

**RESOLUTION 22-09
OF THE BOARD OF DIRECTORS OF HELIX WATER DISTRICT
ADOPTING AN AMENDED CONFLICT OF INTEREST CODE
PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq., which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Helix Water District and requires all public agencies to adopt and publish a Conflict of Interest Code; and

WHEREAS, the Helix Water District Board of Directors adopted a Conflict of Interest Code, which was amended on September 15, 2021, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the district have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the district's code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the district being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the date and time of a public meeting including consideration by the board of the proposed amended code was provided to each affected designated employee and publicly posted for review at the district office; and

WHEREAS, the amendment adds the new job position, assistant general manager; and

WHEREAS, the public meeting was held at a regular meeting of the board on January 19, 2022, at which all present were given an opportunity to be heard regarding the proposed amended code.

NOW, THEREFORE, BE IT RESOLVED by the Helix Water District Board of Directors, that the board does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the assistant board secretary and available to the public for inspection during regular business hours.

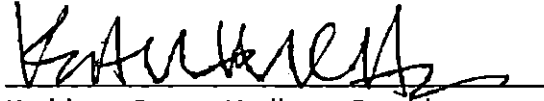
BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall be submitted to the County of San Diego Board of Supervisors and said code as submitted, shall become effective immediately after approval.

PASSED, ADOPTED AND APPROVED this 19th day of January 2022, by the following vote:

AYES: Hedberg, Verbeke, McMillan, Gracyk, Scalzitti

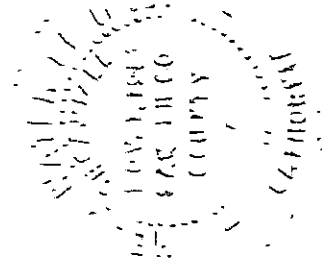
NOES: None

ABSENT: None


Kathleen Coates Hedberg, President

ATTEST:


Sandra L. Janzen, Secretary of the Board



**CONFLICT OF INTEREST CODE
OF THE
HELIX WATER DISTRICT**

CONFLICT OF INTEREST CODE OF THE HELIX WATER DISTRICT

(Amended January 19, 2022)

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 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 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Helix Water District** (the "**District**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Assistant Board Secretary** as the district's Filing Officer. The **Assistant Board Secretary** shall make and retain a copy of all statements filed by Members of the Board of Directors, Treasurer/Director of Administrative Services and the General Manager, and forward the originals of such statements to the Clerk of the Board of Supervisors of San Diego County. The **Assistant Board Secretary** shall retain the originals of the statements of all other officials and designated positions. The **Assistant Board Secretary** will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
HELIX WATER DISTRICT
(Amended January 19, 2022)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3(b), are NOT subject to the district's Code, but must file disclosure statements under Government Code § 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Board of Directors

General Manager

Treasurer/Director of Administrative Services

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

| <u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u> | <u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u> |
|--|---|
| Assistant Board Secretary | 5 |
| Assistant General Manager | 1, 2 |
| Associate Engineer | 2, 3, 5 |
| Biologist | 5 |
| Board Secretary | 5 |
| Cathodic Protection Technician | 5 |
| Civil Engineer | 2, 3, 5 |
| Construction Services Coordinator | 3, 5 |
| Construction Supervisor | 2, 5 |
| Corrosion Specialist | 5 |
| Customer Service Manager | 5 |
| Director of Engineering, Assistant | 2, 3, 5 |
| Director of Engineering/Chief Engineer | 2, 3, 5 |
| Director of Operations | 2, 3, 5 |
| Director of Water Quality and System Operations | 2, 5 |
| Engineering Manager | 2, 3, 4 |
| Enterprise Applications Manager | 5 |
| Enterprise Architecture Manager | 5 |

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DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

| | |
|--|---------|
| Equipment Maintenance Coordinator | 5 |
| Equipment Repair Technician | 5 |
| Facilities Manager | 5 |
| Facilities Supervisor | 5 |
| Facility Maintenance Technician | 5 |
| Field Operations Manager | 5 |
| Field Services Coordinator | 5, 7 |
| Field Supervisor (ALL) | 5 |
| Finance Manager | 1, 2 |
| GIS Analyst | 5 |
| General Counsel | 1, 2 |
| Human Resources Manager | 5 |
| Information and Process Systems Supervisor | 5 |
| Information Systems Analyst (ALL) | 5 |
| Inspector (ALL) | 3, 5 |
| Management Analyst | 4, 7 |
| Mechanical System Technician III | 5 |
| Network Administrator | 5 |
| Network Support Specialist | 5 |
| Operations and Construction Manager | 2, 3, 5 |
| Operations and Maintenance Technician | 5 |

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| <u>DESIGNATED POSITIONS' TITLE OR FUNCTION</u> | <u>DISCLOSURE CATEGORIES ASSIGNED</u> |
|--|---|
| Plant Operations Supervisor | 5 |
| Public Affairs Supervisor | 5 |
| Recreation Coordinator | 5 |
| Reservoir Recreation Ranger | 5 |
| Right of Way Agent (ALL) | 2, 3, 5 |
| Safety/Risk Administrator | 5, 7 |
| SCADA/Instrumentation/Electrical Technician (ALL) | 3, 5 |
| SCADA Programming & Wireless Network Administrator | 5 |
| Senior Accountant | 5 |
| Senior Chemist/Lab Compliance Administrator | 5 |
| Senior Human Resources Analyst | 5 |
| Senior Public Affairs Representative | 5 |
| Senior Right-of-Way Agent/Environmental Analyst | 2, 3, 5 |
| Senior Systems Administrator | 5 |
| Survey & Locations Supervisor | 5 |
| System Operations Manager | 2, 5 |
| System Operations Supervisor | 5 |
| Warehouse Coordinator (ALL) | 4 |
| Water Conservation Specialist | 5, 6 |
| Water Conservation Technician | 3 |
| Water Treatment Plant Manager | 5 |

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DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultant and New Positions²

² Individuals serving as a consultant as defined in FPPC Reg. 18700.3(a) or in a new position created since the Code was last approved that makes or participates in the making of decisions must file under the broadest disclosure category set forth 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 §82019; Regs 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 §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, that 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, including any leasehold, beneficial or ownership interest or option to acquire property.

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.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a nonprofit organization, if the source is of the type to receive grants or other monies from or through the district or its subdivisions.

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 or duties of the position. (Reg. 18730.1)

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Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, if such entities or sources have filed claims against the agency in the past 2 years, or have a claim pending before the agency.