

COUNTY OF SAN DIEGO
2020 AUG 10 PM 12:00
CLERK OF THE BOARD
OF SUPERVISORS

**CONFLICT OF INTEREST CODE OF THE WATER
CONSERVATION GARDEN AUTHORITY**

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 § 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 **Water Conservation Garden 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 Board of Directors and their Alternates, and the Executive Director, 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 of all other designated positions and make all retained statements available for public inspection and reproduction (Gov. Code, § 81008.)

The geographical jurisdiction of the Authority is the County of San Diego.

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: 12/8/2020	Minute Order No. 29
By: <i>[Signature]</i>	Date: 12/14/20
Deputy Clerk of the Board Supervisors	

APPENDIX A

DESIGNATED POSITIONS

<u>DESIGNATED POSITION</u>	<u>DISCLOSURE CATEGORY</u>
Executive Director*	1, 2, 3, 4, 5
Director of Operations and Programs*	1, 2, 3, 4, 5

* These positions are staffed by the Friends of the Water Conservation Garden, a 501(c)(3) public benefit corporation, which has entered into an operating agreement with the Authority.

MEMBERS OF BOARDS, COMMITTEES & COMMISSIONS

<u>MEMBER POSITION</u>	<u>DISCLOSURE CATEGORY</u>
Consultants and New Positions ¹	1, 2, 3, 4, 5

The Executive Director 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, § 82019; FPPC Regulations 18219 and 18734.). The Executive Director'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.

¹ Individuals providing services as a Consultant defined in Regulation 18700.3 or in a new position created since this Code was last approved that make or participate in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority Officials who manage public investments are NOT covered by this Code because they must file under Government Code Section 87200 *et seq.* and, therefore, are listed for informational purposes only.

1. Members of the Board of Directors and Alternates
2. Executive Director
3. Treasurer
4. Investment Consultants

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 their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code section 87200.

APPENDIX 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.

"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 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.

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)

Disclosure Category 1:

Designated positions in this category must disclose 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.

Disclosure Category 2:

Designated positions in this category must disclose 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.

Disclosure Category 3:

Designated positions in this category must disclose 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.

Disclosure Category 4:

Designated positions in this category must disclose 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.

Disclosure Category 5:

Designated positions in this category must disclose 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.