



WEST VALLEY WATER DISTRICT
855 W. Base Line Road Rialto, CA

HUMAN RESOURCES COMMITTEE MEETING
AGENDA

MONDAY, DECEMBER 17, 2018 - 6:30 PM

NOTICE IS HEREBY GIVEN that West Valley Water District has called a meeting of the Human Resources Committee to meet in the Administrative Conference Room, 855 W. Base Line Road, Rialto, CA 92376.

- 1. CONVENE MEETING**
- 2. PUBLIC PARTICIPATION**

The public may address the Board on matters within its jurisdiction. Speakers are requested to keep their comments to no more than three (3) minutes. However, the Board of Directors is prohibited by State Law to take action on items not included on the printed agenda.

- 3. DISCUSSION ITEMS**
 - a. Conflict of Interest Code.
 - b. Cell Phone Policy (revisited)
 - c. Board Secretary Performance Evaluation
 - d. Interim General Manager Performance Evaluation
- 4. ADJOURN**

DECLARATION OF POSTING:

I declare under penalty of perjury, that I am employed by the West Valley Water District and posted the foregoing Human Resources Committee meeting agenda at the District offices on December 14, 2018.

Crystal L. Escalera, Board Secretary



**BOARD OF DIRECTORS
HUMAN RESOURCES COMMITTEE
STAFF REPORT**

DATE: December 17, 2018
TO: Human Resources Committee
FROM: Clarence Mansell Jr., Interim General Manager
SUBJECT: CONFLICT OF INTEREST CODE

BACKGROUND:

The West Valley Water District (“District”) is requested by State law to have a Conflict of Interest Code (COIC) that is regularly approved by the California Fair Political Practices Commission (FPPC). Typically, an agency’s Code of Ethics (COEP) either encapsulates or references the COIC. The FPPC has reviewed the Conflict of Interest Code incorporated in the Code of Ethics Policy and has recommended that the policy be a stand-alone document. Therefore, a separate Conflict of Interest Code requires approval from the Board to be submitted to the FPPC for final approval.

DISCUSSION:

The purpose of a COEP is to provide direction and set policy on ethical behavior reflecting the good intentions of the District and the Community it serves. Proper operation of the District requires that decisions and policies be made within the proper channels of government structure, that public office not be used for personal gain, and that the Board members remain objective and responsive to the needs of the public. The COEP sets the basic ethical standards to be followed by the Board of Directors of the District and provide guidance for dealing with ethical issues, heighten decision making and values based management. Likewise, the COIC provides information to the public about an official’s personal financial interests to ensure that officials are making decisions in the best interest of the public. It also serves as a reminder to the public of potential conflicts of interest so the official can abstain from making or participating in governmental decisions that may be deemed as conflicts of interests. The Conflict of Interest Code reporting disclosure requirements is attached as **Exhibit A** and Resolution No. 2018-36 – Conflict of Interest Code as **Exhibit B**.

FISCAL IMPACT:

There is no fiscal impact to this item.

STAFF RECOMMENDATION:

Approve Resolution No. 2018-36 – Conflict of Interest Code.

Respectfully Submitted,



Clarence Mansell Jr., Interim General Manager

DM:CE

ATTACHMENT(S):

1. WVWD Conflict of Interest Code FPPC edits Oct 2017
2. Resolution 2018-36 Conflict of Interest Code

EXHIBIT A

CONFLICT OF INTEREST CODE WEST VALLEY WATER DISTRICT

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission adopted a regulation (2 Cal. Code of Regs. § 18730) containing 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 its duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **West Valley Water District (“District”)**.

Individuals holding designated positions shall file their statements of economic interests with the **District's** Secretary to the Board as the Filing Officer, which will make the statements available for public inspection and reproduction (Govt. Code Section 81008). The Secretary of the Board shall retain original statements of the Board of Directors, General Manager, and all other designated employees on behalf of the District.

CONFLICT OF INTEREST CODE FOR THE WEST VALLEY WATER DISTRICT

APPENDIX A DESIGNATED POSITIONS

| Designated Positions | Disclosure Categories |
|--------------------------------|-----------------------|
| Assistant General Manager | 1, 2, 4 |
| Superintendent | 1, 2, 4 |
| Chief Treatment Plant Operator | 1, 2, 4 |
| Legal Counsel* | 1, 2, 4 |
| Director of IT and Finance | 1, 2, 4 |
| HR & Risk Management Manager | 2, 4 |
| Business Systems Manager | 3 |
| Engineering Services Manager | 3 |
| Accounting Supervisor | 3 |
| Public Affairs Manager | 3 |
| Operations Manager | 3 |
| Accounting Supervisor | 3 |
| Purchasing Supervisor | 3 |
| Meter Service Supervisor | 3 |
| Maintenance Supervisor | 3 |
| Water Resources Manager | 3 |
| Water Quality Supervisor | 3 |
| Production Supervisor | 3 |
| Customer Service Supervisor | 3 |
| IT Administrator | 3 |
| Engineer* | 3 |
| Consultants/New Positions | ** |

*The positions of Legal Counsel and Engineer are filled by outside consultants, but act in staff capacity.

**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 fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's or new position's duties and, based on that description, a statement of the extent of the disclosure requirements. The General Manger'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 Sec. 81008.)

Officials Who Manage Public Investments

The following positions are NOT covered by the code because they must file under Gov. Code Sec. 87200 and, therefore, are listed for informational purposes only:

Members of the Board of Directors
 General Manager
 Finance Director
 Chief Financial Officer

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 Gov. Code Sec. 87200.

APPENDIX B DISCLOSURE CATEGORIES

CATEGORY 1

Designated positions required to disclose economic interests under Category I shall report investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) from, any source of the type to provide services, supplies, materials, products, or equipment to the District.

CATEGORY 2

Designated positions required to disclose economic interests under Category 2 shall 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 District as well as investments and business positions in business entities, and income, including receipt of gifts, loans, and travel payments, from sources, that provide real estate services (e.g., consulting, appraisal, development, construction) of the type used by the District.

CATEGORY 3

Designated positions required to disclose economic interests under Category 3 shall report all investments, business positions, and sources of income (including receipt of gifts, loans, and travel payments) from, entities of the type to provide goods or services of the type purchased or leased by the designated position's division/department.

CATEGORY 4

Designated positions required to disclose economic interests under Category 4 shall report investments and business positions in business entities, and sources of income (including receipt of gifts, loans, and travel payments) from, entities that have filed a claim, or have a claim pending against the District.

EXHIBIT B

**RESOLUTION NO. 2018-36
A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE WEST VALLEY WATER DISTRICT APPROVING THE
CONFLICT OF INTEREST CODE**

WHEREAS, the ratepayers of West Valley Water District (District) are entitled to have fair, ethical and accountable local government which has earned the public’s full confidence; and

WHEREAS, in keeping with the District’s commitment to excellence, all public officials, both elected and appointed, must comply with both the letter and spirit of the laws and policies affecting the operation of government; and

WHEREAS, all public officials, both elected and appointed, are required to be impartial and fair in their judgement and actions and ensure that public office is used for the public good; and

WHEREAS, the District has determined that the adoption of a Conflict of Interest Code for the members of the Board of Directors (“Board”), and individuals holding designated positions will assist in achieving these ends.

**NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS
OF THE WEST VALLEY WATER DISTRICT DOES HEREBY ORDAIN AS
FOLLOWS:**

SECTION 1. The attached policy developed by District Staff and attached to this Resolution as Exhibit A is hereby adopted as the Conflict of Interest Code for the West Valley Water District Board and individuals holding designated positions.

SECTION 2. All other previous enactments providing for the Conflict of Interest Code have been superseded by this resolution and may be amended from time to time by a duly adopted resolution of the Board.

ADOPTED, SIGNED AND APPROVED THIS 20th DAY OF DECEMBER, 2018 BY THE FOLLOWING VOTE:

**AYES: DIRECTORS:
NOES: DIRECTORS:
ABSENT: DIRECTORS:
ABSTAIN: DIRECTORS:**

Dr. Michael R Taylor,
President of the Board of Directors
West Valley Water District

ATTEST:

Crystal Escalera
Board Secretary

