

RESOLUTION NO. 2021-33

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE YORBA LINDA WATER DISTRICT
ADOPTING A CONFLICT OF INTEREST CODE WHICH
SUPERSEDES ALL PRIOR CONFLICT OF INTEREST CODES
AND AMENDMENTS PREVIOUSLY ADOPTED**

WHEREAS, the Political Reform Act of 1974, 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 Yorba Linda Water District has previously adopted a Conflict of Interest Code and that Code now requires updating; and

WHEREAS, amendments to the Act have in the past and foreseeably will in the future require conforming amendments to be made to the Conflict of Interest Code; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 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 Political Reform Act.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Yorba Linda Water District 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 Fair Political Practices Commission are hereby incorporated by reference and, together with Exhibits A and B in which members and employees are designated and

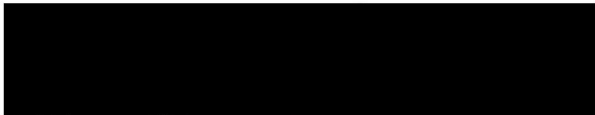
disclosure categories are set forth, constitute the Conflict of Interest Code of the Yorba Linda Water District.

Section 2. The provisions of all Conflict of Interest Codes and Amendments thereto previously adopted by the Yorba Linda Water District are hereby superseded.

Section 3. The Filing Officer is hereby authorized 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.

PASSED AND ADOPTED this 10th day of August 2021 by the following called vote:

AYES: Directors DesRoches, Jones, Lindsey, and Miller
NOES: None
ABSTAIN: None
ABSENT: Director Hawkins


J. Wayne Miller, PhD, Vice President
Yorba Linda Water District

ATTEST:


Annie Alexander, Board Secretary
Yorba Linda Water District

Reviewed as to form by General Counsel:


Andrew B. Gagen, Esq.
Kidman Gagen Law LLP



ATTACHMENT A

CONFLICT OF INTEREST CODE FOR THE YORBA LINDA WATER DISTRICT

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 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 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 Yorba Linda Water District.

Designated employees shall file statements of economic interests with the Yorba Linda Water District's Political Reform Act Filing Officer, Board Secretary, who will make the statements available for public inspection and reproduction (Government Code Section 82008).

Upon receipt of the statements of Members of the Board of Directors, General Manager, Assistant General Manager, Finance Manager, General Counsel, Labor Counsel, Assistant Engineer II, Assistant Engineer III, Associate Engineer, Chief Water System Operator, Customer Service Billing Administrator, Director of Public Affairs, Engineering Manager, Human Resources and Risk Manager, Information Systems Administrator, Information Technology Manager, Maintenance Superintendent, Management Analyst, Operations Assistant, Operations Manager, Operations Superintendent, Principal Engineer, Production Superintendent, Public Affairs Manager, Senior Accountant, Senior Engineer, Senior Executive Assistant/Board Secretary, Senior Information Systems Administrator, Senior Management Analyst, and Senior Project Manager, the Yorba Linda Water District's 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 as the Filing Officer for these designated positions.

Statements for all other designated positions will be retained by the Yorba Linda Water District's Filing Officer.



Conflict of Interest Code EXHIBIT A

Entity: Water Districts

Agency: Yorba Linda Water District

Position	Disclosure Category	Files With
Assistant Engineer II	OC-05	COB
Assistant Engineer III	OC-05	COB
Associate Engineer	OC-05	COB
Chief Water System Operator	OC-05	COB
Consultant	OC-30	Agency
Customer Service Billing Administrator	OC-05	COB
Director of Public Affairs	OC-41	COB
Engineering Manager	OC-41	COB
General Counsel	OC-01	COB
Human Resources and Risk Manager	OC-41	COB
Information Systems Administrator	OC-05	COB
Information Technology Manager	OC-41	COB
Labor Counsel	OC-01	COB
Maintenance Superintendent	OC-05	COB
Management Analyst	OC-05	COB
Operations Assistant	OC-05	COB
Operations Manager	OC-41	COB
Operations Superintendent	OC-05	COB
Principal Engineer	OC-05	COB
Production Superintendent	OC-05	COB
Public Affairs Manager	OC-05	COB
Senior Accountant	OC-05	COB
Senior Engineer	OC-05	COB
Senior Executive Assistant/Board Secretary	OC-05	COB
Senior Information Systems Administrator	OC-05	COB
Senior Management Analyst	OC-05	COB
Senior Project Manager	OC-05	COB

Total: 27



Conflict of Interest Code EXHIBIT A

Entity: Water Districts

Agency: Yorba Linda Water District

OFFICIALS WHO ARE SPECIFIED IN GOVERNMENT CODE SECTION 87200

Officials who are specified in Government Code section 87200 (including officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3 (b)), are NOT subject to the Agency's Conflict of Interest Code, but are subject to the disclosure requirements of the Political Reform Act, Government Code section 87100, et seq. Gov't Code § 87203. These positions are listed here for informational purposes only.

The positions listed below are officials who are specified in Government Code section 87200:

Assistant General Manager	Files with	COB
Finance Manager	Files with	COB
General Manager	Files with	COB
Member of the Board of Directors	Files with	COB

The disclosure requirements for these positions are set forth in Government Code section 87200, et. seq. They require the disclosure of interests in real property in the agency's jurisdiction, as well as investments, business positions and sources of income (including gifts, loans and travel payments).



Disclosure Descriptions

EXHIBIT B

Entity: Water Districts

Agency: Yorba Linda Water District

Disclosure Category	Disclosure Description
87200 Filer	Form 87200 filers shall complete all schedules for Form 700 and disclose all reportable sources of income, interests in real property, investments and business positions in business entities, if applicable, pursuant to Government Code Section 87200 <i>et seq.</i>
OC-01	All interests in real property in Orange County, the authority or the District as applicable, as well as 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 the County Department, Authority or District, as applicable.
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 County 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.
OC-41	All interests in real property in Orange County, the District or Authority, as applicable, as well as investments in, business positions with and income (including gifts, loans and travel payments) from sources that provide services, supplies, materials, machinery, vehicles, or equipment (including training and consulting services) used by the County Department, Authority or District, as applicable.

Grand Total: 5