

# 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 October 27, 2020

and

Approved by Board of Supervisors on

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 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.

---

Nai Hsueh, Chair  
Board of Directors

Received on behalf of the Board of Supervisors of the County of Santa Clara this \_\_\_\_\_, day of \_\_\_\_\_, 2020.

---

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 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  
Program Administrator - CEO  
Program Administrator - External Affairs  
Senior Assistant District Counsel  
Senior Environmental Health & Safety Specialist

Senior Project Manager - Water Utility  
Senior Project Manager - Watersheds  
Supervising Land Surveyor  
Supervising Well Ordinance Compliance Inspector  
WRM - Groundwater Management 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  
Government Relations Advocate  
GSM - Business & Customer Support Manager  
GSM - Engineering Support Manager  
GSM - Records & Library Manager  
Information Technology Architect  
ISM - Information Technology Manager  
ISM - Information Technology Projects & Business Operations Manager  
ISM - Systems Development & Support Manager  
Management Analyst II, Purchasing & Consultant Contracts Services  
Network Architect  
Principal Construction Contracts Administrator  
Procurement Specialist  
Program Administrator - Administration  
Program Administrator - Water Utility  
Project Manager - Water Utility  
Project Manager - Watersheds  
Senior Construction Contracts Administrator  
Senior Engineer  
Senior Engineering Geologist  
Senior Management Analyst, Purchasing & Consultant Contracts Services  
Senior Procurement Specialist  
Senior Procurement Technician

Senior Project Manager - Administration  
Senior Water Conservation Specialist  
Senior Water Resources Specialist  
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  
Field Construction Supervisor  
Field Operations Administrator  
Information Systems Administrator  
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

- 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.

## **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 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