

**RESOLUTION NO. 2024-06**

**ADOPTING A REVISED CONFLICT OF INTEREST CODE**

\* \* \*

**MID-PENINSULA WATER DISTRICT**

**WHEREAS**, pursuant to Resolution No. 76-27, dated November 18, 1976, the District adopted a Conflict of Interest Code as required by the Political Reform Act of 1974; and

**WHEREAS**, the District subsequently amended/revised and adopted the Code as follows, pursuant to:

- Resolution No. 2022-16 dated July 28, 2022;
- Resolution No. 2020-22 dated July 23, 2020;
- Resolution No. 2015-19 dated October 22, 2015;
- Resolution No. 2014-17 dated October 23, 2014;
- Resolution No. 2010-03 dated August 26, 2010;
- Resolution No. 2008-03 dated August 28, 2008;
- Resolution No. 2002-16 dated August 22, 2002; and

**WHEREAS**, California Government Code Section 87306.5 requires that the District review its Conflict of Interest Code every even-numbered year and revise it if necessary; and

**WHEREAS**, as set forth in Resolution No. 2022-16, the District Counsel and General Manager reviewed the then-current Conflict of Interest Code and determined that the Code should be revised to add the Assistant General Manager and Chief Financial Officer to the positions covered by the Code; and

**WHEREAS**, the District Counsel and General Manager reviewed the current Conflict of Interest Code and determined that the Code should be revised to add the Management Advisor and Operations Supervisor to the positions covered by the Code; and

**WHEREAS**, the District Counsel and General Manager recommend adopting the revised Conflict of Interest Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Mid-Peninsula Water District that the revised Conflict of Interest Code hereby is adopted, in the form presented to the Board of Directors; and

**BE IT FURTHER RESOLVED** that the General Manager is directed to transmit a copy of the revised Conflict of Interest Code to the County Clerk of the Board of Supervisors of the County of San Mateo.

**REGULARLY PASSED AND ADOPTED** this 23<sup>rd</sup> day of May 2024, by the following vote:

AYES: Schmidt, Vella, Wheeler, Jordan, Zucca  
NOES: None  
ABSTENTIONS: None  
ABSENCES: None

DocuSigned by:  
*Matt Evuca*  
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Board President

ATTEST:

DocuSigned by:  
*Monique Madrid*  
9F586392CED045C...  
Board Secretary



## CONFLICT OF INTEREST CODE

**Revised May 23, 2024, by Resolution 2024-06**

Revised July 28, 2022 by Resolution No. 2022-16  
Revised July 23, 2020, by Resolution No. 2020-22  
Revised October 22, 2015, by Resolution No. 2015-19  
Amended October 23, 2014, by Resolution No. 2014-17  
Adopted August 26, 2010, by Resolution No. 2010-03  
Revised August 28, 2008, by Resolution No. 2008-03  
Revised August 22, 2002, by Resolution No. 2002-16  
Adopted November 18, 1976, by Resolution No. 76-27

The Political Reform Act (Government Code Section 81000, *et seq.*) requires state and local government agencies to adopt and promulgate a Conflict of Interest Code. 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. It can be incorporated by reference and amended by the Fair Political Practices Commission after public notice and hearings 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 of the District and establishing disclosure categories shall constitute the Conflict of Interest Code of the Mid-Peninsula Water District.

Designated officials and employees shall file statements of economic interests with the District, which shall make the statements available for public inspection and reproduction (California Government Code Section 81008). Upon receipt of the statements of all designated officials and employees, the District shall make and retain a copy and forward the originals to the County Clerk for the County of San Mateo, as the code reviewing body.

## Mid-Peninsula Water District

### List of Designated Positions in the Mid-Peninsula Water District and Financial Disclosure Categories

Each person holding any position listed below must file statements disclosing the kinds of financial interest shown for the designated employee's position. Statements must be filed at the times and on the forms prescribed by law. Failure to file statements on time may result in penalties including but not limited to late fines.

<u>Designated Employees*</u>	<u>Disclosure Category</u>
Operations Manager	1,2,3,4
<u>Assistant General Manager</u>	<u>1,2,3,4</u> <u>NEW</u>
Administrative Services Manager	1,2,3,4
<u>Chief Financial Officer</u>	<u>1,2,3,4</u> <u>NEW</u>
District Engineer	1,2,3,4
<u>Management Advisor</u>	<u>1,2,3,4</u> <u>NEW</u>
<u>Operations Supervisor</u>	<u>1,2,3,4</u> <u>NEW</u>
Consultants**	1,2,3,4

\*The following positions are not covered by the Conflict of Interest Code because they must file a Statement of Economic Interest pursuant to Government Code Section 87200 and, therefore, are listed for information purposes only:

- Board of Directors
- General Manager
- District Counsel
- District Treasurer

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 their position has been categorized incorrectly. The Fair Political Practices Commission makes the determination whether a position is covered by Section 87200.

\*\*Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The General 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. Such determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest code.

Nothing herein excuses any consultant from any other provisions of this Conflict of Interest Code, specifically those dealing with disqualification.

### **DISCLOSURE CATEGORIES**

Category 1. A designated employee assigned to Category 1 is required to disclose investments which may foreseeably be materially affected by any decision made or participated in by the designated employee.

Category 2. A designated employee assigned to Category 2 is required to disclose interest in real property which may be materially affected by any decision made or participated in by the designated employee.

Category 3. A designated employee assigned to Category 3 is required to disclose income which may be materially affected by any decision made or participated in by the designated employee.

Category 4. A designated employee assigned to Category 4 is required to disclose any business entity in which the designated employee is a director, officer, partner, trustee, or holds any portion of management which may be materially affected by any decision made or participated in by the designated employee.