



CERTIFIED A TRUE COPY OF THE ORIGINAL

Mary A. Neher
Mary A. Neher, District Secretary
Contra Costa Water District

RESOLUTION NO. 20-018

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CONTRA COSTA WATER DISTRICT
AMENDING THE CODE OF REGULATIONS – CHAPTER 3.08,
CONFLICT OF INTEREST CODE**

WHEREAS the Political Reform Act of 1974 (California Government Code Section 81000 et seq., as amended) and the implementing regulations adopted by the California Fair Political Practices Commission (FPPC) (2 California Code of Regulations Section 18109 et seq., as amended) require the District to adopt and to periodically update a Conflict of Interest Code; and

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Contra Costa Water District that Section 3.08.030 of Chapter 3.08 of the Code of Regulations, Conflict of Interest Code, is amended as set forth in Exhibit, attached hereto and incorporated herein, and the General Manager or his designee is hereby authorized and directed to do all things necessary and proper to implement this Resolution, including submission to the code reviewing body.

BE IT FURTHER RESOLVED that this resolution shall be effective upon its adoption; and constitute the Conflict of Interest Code for the Contra Costa Water District provided,

however, that in accordance with applicable state regulations, the amended Conflict of Interest Code shall not become operative until the thirtieth day following its approval by the code reviewing body.

The foregoing Resolution was duly and regularly adopted at a regular meeting held on the 9th day of December 2020, by the Board of Directors of the Contra Costa Water District, by the following vote of the Board:

AYES: Holdaway, Burgh, Avila, Borba, Martinez

NOES:

ABSTAIN:

ABSENT:



Lisa M. Borba, President

ATTEST:



Mary A. Neher, District Secretary

Chapter 3.08

CONFLICT OF INTEREST CODE*

Sections:

- 3.08.010 Adoption of Standard Code.
- 3.08.020 Government Code Section 87200 Filers.
- 3.08.030 Disclosure Categories and Designated Positions.
- 3.08.040 Additions to Standard Code.

*Prior Resolution History: Res 09-19 Exh. A: Res 94-108 Exh. A and Reg. 152 Appendix.

3.08.010 Adoption of Standard Code.

A. The Political Reform Act (California Government Code Section 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. Sec. 18730), that contains the terms of a standard conflict of interest Code, that can be incorporated by reference in an agency's code. After public notice and hearing, the regulation may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Sec. 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Contra Costa Water District (District).

B. Individuals holding designated positions shall file their statements of economic interests with the District, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) All statements will be retained by the District.

3.08.020 Government Code Section 87200 Filers.

It has been determined that the positions listed below manage public investments and will file a statement of economic interests pursuant to Government Code Section 87200:

- Members of the Board of Directors
- General Manager
- Assistant General Manager - Administration
- Director of Finance
- Director of Finance & Human Resources
- Accounting Manager

An individual 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 Government Code Section 87200.

3.08.030 Disclosure Categories and Designated Positions

A. Designated Positions and Assigned Disclosure Category

Designated Position	Assigned Disclosure Category
Advisor to the General Manager	1
Assistant General Manager-Engineering	1
Assistant General Manager-Engineering and Operations and Maintenance	1
Assistant General Manager-Planning and Water Resources	1
Assistant General Manager-Policy and External Affairs	1
Special Assistant to the General Manager	1
Executive Assistant to the General Manager	1
Director of Diversity and Inclusion	1
Director of Operations and Maintenance	1
Watershed and Lands Manager	1
Director of Planning	1
Director of Engineering	1
Director of Construction	1
Water Resources Manager	1
Real Property Agent	1
Construction Manager	2
Engineering Manager	2
Health and Safety Manager	2
Human Resources Manager	2
Human Resources and Risk Manager	2
Director of Public Affairs	2
Maintenance Manager (Distribution)	2
Maintenance Manager (Storage and Conveyance)	2
Planning Manager	2
Internal Auditor	2
Water Operations Manager	2
Risk Management Officer	2
Purchasing Officer	2
Principal Engineer	2
Principal Planner	2
Principal Water Resources Specialist	2
Senior Engineer	2
Special Projects Manager	2
Project Controls Manager	2
Information Systems Manager	2
Environmental Compliance Officer	2
Watershed and Environmental Planning Manager	2
Consultants*	

*Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest category in the Code; subject to the following limitations: The General Manager may determine, in writing, that a particular consultant, (other than the General Counsel, who must disclose pursuant to the broadest category in the conflict-of interest code), although a "designated position" has been hired to perform a range of duties that is limited in scope and thus, is not required to fully comply with the disclosure requirements of the Code. 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 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.

B. Disclosure Categories

Category I: Persons occupying positions in category 1 shall disclose all investments, interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the District, sources of income, including gifts, loans, and travel payments, and business positions held in business entities located in or doing business within the jurisdiction of the District.

Category II: Persons occupying positions in Category II shall disclose any investments in, sources of income, including gifts, loans, and travel payments, from, and business positions held, in any business providing services, supplies, materials, or equipment of the type utilized by the District, and located in or doing business within the District, including, but not limited to, office equipment, financial and insurance institutions, public utilities, and engineering services.

3.08.040 Additions to Standard Code.

- A. The following is a list of types of disclosable interests. Please note that this list is not all-inclusive.
- Sources that have filed claims with the District or have a claim pending within the previous two years
 - Construction and building materials;
 - Office equipment and supplies;
 - Banks and savings and loan institutions;
 - Public utilities;
 - Financial audit services;
 - Insurance services;
 - Printing, reproduction, or photographic equipment, supplies and services;
 - Chemical supplies and equipment;
 - Motor vehicles and specialty vehicles, parties and supplies;
 - Petroleum products;
 - Measuring and calculating equipment;
 - Safety equipment and supplies;
 - Telephone and communications services and equipment;
 - Pipes, valves, fittings, pumps, tanks and similar materials;
 - Water quality testing equipment and services;
 - 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 production, planning, water pricing and demand, economists, auditing, desalination, architecture environmental, appraisal.
 - Information technology