

RESOLUTION 780-21
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE MONTE VISTA WATER DISTRICT,
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA,
AMENDING ITS CONFLICT OF INTEREST CODE

WHEREAS, the Legislature of the State of California has enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the “Act”), which contains provisions relating to conflict of interests which potentially affect all officers, designated employees and consultants of the **Monte Vista Water District** (the “District”), and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the District’s current Conflict of Interest Code is set forth by Resolution 735-19, dated August 8, 2018, which amended a previous Resolution 708-17 set forth September 28, 2016; and

WHEREAS, 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 in an agency’s code. 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; and

WHEREAS, changed circumstances within the District have made it advisable and necessary pursuant to Section 19730 of 2 California Code of Regulations to amend the District’s Conflict of Interest; and

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of Monte Vista Water District does hereby **RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. 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 and together with Appendix Part “A” and Part “B”, and Amendment of Designated Positions to Appendix Part “A” in which positions and disclosures are set forth, constitute the Conflict of Interest Code of Monte Vista Water District.

Section 2. The Code entitled, Conflict of Interest Code of the Monte Vista Water District, Amended August 8, 2018, is hereby replaced by the Conflict of Interest Code of Monte Vista Water District, Amended September 23, 2020, a copy of which is attached hereto and by reference incorporated herein, and such Conflict of Interest of the Monte Vista Water District is hereby approved and adopted for the agency, subject to the approval thereof by the Board of Supervisors, County of San Bernardino, California.

Section 3. The Board Secretary of this District is hereby authorized and instructed to submit a copy of such code to the Board of Supervisors, County of San Bernardino, and to request said Board of Supervisors to approve such Code in accordance with Government Code Section 87303.

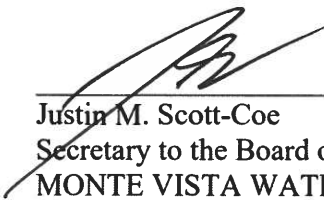
BE IT FURTHER RESOLVED the Board of Directors of Monte Vista Water that upon adoption of this Resolution, Resolution 735-19 is hereby repealed and rescinded in its entirety.

APPROVED AND ADOPTED this 23rd day of September 2020.



Sandra S. Rose
President of the Board of Directors
MONTE VISTA WATER DISTRICT

ATTEST:



Justin M. Scott-Coe
Secretary to the Board of Directors
MONTE VISTA WATER DISTRICT



Dedicated to Quality, Service and Innovation

CONFLICT OF INTEREST CODE

OF THE

MONTE VISTA WATER DISTRICT

Entity: Water District
Agency: Monte Vista Water District

CONFLICT OF INTEREST CODE

MONTE VISTA WATER DISTRICT

(Amended September 23, 2020)

The Political Reform Act (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. Section 18730 which 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 Section 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 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict-of-interest- code of the **Monte Vista Water District** (the "District").

All officials and designated positions shall file their statements of economic interest with the **Executive Assistant** of the Board of Directors as the District's Filing Officer. The **Executive Assistant** of the Board of Directors shall retain the originals of the statements filed by all officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

Entity: Water District
Agency: Monte Vista Water District

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
MONTE VISTA WATER DISTRICT
(Amended September 23, 2020)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 California Code of Regulations, section 18700.3(b) , are NOT subject to the District's Conflict of Interest Code, but are subject to the disclosure requirements of the Political Reform Act, Government Code section 87200, et seq. [Regs § 18730(b)(3).] These positions are listed here for informational purposes only.

The positions listed below are public officials who manage public investments¹ as specified in Government Code section 87200:

Member of the Board of Directors

General Manager

Assistant General Manager/Chief Financial Officer

Financial Consultants

¹ 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

POSITION	DISCLOSURE CATEGORIES
Accounting Supervisor	4
Community Affairs Manager	5
Customer Service Supervisor	5
Director of Engineering, Operations, & Maintenance	1, 2
Facilities Maintenance Technician	5
General Counsel	1, 2
Human Resources & Risk Administrator	5
Maintenance Superintendent	5
Water Systems Operator III	5
Water Systems Superintendent	5
Water Use Efficiency Analyst	5
Consultant and New Positions ²	

² Individuals providing services as a Consultant defined in Regulation 18700.3(a), or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category 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.)

PART "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.³ "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the District.

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.

³ 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 of the position. (Reg. 18730.1).

Entity: Water District
 Agency: Monte Vista Water District

AMENDMENT OF DESIGNATED POSITIONS TO APPENDIX PART "A"

The positions being amended are as follows:

Department	Action	Position	Explanation
Finance	Rename Position	Director of Finance & Administrative Services to <i>Assistant General Manager/Chief Financial Officer</i>	Executive level decision maker who participates in decisions on contracts, departmental policies, expenditures, vendor selection, and investments. Title changes reflect revisions in position focus and/or responsibilities.
Finance	Rename Position & Category	Finance & Information Technology Manager to <i>Accounting Supervisor</i>	Existing Designated Position. Title changes reflect revisions in position focus and/or responsibilities.
Administration	Change Category	<i>Human Resources & Risk Administrator</i>	Position assigned to a different category to reflect decision maker who participates in decisions on contracts, departmental policies, expenditures, and vendor selection. Limited to position's department.
Administration	Add Position	<i>Customer Service Supervisor</i>	Decision maker who participates in decisions on contracts, departmental policies, expenditures, and vendor selection. Limited to position's department.
Administration	Add Position	<i>Water Use Efficiency Analyst</i>	Decision maker who participates in decisions on contracts, departmental policies, expenditures, and vendor selection. Limited to position's department.

Entity: Water District
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Administration	Change Category	<i>Community Affairs Manager</i>	Position assigned to a different category to reflect decision maker who participates in decisions on contracts, departmental policies, expenditures, and vendor selection. Limited to position's department.
Distribution	Change Category	<i>Water Systems Superintendent</i>	Position assigned to a different category to reflect decision maker who participates in decisions on contracts, departmental policies, expenditures, and vendor selection. Limited to position's department.
Distribution	Add Position	<i>Water Systems Operator III</i>	Decision maker who participates in decisions on contracts, departmental policies, expenditures, and vendor selection. Limited to position's department.
Engineering	Change Category	<i>Director of Engineering, Operations & Maintenance</i>	Position assigned to a different category to reflect executive level decision maker who participates in decisions on contracts, departmental policies, expenditures, vendor selection.
Maintenance	Change Category	<i>Maintenance Superintendent</i>	Position assigned to a different category to reflect decision maker who participates in decisions on contracts, departmental policies, expenditures, and vendor selection. Limited to position's department.
Maintenance	Add Position	<i>Facilities Maintenance Technician</i>	Decision maker who participates in decisions on contracts, departmental policies, expenditures, and vendor selection. Limited to position's department.