

NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE
OF THE **COACHELLA VALLEY WATER DISTRICT**

NOTICE IS HEREBY GIVEN that the **Coachella Valley Water District**, pursuant to the authority vested in it by section 87306 of the Government Code proposes amendment to its Conflict of Interest Code. All inquiries should be directed to the contact listed below.

The **Coachella Valley Water District** proposes to amend its Conflict of Interest Code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the Conflict of Interest Code include:

Deletion of the following titles:

- Assistant Director of Trades and Support
- Materials Management Supervisor
- Director of Business and Technology

Addition of the following titles:

- Director of Environmental Services - Disclosure Category 2
- Financial Analyst – Disclosure Category 2
- Fleet Manager – Disclosure Category 3

Title Changes as follows:

- Communications and Legislative Director changed to
Director of Communication and Conservation and Disclosure Category
changed from 3 to 2
- Risk Management Assistant, Claims changed to
Claims Manager and Disclosure Category
Changed from 4 to 3 & 4

Changes to Assigned Disclosure Categories as follows:

- Planning and Special Programs Manager from 1 to 3
- Assistant Director of Engineering from 1 to 2
- Assistant Director of Operations from 2 to 3
- Development Services Supervisor from 2 to 3
- Human Resources Director changed from 4 to 2 & 4
- Risk Manager changed from 4 to 3 & 4
- Members and Alternates to the Joint Water Policy Advisory Committee for The Lower
Whitewater River Subbasin Management Area of Benefit changed from Disclosure
Category 1 to Disclosure Category 2

Titles moved:

- Planning and Special Programs Manager moved from Engineering Department to
Environmental Services Department

Changes to Public Officials Who Manage Public Investments

Title Change:

General Manager-Chief Engineer changed to General Manager

Titles deleted:

Assistant to General Manager

Director of Finance, Assistant

and also makes other technical changes.

The proposed amendment and explanation of the reasons can be obtained from the agency's General Manager's staff at (760) 398-2651.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than December 25, 2015, (last day of 45-day period) or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than December 10, 2015 (15 days before close of the written comment period).

The **Coachella Valley Water District/General Manager** has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: Jim Barrett, General Manager at (760) 398-2651 or jbarrett@cvwd.org.

Dated and Posted on CVWD Website: November 10, 2015

45-day comment period ends on December 25, 2015

A person may request a hearing no later than December 10, 2015

COACHELLA VALLEY WATER DISTRICT
CONFLICT-OF-INTEREST CODE

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. Sec. 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, the standard code 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 appendices, designating positions and establishing disclosure requirements, shall constitute the conflict of interest code of **the Coachella Valley Water District (District)**.

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

**COACHELLA VALLEY WATER DISTRICT
CONFLICT-OF-INTEREST CODE**

APPENDIX A – DESIGNATED POSITIONS

Designated Position	Assigned Disclosure Category Number
GENERAL COUNSEL**	1
COMMUNICATION AND CONSERVATION DEPARTMENT	
Director of Communication and Conservation	2
ENGINEERING DEPARTMENT	
Director of Engineering	1
Director of Engineering, Assistant	1
Development Services Supervisor	3
Chief Inspector	2
ENVIRONMENTAL SERVICES DEPARTMENT	
Director of Environmental Services	2
Planning and Special Programs Manager	3
FINANCE DEPARTMENT	
Financial Analyst	2
Procurement and Contracts Manager	2
HUMAN RESOURCES DEPARTMENT	
Human Resources Director	2, 4
Risk Manager	3, 4
Claims Manager	3, 4
INFORMATION SYSTEMS DEPARTMENT	
Director of Information Systems	3
OPERATIONS DEPARTMENT	
Director of Operations	2
Director of Operations, Assistant	3
SERVICE DEPARTMENT	
Director of Services	2
TRADES AND SUPPORT DEPARTMENT	
Director of Trades and Support	2
Fleet Manager	3
COMMITTEES	
Members and Alternates to the Joint Water Policy Advisory Committee for the East Whitewater River Subbasin Management Area of Benefit	2

**COACHELLA VALLEY WATER DISTRICT
CONFLICT-OF-INTEREST CODE**

APPENDIX A – DESIGNATED POSITIONS (CONTINUED)

Designated Position	Assigned Disclosure Category Number
CONSULTANTS and NEW POSITIONS	*

*Consultants/New Positions shall be included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this code subject to the following limitation:

The General Manager may determine in writing that a particular consultant or new position, although a “designated position, “ is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position’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. (Gov. Code Section 81008.)

**General Counsel is an outside consultant who acts in a staff capacity

Public Officials Who Manage Public Investments

The following positions are not covered by this conflict-of-interest code because individuals holding these positions must file under Government Code Section 87200. These positions are listed for informational purposes only:

- Members of the Board
- General Manager
- Assistant General Manager
- Director of Finance

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.

**COACHELLA VALLEY WATER DISTRICT
CONFLICT-OF-INTEREST CODE**

APPENDIX B

DISCLOSURE CATEGORIES

Category 1: Individuals holding designated positions assigned to Disclosure Category 1 must report 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 agency; investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources, that:

- a. Provide services, supplies, materials, machinery, or equipment of the type utilized by the District, including, chemicals; water quality testing, equipment, supplies; cathodic protection equipment, services, and supplies; energy and power; motor vehicles and specialty vehicles, parts and supplies;
- b. Provide services of the type utilized by the District, including, engineering; soils testing; water treatment; water pricing and demand; water quality testing services; desalting; environmental appraisal; or
- c. Engage in farming, or real estate sales, investment, or development.

Category 2: Individuals holding designated positions assigned to Disclosure Category 2 must report investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources, that:

- a. Provide services, supplies, materials, machinery, or equipment of the type utilized by the District, including, chemicals; water quality testing, equipment, supplies; cathodic protection equipment, services, and supplies; energy and power; motor vehicles and specialty vehicles, parts and supplies;
- b. Provide services of the type utilized by the District, including, engineering; water quality testing, and pricing and demand; legal; labor relations; employee training; environmental appraisal; or
- c. Engage in farming, or real estate sales, investment, development.

**COACHELLA VALLEY WATER DISTRICT
CONFLICT-OF-INTEREST CODE**

APPENDIX B-CONTINUED

DISCLOSURE CATEGORIES

Category 3: Individuals holding designated positions assigned to Disclosure Category 3 must report investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources, that:

- a. Provide supplies, materials, machinery, or equipment of the type utilized by the section to which the filer has been assigned, including, chemicals; agricultural equipment and supplies; well drilling equipment and supplies; electrical generating equipment and supplies; or
- b. Provide services of the type utilized by the section to which the filer has been assigned, including, printing or reproduction; communications; advertising; water treatment; and pricing and demand; legal; energy and power; soils testing.

Category 4: Individuals holding designated positions assigned to Disclosure Category 4 must report investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources, that are financial institutions; filed a claim, or have a claim pending, against the District during the previous two years; or engage in the business of insurance, including, insurance companies, adjusting, agents or solicitors; underwriting agencies; or brokers, adjusters, or claims managers.



FAIR POLITICAL PRACTICES COMMISSION

File: 0002.

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

April 18, 2011

Ms. Grace Gil
Coachella Valley Water District
Post Office Box 1058
Coachella, CA 92236

Re: Conflict-of-Interest Code for the Coachella Valley Water District

Dear Ms. Gil:

Enclosed is the approved conflict-of-interest code for the **Coachella Valley Water District** approved by the Fair Political Practices Commission on April 15, 2011. The code will become effective on May 15, 2011, which is 30 days after the Commission's approval of the code. No further action is required by the agency to make this code effective.

Regulation 18730, which has been incorporated as the body of the agency's conflict-of-interest code, Form 700 (which must be used by all designated employees), and the Reference Pamphlet can be obtained from our website (www.fppc.ca.gov). All newly-designated individuals must file Form 700 within 30 days of the effective date of the code.

Please note that if you are not the filing officer for the statements of economic interests, it is imperative that this information be forwarded to the appropriate person. If you have any questions, please contact me at (916) 322-5660.

Sincerely,

Lynda Cassady
Chief, Technical Assistance Division

By: Ivy Sevilla
Political Reform Consultant

Enclosures

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**COACHELLA VALLEY WATER DISTRICT
CONFLICT-OF-INTEREST CODE**

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

**COACHELLA VALLEY WATER DISTRICT
CONFLICT-OF-INTEREST CODE**

APPENDIX A

DESIGNATED POSITIONS

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Planning and Special Programs Manager	1
Director of Engineering	1
Assistant Director of Engineering	1
Director of Trades and Support	2
Assistant Director of Trades and Support	2
Director of Services	2
Director of Operations	2
Assistant Director of Operations	2
Development Services Supervisor	2
Materials Management Supervisor	2
Chief Inspector	2
Procurement and Contracts Manager	2
Director of Business and Technology	3
Communications and Legislative Director	3
Director of Information Systems	3
Human Resources Director	4
Risk Manager	4
Risk Management Assistant, Claims	4
Board Secretary/Administrative Services Supervisor	3
Members and Alternates to the Joint Water Policy Advisory Committee for The Lower Whitewater River Subbasin Management Area of Benefit	1

**COACHELLA VALLEY WATER DISTRICT
CONFLICT-OF-INTEREST CODE**

APPENDIX A-CONTINUED

DESIGNATED POSITIONS

Designated Position

Assigned Disclosure Category

Consultants

*

*Consultants shall be included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this code subject to the following limitation:

The General Manager-Chief Engineer 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 comply fully 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 requirements. The General Manager-Chief Engineer'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 Section 81008.)

Public Officials Who Manage Public Investments

The following positions are not covered by this conflict-of-interest code because individuals holding these positions must file under Government Code Section 87200. These positions are listed for informational purposes only:

- Members of the Board
- General Manager-Chief Engineer
- Assistant General Manager
- Assistant to General Manager
- Director of Finance
- Director of Finance, Assistant

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.

**COACHELLA VALLEY WATER DISTRICT
CONFLICT-OF-INTEREST CODE**

APPENDIX B

DISLCOSURE CATEGORIES

Category 1: Individuals holding designated positions assigned to Disclosure Category 1 must report interest 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 agency; investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that:

- a. Provide services, supplies, materials, machinery, or equipment of the type utilized by the District, including, but not limited to, chemicals; water quality testing, equipment, supplies; cathodic protection equipment, services, and supplies; energy and power; motor vehicles and specialty vehicles, parts and supplies;
- b. Provide services of the type utilized by the District, including, but not limited to, engineering; soils testing; water treatment; water pricing and demand; water quality testing services; desalting; environmental appraisal; or
- c. Engage in farming, or real estate sales, investment, or development.

Category 2: Individuals holding designated positions assigned to Disclosure Category 2 must report investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that:

- a. Provide services, supplies, materials, machinery, or equipment of the type utilized by the District, including, but not limited to, chemicals; water quality testing, equipment, supplies; cathodic protection equipment, services, and supplies; energy and power; motor vehicles and specialty vehicles, parts and supplies;
- b. Provide services of the type utilized by the District, including, but not limited to, engineering; water quality testing, and pricing and demand; legal; labor relations; employee training; environmental appraisal; or
- c. Engage in farming, or real estate sales, investment, development.

**COACHELLA VALLEY WATER DISTRICT
CONFLICT-OF-INTEREST CODE**

APPENDIX B-CONTINUED

DISLCOSURE CATEGORIES

Category 3: Individuals holding designated positions assigned to Disclosure Category 3 must report investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that:

- a. Provide supplies, materials, machinery, or equipment of the type utilized by the section to which the filer has been assigned, including, but not limited to, chemicals; agricultural equipment and supplies; well drilling equipment and supplies; electrical generating equipment and supplies; or
- b. Provide services of the type utilized by the section to which the filer has been assigned, including, but not limited to, printing or reproduction; communications; advertising; water treatment; and pricing and demand; legal; energy and power; soils testing.

Category 4: Individuals holding designated positions assigned to Disclosure Category 4 must report investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that are financial institutions; filed a claim, or have a claim pending, against the District during the previous two years; or engage in the business of insurance, including, but not limited to, insurance companies, adjusting, agents or solicitors; underwriting agencies; or brokers, adjusters, or claims managers.

This is the last page of the conflict-of-interest code for the Coachella Valley Water District.



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict-of-interest code for the Coachella Valley Water District was approved on April 15, 2011. This code will become effective on May 15, 2011.

A handwritten signature in black ink, appearing to read "Roman G. Porter", written over a horizontal line.

Roman G. Porter
Executive Director
Fair Political Practices Commission