



## Pajaro Valley Water Management Agency Conflict of Interest Code

The Political Reform Act, 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 the regulation of Title 2, Division 6 of the California Code of Regulations, Provision 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Reform Act after public notice and hearings. Therefore, the terms of Title 2, Division 6 of the California Code of Regulations, Provision 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Pajaro Valley Water Management Agency.

Pursuant to Section 4 of Provision 18730, designated employees shall file statements of economic interest with the Agency, which shall be maintained in Agency files.

Approved by the Fair Political Practices Commission on 5 November 1985 and December 8, 1992

**Appendix A**

California Government Code Sections 87100, et seq.

California Code of Regulations, Title 2, Division 6, Chapter 7

## Appendix B

### Pajaro Valley Water Management Agency Conflict of Interest Code

#### Designated Positions

- Directors
- Attorney for the Agency
- Agency's General Manager
- Agency's Senior Water Resources Hydrologist (New Position)
- Agency's Administrative Services Manager (New Position)
- ~~Agency's Technical Division Manager~~
- ~~Agency's Administrative Division Manager~~
- Consultants and Contractors

## Appendix C

### Disclosure Categories

All designated positions shall disclose:

1. Investments in any business entity of the type which, within the last two years, has contracted with the Agency to provide services, supplies, materials, machinery or equipment. (See Government Code sections 82034, 87103, 87206)
2. Income from any source of the type which, within the last twelve (12) months, has contracted with the Agency to provide services, supplies, materials, machinery, or equipment to the Agency. (See Government Code sections 82030, 87103, 87207)
3. Interests in real property located in whole or in part either within the boundaries of the Agency, or within two miles of the boundaries of the Agency, including any leasehold, beneficial, or ownership interest or option to acquire such interest in real property. (See Government Code sections 82033, 87103, 87206)
4. Investments in any business entity or sources of income which are
  - a) industrial water users, or
  - b) entities or persons engaged in farming, real estate development, or owners of real estate within the boundaries of the Agency, and
  - c) interests in real property within the boundaries of the Agency, are disclosable regardless of any contractual relationship with the Agency at any time.

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 limitations:

The General Manager may determine in writing that a particular consultant, although a “designated position”, is hired to perform a range of duties that are 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 the 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.



**Resolution 2015-20**

A Resolution of the Board of Directors of the  
Pajaro Valley Water Management Agency

**Amending the Conflict of Interest Code**

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**WHEREAS**, on August 8, 1985, the Pajaro Valley Water Management Agency (Agency) adopted a Conflict of Interest Code pursuant to the Political Reform Act of 1974, Government Code §81000, et seq.; and

**WHEREAS**, pursuant to Government Code §87306.5, each local government agency must review its Conflict of Interest Code on a biennial basis and either amend the code if necessary, or report to its respective code reviewing body that the code is not in need of amendment; and

**WHEREAS**, the Agency reviewed its Conflict of Interest Code on July 22, 2015 and determined that the Code was in need of amendment to revise the titles of existing positions.

**NOW, THEREFORE, BE IT RESOLVED** that this resolution and the attached Conflict of Interest Code, including Appendix A, setting forth the California Code of Regulations provisions pertaining to Conflict of Interest Codes beginning with Title 2, Division 6, Section 18730, Appendix B, designating officials and employees, and Appendix C, establishing disclosure categories have been reviewed, and it has been determined that the following positions shall be revised in Appendix B – Designated Positions: Technical Division Manager is now Senior Water Resources Hydrologist and Administrative Division Manager is now Administrative Services Manager. The reason for the revision of these positions is that the Agency no longer has a Technical Division Manager or Administrative Division Manager and that the individuals holding the new positions make or participate in making decisions which may foreseeably have a material financial effect on any financial interest.

**BE IT FURTHER RESOLVED** that this Resolution and the attached Conflict of Interest Code, including Appendices A, B and C, which are hereby incorporated by reference, shall constitute the Conflict of Interest Code of the Pajaro Valley Water Management Agency; and

**BE IT FURTHER RESOLVED** that designated employees shall file their statements of economic interest (Fair Political Practices Commission Form 700, and such other form as may be prescribed by law) with the Secretary of the Pajaro Valley Water Management Agency, and such statements are available for public inspection and reproduction; and

**BE IT FURTHER RESOLVED**, that pursuant to Section 18753 of Division 6 of Title 2 of the California Code of Regulations, the Administrative Services Manager, as a manager of public investments, shall file a copy of his or her Form 700 with the Secretary of the PVWMA, and shall file the original with the Fair Political Practices Commission; and

**BE IT FURTHER RESOLVED** that statements for all designated employees shall be retained by the Pajaro Valley Water Management Agency.

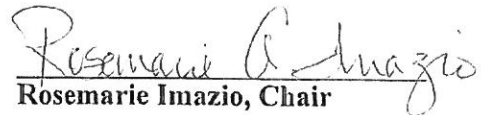
**PASSED AND ADOPTED** by the Pajaro Valley Water Management Agency, County of Santa Cruz, State of California, the 22nd day of July, 2015 by the following vote:

**AYES:** Imazio, Newell, Persoff, Lynn, Faurot


**NOES:** None

**ABSENT:** Cavanaugh, Zamora

**ABSTAIN:** None

  
Rosemarie Imazio, Chair

**ATTEST:**

  
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Laura R. Taay, Board Secretary

# MONTEREY COUNTY



OFFICE OF THE COUNTY COUNSEL  
CHARLES J. MCKEE, COUNTY COUNSEL

## MEMORANDUM

**DATE:** September 26, 2016

**TO:** Chair Parker and Members of the Monterey County Board of Supervisors

**FROM:** Rebecca M. Cenicerros, Deputy County Counsel

**SUBJECT:** Pajaro Valley Water Management Agency Conflict of Interest Code

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Government Code section 87303(b) provides that the Board, as the code reviewing body for local government districts and entities, may revise the Conflict of Interest Code proposed by a local government district or entity and approve it, as revised.

Pajaro Valley Water Management Agency has submitted an amended Conflict of Interest Code to the Board for review.

County Counsel recommends that the Board revise this Conflict of Interest Code to include a statement that the Pajaro Valley Water Management Agency is entirely within the County of Monterey, thereby establishing that the Monterey County Board of Supervisors is the appropriate code reviewing body.

County Counsel further recommends that the Board revise this Conflict of Interest Code to incorporate the definition of consultant/public official who manages public investments, set forth in section 18700.3 of Title 2 of the California Code of Regulations, into the proposed Conflict of Interest Code.

County Counsel recommends that the Board approve the proposed Conflict of Interest Code for the Pajaro Valley Water Management Agency as so revised.

CHARLES J. MCKEE, County Counsel

By

Rebecca M. Cenicerros  
Deputy County Counsel