

**ORDINANCE NO. 2018-124
(GENERAL REGULATION NO. 124)**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF MT. VIEW SANITARY
DISTRICT ADOPTING GENERAL REGULATION NO. 117 AMENDING THE
CONFLICT OF INTEREST CODE FOR THE DISTRICT**

WHEREAS, by way of Ordinance 2000-79 (General Regulation No 79) adopted October 12, 2000, a new Conflict of Interest Code for the District was enacted; and

WHEREAS, said Conflict of Interest Code was amended by Ordinance No. 2002-83 (General Regulation No. 83), adopted March 14, 2002; and

WHEREAS, said Conflict of Interest Code was amended by Ordinance 2002-85 (General Regulation No. 85), adopted October 10, 2002; and

WHEREAS, said Conflict of Interest Code was amended by Ordinance No. 2005-89 (General Regulation No. 89), adopted May 12, 2005; and

WHEREAS, said Conflict of Interest Code was amended by Ordinance No. 2006-92 (General Regulation No. 92) adopted August 14, 2006; and

WHEREAS, said Conflict of Interest Code was amended by Ordinance No. 2008-96 (General Regulation No. 96) adopted July 10, 2008; and

WHEREAS, said Conflict of Interest Code was amended by Ordinance No. 2010-104 (General Regulation No. 104) adopted November 15, 2010; and

WHEREAS, said Conflict of Interest Code was amended by Ordinance No. 2012-108 (General Regulation No. 108) adopted December 13, 2012; and

WHEREAS, said Conflict of Interest Code was amended by Ordinance No. 2015-117 (General Regulation No. 117) adopted November 12, 2015; and

WHEREAS, by prior action of the Board of Directors the positions of Maintenance Scheduler/Planner and Administrative Services Manager were created, and the position of Maintenance and SSMP Coordinator was eliminated; and

WHEREAS, it has been determined that the District's Conflict of Interest Code requires amendment to add the positions of Maintenance Scheduler/Planner and Administrative Services Manager and identify their respective reporting requirements, and

WHEREAS, it has been determined that the District's Conflict of Interest Code requires further amendment to remove the position of Maintenance and SSMP Coordinator; and

WHEREAS, it has been determined that the District's Conflict of Interest Code requires further amendment to add reporting category A to the previously identified positions of Laboratory Analyst and Wastewater Operations Supervisor; and

WHEREAS, at its August 16, 2018 meeting, the Board authorized the timely transmission of correspondence to the Contra Costa County Clerk of the Board of Supervisors regarding the anticipated amendment of the Conflict of Interest Code for the Mt. View Sanitary District and set a Public Hearing on the amendment for October 11, 2018; and

WHEREAS, at its October 11, 2018 meeting, the Board continued the Public Hearing to November 8, 2018.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MT. VIEW SANITARY DISTRICT DOES ORDAIN AS FOLLOWS:

Section 1. The positions of Maintenance Scheduler/Planner and Administrative Services Manager are added to the list of positions required to file statements of economic interest, the position of Maintenance and SSMP Coordinator is removed, and Category A is added to the applicable disclosure categories for the positions of Laboratory Analyst and Wastewater Operations Supervisor and Appendix "A" of the District's Conflict of Interest Code is so amended. The revised Appendix "A" is attached hereto and made a part hereof. All designated positions shall file statements of economic interest in conformance with the disclosure categories applicable to said position. The disclosure categories are more particularly described in Appendix "B" to Ordinance 2000-79.

Section 2. All provisions of Ordinance 2000-79 are hereby declared applicable to the positions set forth in Appendix "A".


Section 3. Upon its adoption, the Board Secretary is directed to forward a certified copy of this Ordinance to the Clerk of the Board of Supervisors and the County Administrator of Contra Costa County.

Section 4. Except as amended herein, Ordinance 2000-79 remains in full force and effect.

Section 5. Copies of this Ordinance and General Regulation shall be entered in the Minutes of the District Board, posted by the Board Secretary in at least 3 public places in the District and published in accordance with California Health and Safety Code Section 6490. The effective date of the Ordinance and General Regulation shall be upon expiration of the week following publication and posting.


THE FOREGOING ORDINANCE was regularly moved, seconded, passed and adopted and ordered published in accordance with Health & Safety Code Section 6490 at a regular meeting of the District Board of Mt. View Sanitary District held on November 8, 2018, by the following vote:

AYES: Directors Maggi, Pyka, and Schaal, Vice President Caldwell, President Danley
NOES: None
ABSENT: None
ABSTAIN: None




Brian A. Danley, President
Mt. View Sanitary District

ATTEST:



Sheri L. Riddle, Secretary

APPROVED AS TO FORM:




Daniel Adams, District Legal Counsel

APPROVED AS TO ADMINISTRATION



Neal B. Allen, District Manager

I hereby certify that the foregoing Ordinance was duly passed, enacted and ordered published and posted at a regular meeting of the Board of Directors of the Mt. View Sanitary District held on November 8, 2018.



Sheri L. Riddle, Secretary

APPENDIX "A"
ORDINANCE NO. 2018-124
MVSD CONFLICT OF INTEREST CODE

<u>Position</u>	<u>Disclosure Category</u>
(a) Director (includes President and Vice President)	All categories
(b) District Manager	All categories
(c) Assistant District Manager	All categories
(d) Administrative Services Manager	All categories
(e) Office Administrator/Board Secretary	All categories
(f) District Engineer	All categories
(g) District Legal Counsel	All categories
(h) District Assistant Legal Counsel	All categories
(i) Wastewater Operations Supervisor	Categories A, B, C & D
(j) Consultant*	All categories*
(k) District Biologist	All categories
(l) Laboratory Analyst	Categories A, B, C & D
(m) Maintenance Scheduler/Planner	Categories A, B, C & D

*The District Manager may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. 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 District 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.

SECRETARY'S CERTIFICATE

I, Sheri L. Riddle, Board Secretary to the Mt. View Sanitary District, do hereby certify as follows:

The foregoing is a full, true, and correct copy of an ordinance duly adopted at a regular meeting of the Board of Directors of said District, duly and regularly and legally held at the regular meeting place thereof on November 8, 2018, of which meeting all of the members of said Board had due notice and at which a majority thereof was present.

At said meeting said ordinance was upon motion duly seconded and adopted by the vote as therein set forth.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said ordinance is duly entered of record in the minutes and the foregoing is a full, true and correct copy of the original ordinance adopted at said meeting and entered in said minutes.

Said ordinance has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

Dated: December 3, 2018



SHERI L. RIDDLE, BOARD SECRETARY
OF THE DISTRICT BOARD OF MT. VIEW SANITARY
DISTRICT, COUNTY OF CONTRA COSTA,
STATE OF CALIFORNIA