

CONFLICT OF INTEREST CODE OF THE ENCINA WASTEWATER AUTHORITY

Preamble

Any person designated in Section I or II of this Appendix who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from the Authority's General Counsel. [Gov. Code 83114, 2 Cal. Code of Regs. 18730(b)(11).] A person who acts in good faith in reliance on an opinion issued to him or her by the FPPC shall not be subject to criminal or civil penalties for so acting, provided that all material facts are stated in the opinion request. [Gov. Code 83114(a).]


If General Counsel renders an opinion stating in full the facts and the law upon which the opinion is based, compliance by the requesting party with such an opinion shall be evidence of good faith in any civil or criminal proceeding. Compliance with the opinion of General Counsel shall also act as a complete defense to any disciplinary action that the Authority may bring under Government Code section 91003.5.

Designated Employees

1. Designated employees listed in Column I must disclose sources of income, gifts, interests in real property, and all investments and business positions in business entities which manufacture, distribute, sell or supply the goods or services listed in Column II.

2. Reportable investments and business positions in any business entity, sources of income and interests in real property, are disclosable if held, regardless of any contractual relationship with the Authority at any time.

COLUMN I	COLUMN II
PUBLIC OFFICIAL'S FUNCTION OR TITLE	TYPE OF BUSINESS ENTITY, BUSINESS POSITION, INVESTMENT, SOURCE OF INCOME, OR REAL PROPERTY DISCLOSABLE
Members of the Board of Directors	1. Real property, including brokers.
General Manager	2. Real estate development.
Treasurer	3. Construction and building materials.
Assistant General Manager	4. Engineering, surveying, architectural, and appraising.
General Counsel	5. Soils testing, analysis, and compaction.

Approved and/or authorized by the
Board of Supervisors of the County of San Diego.
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Deputy Clerk of the Board Supervisors

Department Directors	6. Pipes, valves, pumps, motors, meters or other wastewater treatment plant and sewer system materials, parts or equipment.
Assistant to the General Manager	7. Wastewater treatment plant and sewer system chemicals and supplies.
Capital Improvements Manager	8. Office equipment and supplies.
Contract Administrator	9. Computer hardware, software, and computer services.
Engineering Services Manager	10. Wastewater treatment plant and sewer testing equipment, supplies and service.
Field Services Superintendent	11. Motor vehicles, construction equipment, parts and service.
Human Resources Specialist	12. Equipment rental.
Industrial Waste Control Inspector	Petroleum products.
Laboratory Manager	13. Safety equipment and supplies.
Maintenance Manager	14. Newspapers, media, printing and reproduction services.
Operations Trainer and Quality Control Specialist	15. Banks and savings and loans.
Procurement Specialist	16. Title insurance and escrow.
Resource Recovery Manager	17. Financial audit services.
Safety and Training Manager	18. Insurance, including brokers and agencies.
Senior Construction Manager	19. Employment and manpower agencies.
Source Control Manager	20. Business positions of director, officer, partner, trustee, employee or position of management which is held in business entity.
Systems Manager	
Member Agency Managers	

3. The officials listed below are also "designated employees" who are subject to the provisions of this Code. Each such designated employee is required to disclose interests only in those categories set forth above which are identified by the numbers listed opposite his or her title.

COLUMN I	COLUMN II
PUBLIC OFFICIAL'S FUNCTION OR TITLE	TYPE OF BUSINESS ENTITY, BUSINESS POSITION, INVESTMENT, SOURCE OF INCOME, OR REAL PROPERTY DISCLOSABLE
<u>EWA Staff:</u>	
Auditor	9, 16, 18, 21
Secretary	8, 15, 20, 21
<u>Consultants:</u>	
Appraisers	1, 2, 17, 21
Independent Financial Auditor	9, 16, 18, 21
Engineering Consultants	1, 2, 3, 4, 5, 6, 7, 9, 10, 21
Public Information Consultants	15, 21
Insurance Consultants	19, 21
Data Processing Consultants	8, 9, 21
Financial Management Extension of Staff	16, 18, 21
Other Consultants, including Special Counsel ¹	

¹ With respect to Other Consultants, including but not limited to Special Counsel, the General Manager may determine in writing that a particular consultant or special counsel is hired to perform a range of duties that are limited in scope and thus is not required to comply with all the disclosure requirements described in these categories. Such 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 shall forward a copy of this determination to the San Diego County Board of Supervisors. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.