

SANTA CLARA VALLEY WATER DISTRICT

AMENDED

CONFLICT OF INTEREST CODE

Approval Date:

TBD – Revisions to the Code to be Passed by

Resolution of Board of Directors on _____, 2017

and

Approved by Board of Supervisors on _____, 2017

CONFLICT OF INTEREST CODE
FOR
SANTA CLARA VALLEY WATER DISTRICT

The Political Reform Act, Government Code Sections 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 California Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the Exhibits "A", "B" and "C" in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Santa Clara Valley Water District. The complete text of 2 California Code of Regulations Section 18730 can be viewed on the Fair Political Practices Commission web page at: <http://www.fppc.ca.gov/content/dam/fppc/NS-Documents/LegalDiv/Regulations/Index/Chapter7/Article2/18730.pdf>

Persons holding designated positions shall file Statements of Economic Interests with the District's filing official. If statements are received in signed paper format, the District's filing official shall make and retain a copy and forward the original statements to the filing officer, the County of Santa Clara Clerk of the Board of Supervisors. If Statements are electronically filed using the County of Santa Clara's Form 700 e-filing system, both the District's filing official and the County of Santa Clara Clerk of the Board of Supervisors will receive access to the e-filed Statements simultaneously. The District shall retain Statements of Economic Interests as public records available for public inspection and reproduction pursuant to Government Code section 81008.

Board of Supervisors
County of Santa Clara
70 West Hedding Street
San Jose, CA 95110

The Santa Clara Valley Water District hereby submits the appended Conflict of Interest Code for approval or other action pursuant to law. The Code is in standard form and Exhibit "A" has been modified to include the addition of three (3) Designated Employees. Exhibits "B" and "C" have no modifications.

Pursuant to Government Code section 87200, officials who manage public investments as defined by 2 California Code of Regulations section 18700.3(b). are subject to the disclosure and disqualification provisions set forth in the Political Reform Act (Government Code Title 9, Chapter 7, Article 2) and are required to file full Statements of Economic Interests. The District has designated the Chief Operating Officer for Administrative Services as the official who manages public investments.

John L. Varela, Chair
Board of Directors

Received on behalf of the Board of Supervisors of the County of Santa Clara this _____ day of _____, 2017.

Megan Doyle
Clerk of the Board of Supervisors

The appended Conflict of Interest Code, having been submitted by Santa Clara Valley Water District, was approved by order of the Board of Supervisors on _____.

Other action (if any):

Megan Doyle
Clerk of the Board of Supervisors

EXHIBIT “A”
Designated Positions

- I. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 1 of Exhibit B.

ASM – Capital Program Planning & Analysis Manager
ASM – Civic Engagement Manager
ASM – Communications Manager
ASM – Emergency & Security Manager
ASM – Environmental Health and Safety Manager
ASM – Purchasing, Contracts & Warehouse Manager
ASM – Real Estate Services Manager
ASM – Risk Manager
Assistant District Counsel
Assistant Officer
Board Executive Aide
Chief Executive Officer
Chief Financial Officer
Chief Operating Officer
Chief of External Affairs
Clerk of the Board
Deputy Administrative Officer
Deputy Clerk of the Board
Deputy Operating Officer
Director of Ethics & Corporate Governance
District Counsel
EGM – Asset Management Manager
EGM – Capital Engineering Manager
EGM – Community Projects Review Manager
EGM – Construction Manager
EGM – Hydrology, Hydraulics & Geomorphology Manager
EGM – Operations & Maintenance Engineering Support Manager
EGM – Water Policy & Planning Manager
ESM – Environmental Mitigation & Monitoring Manager
ESM – Environmental Services Manager – Water Utility
ESM – Environmental Services Manager – Watershed
ESSM – Land Surveying & Mapping Manager
FSM – Accounting Manager
FSM – Budget Manager
FSM – Revenue Manager
FSM – Treasury & Debt Manager
GSM – Facilities Manager
IWM – Imported Water Manager
Labor Relations Officer
Program Administrator – Administration
Program Administrator – CEO
Senior Assistant District Counsel
Senior Management Analyst – CEO
Senior Project Manager – Water Utility

Senior Project Manager – Watersheds
Supervising Land Surveyor
WRM – Groundwater Management Manager
WRM – Laboratory Services Manager
WRM – Safe/Clean Water Program Manager
WUOM – Utility Operations & Maintenance Manager
WUOM – Water Treatment Manager
WSOMM – Integrated Vegetation Manager
WSOMM – Watershed Field Operations Manager
WUOMM – Well & Water Measurement Manager

- II. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 2 of Exhibit B.

ASM – Employment Services Manager
ASM – Workforce Development Manager
Associate Engineer (Civil) – Watershed
Associate Civil Engineer
Associate Water Resources Specialist – Watersheds
Buyer II
Deferred Compensation Committee Alternate
Deferred Compensation Committee Member
EGM – Dam Safety Program
EGM – Electrical & Control Systems Engineering Manager
EGM – Utility Maintenance Engineering Manager
Engineering Systems Analyst - Administration
Government Relations Advocate
GSM – Business & Customer Support Manager
GSM – Engineering Support Manager
GSM – Fleet and Equipment Manager
GSM – Records & Library Manager
ISM – Information Technology Manager
ISM – Systems Development & Support Manager
Facilities Maintenance Administrator
Management Analyst II, Ethics & Equal Opportunity Programs
Management Analyst II, Purchasing, Consultant Contracts & Warehouse Services
Procurement Specialist
Program Administrator - Water Utility
Project Manager – Water Utility
Project Manager – Watersheds
Public Information Representative III
Purchasing Technician II
Senior Buyer
Senior Engineer
Senior Management Analyst, Financial Planning Program
Senior Management Analyst, Purchasing, Consultant Contracts & Warehouse Services
Senior Project Manager – Administration

Senior Purchasing Technician
Senior Water Conservation Specialist
Senior Water Quality Specialist - Watersheds
Senior Water Resources Specialist
Staff Analyst, Purchasing, Consultant Contracts & Warehouse Services
Water Conservation Specialist II
Watershed Planning Unit Manager
WRM – Recycled Water Manager
WRM – Water Supply Planning & Conservation Manager
WRM – Water Quality Manager
WUOM – Water Supply Operations Manager
WUOMM –Utility Maintenance Manager – Distribution
WUOMM – Utility Maintenance Manager – Treatment

- III. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 3 of Exhibit B.

Associate Real Estate Agent
Senior Real Estate Agent

- IV. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 4 of Exhibit B.

None

- V. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 5 of Exhibit B.

Associate Engineer (Civil) – Administration
Chief Construction Inspector
Control System Technician Supervisor
Field Operations Administrator
Industrial Electrician Supervisor
Industrial Hygienist II
Management Analyst II, Benefits
Mechanical Maintenance Supervisor
Office Automation Administrator
Recycled Water Facility Supervisor
Senior Corrosion Control Technician
Senior Field Operations Administrator
Small Engine Mechanic
Support Services Supervisor
Telecommunications Administrator
Water Plant Supervisor – Grade V
Water Resources Supervisor

- VI. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 6 of Exhibit B.

None

- VII. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 7 of Exhibit B.

Consultant

- VIII. Newly Created Positions

A newly created position that makes or participates in the making of decisions that may foreseeably have a material effect on any financial interest of the position-holder, and which specific position title is not yet listed in the District's conflict of interest code is included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The Chief Executive Officer (or Chief Executive Officer's designee) may determine in writing that a particular newly created position, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the broadest disclosure requirements, but instead must comply with more tailored disclosure requirements specific to that newly created position. Such written determination shall include a description of the newly created position's duties and, based upon that description, a statement of the extent of the disclosure requirements. The Chief Executive Officer's (or Chief Executive Officer's designee'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 Section 81008.)

As soon as the District has a newly created position that must file statements of economic interests, the District's filing official shall contact the County of Santa Clara Clerk of the Board of Supervisors Form 700 division to notify it of the new position title to be added in the County's electronic Form 700 record management system, known as eDisclosure. Upon this notification, the Clerk's office shall enter the actual position title of the newly created position into eDisclosure and the District's filing official shall ensure that the name of any individual(s) holding the newly created position is entered under that position title in eDisclosure.

Additionally, within 90 days of the creation of a newly created position that must file statements of economic interests, the District shall update this conflict of interest code to add the actual position title in its list of designated positions, and submit the amended conflict of interest code to the County of Santa Clara Office of the County Counsel for code-reviewing body approval by the County Board of Supervisors. (Gov. Code Sec. 87306.)

EXHIBIT B

Disclosure Categories

Category 1

Designated persons in this category must report all interests in real property located entirely or partly within the boundaries of the District, or within two miles of District boundaries, or of any land owned or used by the District, as well as investments, business positions and sources of income, including gifts, loans and travel payments.

Category 2

Designated persons in this category must report all investments, business positions and sources of income, including gifts, loans and travel payments.

Category 3

Designated persons in this category must report all interests in real property located entirely or partly within the boundaries of the District, or within two miles of District boundaries, or of any land owned or used by the District, as well as investments, business positions and income (including gifts, loans, and travel payments) from all sources that are engaged in any real estate activity including, but not limited to, real estate appraisal, development, construction, planning/architectural design, engineering, sales, brokerage, leasing, lending, insurance, rights of way, and/or studies; and/or property or facilities management/maintenance/custodial and utility services as used by the District or provides capital for the purchase of property used or sold by the District.

Category 4

Designated persons in this category must report all investments, business positions and income, including gifts, loans, and travel payments, from sources that provide goods or services related to travel and transportation including autos, air, and other transportation services, and lodging.

Category 5

Designated persons in this category must report all investments, business positions and income, including gifts, loans, and travel payments from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the District.¹

¹ This includes but is not limited to: Construction and building materials; interests in real property; office equipment and supplies; banks and savings and loan institutions; public utilities; financial audit services; insurance services; printing, reproduction, or photographic equipment, services and supplies; chemical supplies; motor vehicles and specialty vehicles, parts and supplies; petroleum products; measuring and calculating equipment; safety equipment and supplies; telephone, communication services and equipment; pipes, valves, fittings, pumps, tanks, materials and similar; water quality testing equipment, supplies and services; business entities owning real property; cathodic protection equipment, services, and supplies; engineering services; employment and temporary help agencies; general and specialty equipment rental; demolition, construction and maintenance services; real estate sales or investment firms; consulting services: legal, energy and power, engineering, soils, testing, water treatment, data processing, computers, financial, labor relations, employee training, advertising, communications, design, art work, audiovisual, movie productions, planning, water pricing and demand, economists, audition, desalting, architectural sizing environmental, appraisers; title insurance, appraisal and escrow services.

Category 6

Designated persons in this category must report all investments, business positions and income, including gifts, loans, and travel payments, or income from a nonprofit organization, if the source is of the type to receive grants or other monies from or through the District.

Category 7

Consultants, as defined for purposes of the Political Reform Act, shall disclose pursuant to the broadest disclosure category in the District's conflict of interest code (Category 1) subject to the following limitation: The Chief Executive Officer (or Chief Executive Officer's designee) may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirement of the broadest disclosure category, but instead must comply with more tailored disclosure requirements specific to that consultant. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer's (or Chief Executive Officer's designee'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.

EXHIBIT C

GOVERNMENT CODE SECTION 87200 FILERS

Pursuant to Government Code section 87200, officials who manage public investments as defined by 2 California Code of Regulations section 18700.3(b) are subject to the disclosure and disqualification provisions set forth in the Political Reform Act (Government Code Title 9, Chapter 7, Article 2) and are required to file full Statements of Economic Interests.

The District has determined that the holders of the positions listed below are officials who manage public investments. These positions are not subject to the District's code, but are listed here for informational purposes only.

- (1) Member, Board of Directors
- (2) Chief Operating Officer for Administrative Services

Government Code section 87200 filers shall file Statements of Economic Interests with the District's filing official. If statements are received in signed paper format, the District's filing official shall make and retain a copy and forward the original statements to the filing officer, the County of Santa Clara Clerk of the Board of Supervisors. If Statements are electronically filed using the County of Santa Clara's Form 700 e-filing system, both the District's filing official and the County of Santa Clara Clerk of the Board of Supervisors will receive access to the e-filed Statements simultaneously. The District shall retain Statements of Economic Interests as public records available for public inspection and reproduction pursuant to Government Code section 81008.