

LAW OFFICES OF  
BEST BEST & KRIEGER LLP

COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS

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THOMAS J. FACHUSZKA  
CLERK OF THE BOARD  
OF SUPERVISORS

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**DESCANSO**  
**COMMUNITY WATER DISTRICT**

*BBK – August 2010*

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Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: <u>12/13/16</u>	Minute Order No. <u>15</u>
By: <u>D. Lopez</u>	Date: <u>12/14/16</u>
Deputy Clerk of the Board Supervisors	

**CONFLICT OF INTEREST CODE FOR THE**  
**DESCANSO COMMUNITY WATER DISTRICT**  
**(Amended September 21, 2010)**

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 **Descanso Community Water District** (the "**District**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **District Secretary** as the District's Filing Officer. The **District 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 **District 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.)

**CONFLICT OF INTEREST CODE**

**OF THE**

**DESCANSO COMMUNITY WATER DISTRICT**

**(Amended September 21, 2010<sup>1</sup>)**

**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 Gov. Code § 87200 et seq. [Regs. § 18730(b)(3)]

It has been determined that the positions listed below are officials who manage public investments<sup>2</sup>:

Members of the Board of Directors

General Manager

Financial Consultants

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<sup>1</sup> Revised in July 2012 to include clarifying language provided by the Fair Political Practices Commission

<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>
Civil Engineer	2, 3, 5
General Counsel	1, 2
Consultant and New Positions <sup>3</sup>	

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<sup>3</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.)

*BBK – August 2010*

## 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, unit or division.