

## RESOLUTION NO. 1484

### RESOLUTION OF THE MESA WATER DISTRICT BOARD OF DIRECTORS AMENDING ITS CONFLICT OF INTEREST CODE AND SUPERSEDING RESOLUTION NO. 1453

WHEREAS, the Mesa Water District (“Mesa Water®”) is a county water district organized and operating according to California law; and

WHEREAS, the Political Reform Act of 1974, being California Government Code Section 81000 *et seq.* (the “Act”), requires a local government agency to adopt a Conflict of Interest Code pursuant to the Act; and

WHEREAS, the Board of Directors (“Board”) of Mesa Water® has previously adopted Mesa Water’s Conflict of Interest Code (“Mesa Water Code”) pursuant to the provisions of the Act; and

WHEREAS, the California Fair Political Practices Commission has adopted a regulation, being Title 2, California Code of Regulations, Section 18730, which contains terms for a standard model Conflict of Interest Code, which together with amendments thereto, may be adopted by public agencies and incorporated by reference to save public agencies time and money by minimizing the actions required of such agencies to keep their codes in conformity with the requirements of the Act; and

WHEREAS, amendments to the Act have in the past and foreseeably will in the future require conforming amendments to be made to the Mesa Water Code; and

WHEREAS, changes have occurred within the positions of Mesa Water® since the most recent adopted update to the Mesa Water Code undertaken by the adoption of Resolution No. 1453; and

WHEREAS, the Board has determined that it is appropriate to update and amend the Mesa Water Code by the adoption of this Resolution, which shall supersede Resolution No. 1453.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MESA WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

**Section 1.** The terms of Title 2, California Code of Regulations, Section 18730 (Attachment A), and any amendments to it duly adopted by the California Fair Political Practices Commission, are hereby incorporated by reference and, together with Attachment A, and Exhibits A and B in which Board members and employees are designated and disclosure

categories are set forth, shall constitute the Conflict of Interest Code of the Mesa Water District.

**Section 2.** The provisions of all Mesa Water Codes, and amendments and updates thereto, previously adopted by Mesa Water® shall be superseded upon the adoption of this Resolution.

**Section 3.** Mesa Water's Filing Officer is hereby authorized and directed to forward a copy of this Resolution to the Clerk of the Orange County Board of Supervisors for review and approval by the Orange County Board of Supervisors as required by California Government Code Section 87303.

**Section 4.** Resolution No. 1453 shall be superseded upon the adoption of this Resolution.

**Section 5.** This Resolution shall take effect upon adoption by the Board.

ADOPTED, SIGNED, and APPROVED this 10<sup>th</sup> day of November 2016, by a roll call vote:

AYES: DIRECTORS: Atkinson, Bockmiller, Fisler, Temianka, Dewane  
NOES: DIRECTORS:  
ABSENT: DIRECTORS:  
ABSTAIN: DIRECTORS:



Shawn Dewane  
President, Board of Directors



Coleen L. Monteleone  
District Secretary

## **ATTACHMENT A**

### **RESOLUTION NO. 1484**

#### **RESOLUTION OF THE MESA WATER DISTRICT BOARD OF DIRECTORS AMENDING ITS CONFLICT OF INTEREST CODE AND SUPERSEDING RESOLUTION NO. 1453**

##### **CONFLICT OF INTEREST CODE FOR THE MESA WATER DISTRICT**

The Political Reform Act, being California Government Code Sections 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 may be incorporated by reference in an agency's code. After a public notice and hearing it 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 regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Mesa Water District (Mesa Water®).

Designated employees shall file statements of economic interests with Mesa Water's Political Reform Act Filing Officer (the District Secretary) who will make statements available for public inspection and reproduction (Government Code Section 82008). Upon receipt of the statements of the Board of Directors, General Manager, Assistant General Manager(s), and Attorney, the Filing Officer shall make and retain a copy and forward the original of these statements to the Clerk of the Orange County Board of Supervisors. Statements for all other designated employees will be retained by the Filing Officer.

## EXHIBIT A

### RESOLUTION NO. 1484

#### RESOLUTION OF THE MESA WATER DISTRICT BOARD OF DIRECTORS AMENDING ITS CONFLICT OF INTEREST CODE SUPERSEDING RESOLUTION NO. 1453

##### LIST OF DESIGNATED POSITIONS - CONFLICT OF INTEREST CODE

<b>Designated Positions</b>	<b>Disclosure Categories</b>
Director	OC-01
General Manager	OC-01
Assistant General Manager	OC-01
Administrative Services Manager	OC-01
Chief Financial Officer	OC-01
Customer Services Manager	OC-01
District Engineer	OC-01
District Secretary	OC-01
District Treasurer	OC-01
Engineering and Operations Manager	OC-01
External Affairs Manager	OC-01
Financial Services Manager	OC-01
Human Resources Manager	OC-01
Public Affairs Manager	OC-01
Water Operations Manager	OC-01
Water Resources Manager	OC-01
Assistant Operations Manager	OC-02
Business Administrator	OC-02
Water Operations Supervisor	OC-02
Water Quality and Compliance Supervisor	OC-02
Buyer	OC-05
Human Resources Supervisor	OC-11
Attorney	OC-01
Consultant	OC-30

## EXHIBIT B

### RESOLUTION NO. 1484

#### RESOLUTION OF THE MESA WATER DISTRICT BOARD OF DIRECTORS AMENDING ITS CONFLICT OF INTEREST CODE AND SUPERSEDING RESOLUTION NO. 1453

#### MESA WATER DISTRICT DISCLOSURE CATEGORIES

No.	Disclosure Category
OC-01	All interests in real property in Orange County or the District, as well as investments, business positions and sources of income (including gifts, loans and travel payments).
OC-02	All investments, business positions and sources of income (including gifts, loans and travel payments).
OC-05	All investments in, business positions with and income (including gifts, loans and travel payments) from sources that provide services, supplies, materials, machinery, equipment (including training and consulting services) used by this department or District.
OC-09	All interests in real property in Orange County, as well as investments in, business positions with and income (including gifts, loans and travel payments) from sources owning property in Orange County.
OC-11	All interests in real property in Orange County or located entirely or partly within district boundaries, as well as investments in, business positions with and income (including gifts, loans and travel payments) from sources that are engaged in the supply of equipment related to recruitment, employment search & marketing, classification, training, or negotiation with personnel; employee benefits, and health and welfare benefits.
OC-30	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 limitation: The Department Head/Director/General Manager/ Superintendent/ etc. may determine 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 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 required. The determination of disclosure is a public record and shall be filed with the Form 700 and retained by the Filing Officer for public inspection.

## Declaration for Non-County Local Agencies

I have been designated as the appropriate official to submit this agency's proposed conflict of interest code or code amendment.

I certify that this agency's conflict of interest code accurately designates all positions that make or participate in the making of governmental decisions, and that the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions. I further certify that the code includes all other provisions required by Government Code section 87302.

I certify that the proposed code or code amendment has been reviewed and approved by the agency's governing body and its highest official (chief executive officer, general manager, superintendent, chair, etc.).

I declare that the above is true and correct.


  
\_\_\_\_\_  
**Signature**

**Assistant General Manager/District Secretary**

\_\_\_\_\_  
**Title**

**Mesa Water District**

\_\_\_\_\_  
**Agency**

  
\_\_\_\_\_  
**Date**