

# Santa Clara Valley Water District

## Conflict of Interest Code

SANTA CLARA VALLEY WATER DISTRICT

AMENDED

CONFLICT OF INTEREST CODE

Approval Date:

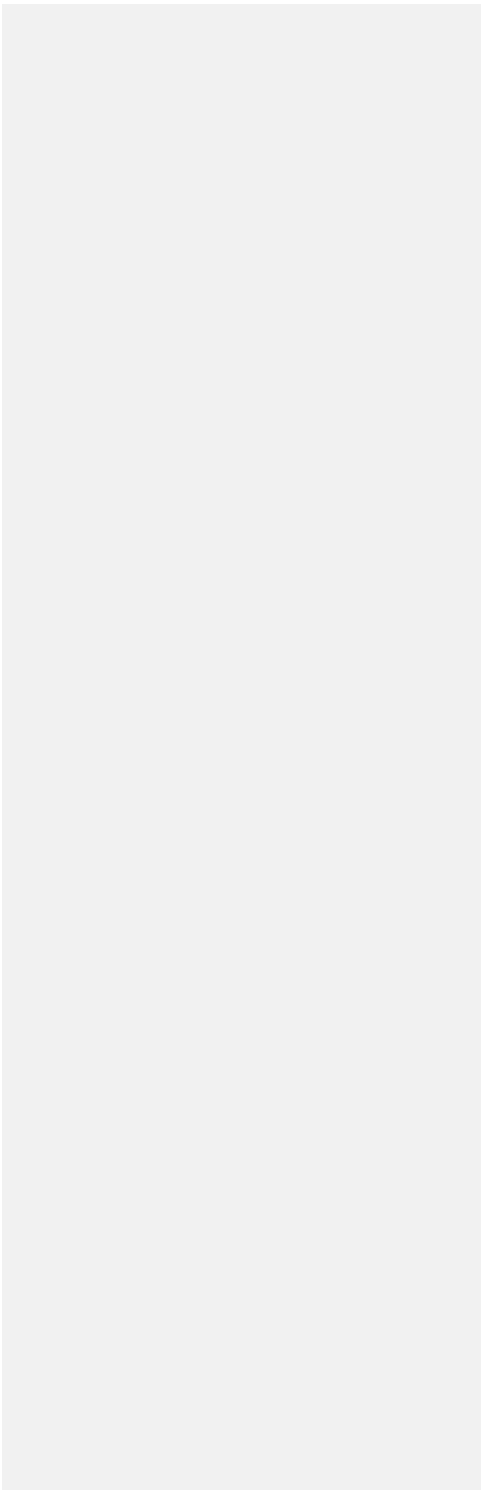
TBD - Revisions to the Code to be Passed by

Resolution of Board of Directors on ~~May 28~~ October

~~27~~, 2020 ~~19~~

and

Approved by Board of Supervisors on



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

Formatted: Space Before: 0 pt

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 an-~~ addition of eleven (11) Designated Employees, ~~the deletion of eight (8) Designated Employees, an update in position titles for six (6) Designated Employees, and an update to the category designations for three (3) Designated Employees.~~

~~Linda LeZotte~~ Nai Hsueh,  
Chair  
Board of Directors

Received on behalf of the Board of Supervisors of the County of Santa Clara this \_\_\_\_\_, day of \_\_\_\_\_, 202019.

\_\_\_\_\_  
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

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.

**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 - Construction Contracts Support Manager  
ASM - Emergency & Security Manager  
ASM - Environmental Health and Safety Manager  
ASM -- Purchasing &- Contracts &- Warehouse  
Manager  
ASM - Real Estate Services Manager  
ASM - Risk Manager  
ASM - Watersheds Business Planning and Analysis Manager  
Assistant Chief Executive Officer  
Assistant District Counsel  
Assistant Officer  
Board Support Officer  
Chief Executive Officer  
Chief Operating Officer  
Chief of External Affairs  
Clerk of the Board  
Deputy Administrative Officer  
Deputy Clerk of the Board  
Deputy Operating Officer  
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 - Financial Planning & Revenue Manager  
FSM - Revenue Manager  
FSM - Treasury & Debt Manager  
GSM - Facilities & Fleet Manager  
IWM - Imported Water Manager  
Labor Relations Officer  
Program Administrator - Administration-  
Program Administrator - CEO  
Program Administrator - External Affairs  
Senior Assistant District Counsel  
Senior Environmental Health & Safety Specialist

~~Senior Management Analyst - External Affairs~~

Senior Project Manager - Water Utility

Senior Project Manager - Watersheds

Supervising Land Surveyor

Supervising Well Ordinance Compliance Inspector

WRM - Groundwater Management Manager

~~WRM - Laboratory Services 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 - Labor Relations Manager

ASM - Racial Equity Diversity & Inclusion Manager

Assistant Procurement Specialist

Associate Engineer - Civil

Associate Engineer - Control System

Associate Engineer- Electrical

Associate Engineer - Mechanical

Associate Engineering Geologist

Associate Water Resources Specialist

Contracts Administrator I

Contracts Administrator II

Deferred Compensation Committee Alternate

Deferred Compensation Committee Member

EGM - Dam Safety Program Manager

EGM - Electrical & Control Systems Engineering Manager

EGM - Utility Maintenance Engineering Manager

Facilities Maintenance Administrator

~~EGM - Water Supply Operations Manager~~

Government Relations Advocate

GSM - Business & Customer Support Manager

GSM - Engineering Support Manager

~~GSM - Fleet and Equipment Manager~~

GSM - Records & Library Manager

Information Technology Architect

ISM - Information Technology Manager

ISM - Information Technology Projects & Business Operations Manager

ISM - Systems Development & Support Manager

Facilities Maintenance Administrator

Management Analyst II, Ethics & Equal Opportunity Programs

Management Analyst II, Purchasing & Consultant Contracts & Warehouse

Services

Network Architect

Principal Construction Contracts Administrator

Procurement Specialist

Program Administrator - Administration

Program Administrator - Water Utility

Project Manager - Water Utility

Formatted: Right: 0.05"

Commented [RN1]: Not removed from COI Code; just rearranged to be alphabetical.

Project Manager - Watersheds  
~~Public Information Representative III~~



Senior Construction Contracts Administrator

Senior Engineer

Senior Engineering Geologist

~~Senior Information Systems Analyst~~

Senior Management Analyst, Purchasing & Consultant Contracts &  
~~Warehouse Services~~

Senior Procurement Specialist

Senior Procurement Technician

Senior Project Manager - Administration

Senior Water Conservation Specialist

Senior Water Resources Specialist

~~Staff Analyst, Purchasing, Consultant Contracts & Warehouse Services~~

Water Conservation Specialist II

Water Conservation Specialist III

WRM - Laboratory Services Manager

WRM - Recycled & Purified 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.

Chief Construction Inspector

~~Equipment Mechanic II (Grade IV, Winfield)~~

Field Construction Supervisor

Field Operations Administrator

Information Systems Administrator

~~Management Analyst II, Benefits~~

Recycled Water Facility Supervisor

Senior Corrosion Control Technician

Senior Information Systems Analyst

Supervising Industrial Electrician

Supervising Instrumentation and Controls Technician

Supervising Plan/Pipeline Mechanical Technician

Supervising Water Resources Technician

Support Services Supervisor

Water Plant Supervisor

Formatted: Indent: Left: 1.02", Right: 2.86", Space Before: 0.35 pt, Line spacing: Multiple 1.09 li

Formatted: Indent: Left: 1.04", Line spacing: Exactly 11.25 pt

- 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 in, business positions with, 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 in, business positions with, 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 in, business positions with, 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.<sup>1</sup>

---

<sup>1</sup> 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 in, business positions with, and income (including gifts, loans, and travel payments, and income from a nonprofit organization) from sources 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.

## **EXHIBITC**

### **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 Financial Officer

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.

THIS PAGE INTENTIONALLY LEFT BLANK