



Santa Clara Valley Water District

File No.: 17-0310

Agenda Date: 6/13/2017

Item No.: 3.2.

BOARD AGENDA MEMORANDUM

SUBJECT:

Revision of the District's Conflict of Interest Code to Include Newly Created Positions of Administrative Services Manager (ASM) - Civic Engagement Manager, Board Executive Aide, and Chief of External Affairs.

RECOMMENDATION:

Adopt the Resolution AMENDING THE CONFLICT OF INTEREST CODE FOR THE SANTA CLARA VALLEY WATER DISTRICT, TO INCLUDE THE NEWLY CREATED POSITIONS OF: ASM - CIVIC ENGAGEMENT MANAGER, BOARD EXECUTIVE AIDE, AND CHIEF OF EXTERNAL AFFAIRS, INCLUDING THE APPENDICES WHEREIN THE POSITION REQUIRED TO FILED STATEMENTS OF ECONOMIC INTEREST ARE DESIGNATED.

SUMMARY:

Under the law, if an agency creates a new position title which makes or participates in making decisions that may foreseeably have a material effect on any financial interest, any individual placed in that position must file a Form 700. Further, the agency is required to update its Exhibit A of the Conflict of Interest Code (Code) to reflect the newly-created position title and the position's disclosure requirement, pursuant to the requirements of California Government Code §87306.

In October, 2016, the District developed a job specification for the ASM - Civic Engagement Manager. This position is vacant, but is currently being recruited.

As required, this new position has been added as an out-of-code position to the District's Code at the highest level of disclosure (Category 1), pending approval. Upon approval it is recommended that the ASM - Civic Engagement Manager position remain at a Category 1 disclosure level, consistent with similar management level classifications at the District.

In December, 2016, the District developed a job specification for the Chief of External Affairs. This position was filled by Rick Calendar effective May 8, 2017.

As required, this new position has been added as an out-of-code position to the District's Code at the highest level of disclosure (Category 1), pending approval. Upon approval it is recommended that the Chief of External Affairs position remain at a Category 1 disclosure level, similar to the Chief Operating Officer classification.

Also in December, 2016, the District developed a job specification for the Board Executive Assistant. This position was recently filled by Candice Kwok-Smith, former Program Administrator, on February 13, 2017.

As required, this new position has been added as an out-of-code position to the District's Code at the highest level of disclosure (Category 1), pending approval. Upon approval it is recommended that the Board Executive Aide position remain at a Category 1 disclosure level, consistent with Unclassified positions at the District.

This Board agenda item allows the Board to review the proposed revisions to the Code and adopt a Resolution amending the Code of the District (Attachment 1) to include these newly created positions under Category 1 disclosure, per the requirements of California Government Code §87306.

Pursuant to Government Code §87306, "No conflict of interest code shall be effective until it has been approved by the code-reviewing body." The County of Santa Clara Board of Supervisor is the code-reviewing body for County agencies and for any other local agency whose authority is solely within the County. The Office of the County Counsel is responsible for reviewing revised codes prior to forwarding them to the Board of Supervisors for approval. The District's code is not legally effective until the Board of Supervisors has approved it.

The attached red-lined code represents the current code with revision to include the three newly created positions described herein.

Next steps:

After the Board adopts the Resolution, Ethics and Equal Opportunity Programs staff will submit the amended Conflict of Interest Code to the Office of County Counsel for final approval by the County Board of Supervisors.

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action is a ministerial action and thus is not subject to the requirements of CEQA.

ATTACHMENTS:

Attachment 1: Resolution

Attachment 2: Conflict of Interest Code, Red-lined Version

Attachment 3: Conflict of Interest Code, Proposed Final Version

Attachment 4: California Form 804, Agency Report of New Positions

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