Officer officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008.2);

<sup>1</sup> Nonsubstantive amendment of language as provided by FPPC to clarify requirements (as of July 2012).

LEGISLATIVE VERSION  
(SHOWS CHANGES MADE)

**APPENDIX**

**CONFLICT OF INTEREST CODE**

**OF THE**

**RESOURCE CONSERVATION DISTRICT  
OF GREATER SAN DIEGO COUNTY**

~~(Adopted December 7, 2004)~~

**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 investments<sup>2</sup>:

Members of the Board of Directors

Treasurer

Financial Consultants

<sup>2</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.

**LEGISLATIVE VERSION**  
**(SHOWS CHANGES MADE)**

**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>
District Manager	1, 2
General Counsel	1, 2
Consultants <u>and New Positions</u> <sup>3</sup>	

<sup>3</sup> Consultants shall be included in the list of Designated Employees and shall disclose pursuant to Individuals serving as a consultant as defined in FPPC Reg. 18701 or a new position must file the broadest disclosure category set forth in this Code subject to the following limitation:

The District 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 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. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The District 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 § 81008.)

LEGISLATIVE VERSION  
(SHOWS CHANGES MADE)

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of ~~investments, business entities, sources of income, or real property which~~ economic interests that the ~~Designated Employee~~ 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, that 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 Department~~ designated position's department, unit or division.

COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
CONFLICT OF INTEREST CODE  
2012 AUG 7 PM 3 03  
THOMAS J. PASTUSZKA  
DISTRICT THE BOARD  
OF SUPERVISORS  
OF THE  
RESOURCE CONSERVATION DISTRICT  
OF GREATER SAN DIEGO COUNTY  
(Adopted December 7, 2004)

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 incorporation page, Regulation 18730, and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Resource Conservation District Of Greater San Diego County (the "District")**.

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

<sup>1</sup> Nonsubstantive amendment of language as provided by FPPC to clarify requirements (as of July 2012).

**APPENDIX**  
**CONFLICT OF INTEREST CODE**  
**OF THE**  
**RESOURCE CONSERVATION DISTRICT**  
**OF GREATER SAN DIEGO COUNTY**

**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 officials who manage public investments<sup>2</sup>:

Members of the Board of Directors

Treasurer

Financial Consultants

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<sup>2</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>
District Manager	1, 2
General Counsel	1, 2
Consultants and New Positions <sup>3</sup>	

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<sup>3</sup> Individuals serving as a consultant as defined in FPPC Reg. 18701 or a new position must file the broadest disclosure set forth in this Code subject to the following limitation:

The District 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. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The District 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 § 81008.)

## EXHIBIT "B"

### DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types 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, that 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, unit or division.