

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

821 A



**FROM:** County Counsel

**SUBMITTAL DATE:**  
November 29, 2012


**SUBJECT:** Approval of the Conflict of Interest Code of the Rancho California Water District

**RECOMMENDED MOTION:** That the Board of Supervisors approves the Conflict of Interest Code submitted by Rancho California Water District.

**BACKGROUND:** Government Code section 87306.5 requires that all local agencies review their Conflict of Interest Code, and the listings of designated positions for employees who must disclose along with the types of disclosure required, and make appropriate amendments to each as required.

(Continued)

Departmental Concurrence

  
TAWNY V. LIU, Deputy County Counsel  
for PAMELA J. WALLS, County Counsel

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b>	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**

BY:   
Denise C. Harden

**County Executive Office Signature**

- Policy
- Consent
- Policy
- Consent

Dept's Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.: 2/15/11; 2.16 | District: 3 | Agenda Number:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

2.6

Government Code Section 82011 identifies the Board of Supervisors for the County, within which a local government agency (as defined by Government Code Section 82041) is located. A local government agency, as defined by Government Code Section 82041, includes a water district.

The Rancho California Water District recently revised its Conflict of Interest Code and has submitted it for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the revised code and has found that it complies with statutory requirements. It is recommended that the Board of Supervisors approve Rancho California Water District's Conflict of Interest Code as revised and that the Clerk of the Board notify the Agency of the action taken.

**CONFLICT OF INTEREST CODE FOR THE**  
**RANCHO CALIFORNIA WATER DISTRICT**  
**(Amended November 8, 2012)**

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 Regulation 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 section 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 **Rancho California Water District (the "District")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **District Secretary** as the District's Filing Officer. The **District Secretary** shall make and retain a copy of all statements filed by Members of the Board of Directors and the General Manager, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The **District Secretary** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

**APPENDIX**

**CONFLICT OF INTEREST CODE**

**OF THE**

**RANCHO CALIFORNIA WATER DISTRICT**

**(Amended November 8, 2012)**

**EXHIBIT "A"**

**OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments<sup>1</sup>:

Members of the Board of Directors

General Manager

Chief Financial Officer/Treasurer

Investment Consultant

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<sup>1</sup> 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 that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

**DESIGNATED POSITIONS**  
**GOVERNED BY THE CONFLICT OF INTEREST CODE**

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Accounting Manager	2, 4
Accounting Supervisor	4
Administrative Assistant, Senior-Engineering	2, 3, 5
Administrative Services Supervisor	4
AMR Specialist	5
Assistant General Manager	1, 2
Associate Engineer	2, 3, 5
Budget Debt Administrator	1, 2
Chief Engineer	2, 3, 5
Conservation/Water Use Efficiency Analyst	2, 3, 5
Construction Contracts Manager	2, 3, 5
Construction Inspector Supervisor	5
Controller	1, 2
Cross Connection Control Technician – II/Specialist	2, 3, 5
Customer Service Supervisor	5
Director of Operations & Maintenance	5
District Secretary	4
Electrical Services Supervisor	5
Engineering Manager - Design	2, 3, 5
Engineering Manager - Planning	2, 3, 5
Engineering Services Supervisor	5

DESIGNATED EMPLOYEES'  
TITLE OR FUNCTION

DISCLOSURE CATEGORIES  
ASSIGNED

Engineering Technician	5
ERP Business Analyst	5
Field Services Manager - Construction	5
Field Services Manager - Facilities	5
Finance Administrator	1, 2
General Counsel	1, 2
Human Resources Analyst	5
Human Resources Manager	5
Information Technology/Customer Service Manager	5
Mechanic, Senior	5
Meter Reading Services Foreman	5
Operations Project Manager	1, 2
Principal Engineer	2, 3, 5
Public Information Officer	4
Purchasing Agent	4
Safety/Risk Officer	5
Wastewater Maintenance Supervisor	5
Wastewater System Supervisor	5
Water Operations Manager	5
Water Quality Supervisor	5
Water Reclamation Manager	5
Water Resource Planner	1, 2

DESIGNATED EMPLOYEES'  
TITLE OR FUNCTION

DISCLOSURE CATEGORIES  
ASSIGNED

Water System Supervisor

5

Consultant and New Position<sup>2</sup>

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<sup>2</sup>

Individuals serving as a consultant as defined in FPPC Reg 18701 or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The General Manager 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 Sec. 82019; FPPC Regulations 18219 and 18734.). The General Manager'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 Sec. 81008.)

## EXHIBIT "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.<sup>3</sup>

Category 1: All 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 District.

Category 2: All 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 District.

Category 3: All 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 District.

Category 4: All 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 District.

Category 5: All 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.

FORM APPROVED COUNTY COUNSEL

BY:  11/29/12  
TAWNY V. LIU DATE

<sup>3</sup>

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)