

CONFLICT OF INTEREST CODE
OF THE
ENCINA WASTEWATER
AUTHORITY

90469.0000241854965.3

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: 9/21/24	Minute Order No. 8
By: [Signature]	Date: 10/1/24
Deputy Clerk of the Board Supervisors	

LAW OFFICES OF
BEST BEST & KRIEGER LLP

CONFLICT OF INTEREST CODE OF THE ENCINA WASTEWATER AUTHORITY

(Amended January 1, 2024)

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) 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 Title 2, Section 18730 of the California Code of Regulations and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the Encina Wastewater Authority.

All officials and designated positions required to submit a statement of economic interests shall electronically file their annual statements of economic interests directly with the Clerk of the Board of Supervisors of the County of San Diego. The Board Secretary/Executive Assistant shall retain copies of statements filed by all officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX

CONFLICT OF INTEREST CODE **OF THE** **ENCINA WASTEWATER AUTHORITY**

(Amended January 1, 2024)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Officials who manage public investments, as defined by 2 Cal. Code Regs. §18700.3(b), are NOT subject to the Authority's Code but must file disclosure statements under Government Code Section 87200 *et seq.* [Regs. § 18730(b)(3).]

It has been determined that the positions listed below are officials who manage public investments.¹ These positions are listed here for informational purposes only.

Board of Directors
Auditor
Treasurer
Financial Consultant

¹ 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.
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DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS' TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES ASSIGNED</u>
Accounting Supervisor	5
Administrative Assistant I/II	5
Assistant General Manager	1, 2
Board Secretary/Executive Assistant	5
Cogeneration Specialist	5
Contract Administrator	5, 6
Engineering Services Manager	1, 2
Director of Environmental Compliance	5
Director of Finance	1, 2
Director of Operations	1, 2
Director of Technical Services	3, 5
Electrical and Instrumentation Technician	5
Electrical and Instrumentation Supervisor	5
Field Services Superintendent	5
General Counsel	1, 2
General Manager	1, 2
Human Resources Analyst	5
Human Resources Manager	5
Information Systems Analyst	5
Information Systems Manager	5
Laboratory Manager	4
Lead Mechanical Technician	5
Lead Operator	5

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<u>DESIGNATED POSITIONS' TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES ASSIGNED</u>
Maintenance Manager	3, 5
Mechanical Technician Supervisor	5
Operations Manager	3, 5, 6
Operations Training and Quality Control Specialist	5
Procurement Specialist	5
Safety and Training Manager	5
Senior Construction Manager	3, 5
Shift Supervisor	5
Source Control Manager	5, 6

Consultants and New Positions²

² Individuals serving as a consultant as defined in FPPC Reg. 18700.3(a) or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth 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 the designated is assigned. "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, 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, that 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, including any leasehold, beneficial or ownership interest or option to acquire property.

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.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position's department, unit or division.