

LAW OFFICES OF  
BEST BEST &

**CONFLICT OF INTEREST CODE**  
**FOR THE**  
**SWEETWATER AUTHORITY**

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: 10/27/15	Minute Order No. 11
By: D. Lopez	Date: 10/28/15
Deputy Clerk of the Board Supervisors	

**CONFLICT OF INTEREST CODE FOR THE**  
**SWEETWATER AUTHORITY**

**(Amended July 22, 2015)**

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 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 Regulation 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 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Sweetwater Authority** (the "**Authority**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Board Secretary** as the Authority's Filing Officer. The **Board Secretary** shall make and retain a copy of all statements filed by Members of the Governing Board 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.)

*BBK -- July 2015*

**APPENDIX**

**CONFLICT OF INTEREST CODE**

**OF THE**

**SWEETWATER AUTHORITY**

(Amended July 22, 2015)

**PART "A"**

**OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

Authority Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to the Authority'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>1</sup>:

Members of the Governing Board

General Manager

Treasurer

Director of Finance

Financial Consultants

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<sup>1</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.

LAW OFFICES OF  
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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 Manager	5
Administrative Assistant	4
Administrative Services Specialist	4
Assistant General Manager	2, 3, 4
Board Secretary/Administrative Assistant	4
Business Systems Programmer	5
Chief Systems Operator	5
Customer Service Manager	5
Customer Service Supervisor	5
Director of Administrative Services	4
Director of Distribution	5
Director of Engineering	3, 5
Director of Information Services	5
Director of Water Quality	3, 5
Distribution Manager (ALL)	5
Engineer	3, 5
Engineering Manager (ALL)	3, 5
Environmental Specialist	2, 5

LAW OFFICES OF  
BEST BEST &

<u>DESIGNATED POSITIONS' TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES ASSIGNED</u>
General Counsel	1, 2
Human Resources Manager	5
Information Systems Manager	5
Laboratory Supervisor	5
Principal Engineer	2, 3, 5
Principal Engineering Technician	2, 3, 5
Principal Engineering/Design Technician	2, 3, 5
Procurement Specialist	4
Program Manager	5
Program Specialist	5
Public Affairs Manager	5
Reservoir Operations Specialist	5
Safety Coordinator	5
Senior Planner	2, 3, 5
Systems Analyst	5
Systems Operator/Maintenance Superintendent	5
Water Treatment Superintendent	5
Watershed Manager	2, 5

LAW OFFICES OF  
BEST BEST &

DESIGNATED POSITIONS'  
TITLE OR FUNCTION

DISCLOSURE CATEGORIES  
ASSIGNED

Consultant and New Positions<sup>2</sup>

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<sup>2</sup> Individuals providing services as a Consultant defined in Regulation 18700.3, 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.)

## PART "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.<sup>3</sup> Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the Authority.

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 Authority.

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 Authority.

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 Authority.

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 Authority.

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.

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<sup>3</sup> 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)



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**Krysten Steele**  
(909) 483-6653  
krysten.steele@bbklaw.com  
File No. 60026 00015

July 29, 2015

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

COUNTY OF SAN DIEGO  
2015 JUL 30 AM 10:41  
CLERK OF THE BOARD  
OF SUPERVISORS

Re: Sweetwater Authority - Amended Conflict of Interest Code

Dear Teresa:

Enclosed for review and approval by the Board of Supervisors is the amended Conflict of Interest Code of the Sweetwater Authority. The Code was amended by the Authority on July 22, 2015, by Resolution No. 15-15, a copy of which is also enclosed. As you can see by the enclosed legislative version of the Code, the amendment was done to revise the title of an existing position, and renumber Regulations referenced in the Code which were recently amended by the Fair Political Practices Commission.

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 Authority's amended Code. Additionally, please feel free to call or email me if you or County Counsel have any questions regarding the enclosed or this matter.

Sincerely,

Krysten Steele, Paralegal  
for BEST BEST & KRIEGER LLP

Encls: Resolution of Adoption  
Legislative Version of Code  
Final Version of Amended Code

**RESOLUTION 15-15**

**RESOLUTION OF THE GOVERNING BOARD OF THE SWEETWATER  
AUTHORITY ADOPTING AN AMENDED CONFLICT OF INTEREST  
CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

**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 Sweetwater Authority (the "Authority") and requires all public agencies to adopt and promulgate a conflict of interest code; and

**WHEREAS**, the Governing Board adopted a Conflict of Interest Code (the "Code") which was amended October 22, 2014, in compliance with the Act; and

**WHEREAS**, subsequent changed circumstances within the Authority and the Act have made it advisable and necessary to amend and update the Authority'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 Authority 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 Governing Board of the Sweetwater Authority of, the proposed amended Code was provided each affected designated position and publicly posted for review at the offices of the Authority; and

**WHEREAS**, a public meeting was held upon the proposed amended Code at a regular meeting of the Governing Board on July 22, 2015, at which all present were given an opportunity to be heard on the proposed amended Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the Sweetwater Authority that the Governing Board does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Board Secretary and available to the public for inspection and copying during regular business hours;

**BE IT FURTHER RESOLVED** that the said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Code shall become effective immediately upon approval by the Board of Supervisors of the County of San Diego of the proposed amended Code as submitted.

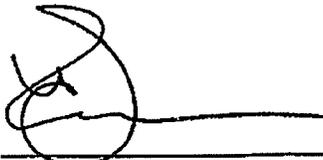
**PASSED AND ADOPTED** at a regular meeting of the Governing Board of Sweetwater Authority held on the 22<sup>nd</sup> day of July 2015, by the following vote:

**AYES:** Directors Castaneda, Morrison, Preciado, Rubalcaba, Thomas, Van Deventer,  
and Zamudio

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None



Ernesto Zamudio, Chair

**ATTEST:**  
  
Janet Gonzalez, Board Secretary

**CONFLICT OF INTEREST CODE**  
**FOR THE**  
**SWEETWATER AUTHORITY**

**CONFLICT OF INTEREST CODE FOR THE**  
**SWEETWATER AUTHORITY**

**(Amended ~~October 22, 2014~~ July 22, 2015)**

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*BBK - ~~August 2014~~ July 2015*

Forma  
Forma

# APPENDIX

## CONFLICT OF INTEREST CODE OF THE SWEETWATER AUTHORITY

(Amended ~~October 22, 2014~~ July 22, 2015)

### PART "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

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**GOVERNED BY THE CONFLICT OF INTEREST CODE**

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Board Secretary/Administrative Assistant	4
Business Systems Programmer	5
Chief Systems Operator	5
Customer Service Manager	5
Customer Service Supervisor	5
Director of Administrative Services	4
Director of Distribution	5
Director of Engineering	3, 5
Director of Information Services	5
Director of Water Quality	3, 5
Distribution Manager (ALL)	5
Engineer	3, 5
Engineering Manager (ALL)	3, 5
Environmental Specialist	2, 5

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BEST BEST & KRIEGER LLP

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Human Resources Manager	5
Information Systems Supervisor/Manager	5
Laboratory Supervisor	5
Principal Engineer	2, 3, 5
Principal Engineering Technician	2, 3, 5
Principal Engineering/Design Technician	2, 3, 5
Procurement Specialist	4
Program Manager	5
Program Specialist	5
Public Affairs Manager	5
Reservoir Operations Specialist	5
Safety Coordinator	5
Senior Planner	2, 3, 5
Systems Analyst	5
Systems Operator/Maintenance Superintendent	5
Water Treatment Superintendent	5
Watershed Manager	2, 5

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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.)

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