

OLIVENHAIN MUNICIPAL WATER DISTRICT ADMINISTRATIVE AND ETHICS CODE	Article No. 27	Page 1 of 3
	Title CONFLICT OF INTEREST CODE	
	Latest Revision Date March 24, 2010	Ordinance No. 375

ARTICLE 27. CONFLICT OF INTEREST CODE AND ETHICS VIOLATIONS

Sec. 27.1. Purpose.
The Political Reform Act of 1974 (Government Code Section 81000 et seq.) requires each state and local government agency to adopt and promulgate a Conflict of Interest Code. The Fair Political Practices Commission (FPPC) has adopted a regulation (2 Cal. Code of Regs. Section 18730), which contains the terms of a standard Conflict of Interest Code, which has been incorporated by reference as the Conflict of Interest Code of the Olivenhain Municipal Water District.

Sec. 27.2. Adoption of Standard Code of the Fair Political Practices Commission (FPPC).
The terms of 2 California Code of Regulations Section 18730 and any future amendments thereto duly adopted by the FPPC are hereby incorporated by reference. This regulation and the appropriate appendix designating filing candidates, District officials and District employees and establishing disclosure categories shall constitute the Conflict of Interest Code of the Olivenhain Municipal Water District. Copies of the Code and all future amendments shall be maintained and be available upon request from the District's Human Resources Manager.

Sec. 27.3. Filing of Statements of Economic Interest.
Pursuant to Section 4 of the Standard Code, designated filing candidates, District officials and employees, as set forth in the appendix to the District's adopted Conflict of Interest Code shall file statements of economic interest with the Human Resources Manager of the Olivenhain Municipal Water District. Upon receipt of the statements of the members of the Board of Directors and of the General Manager, the Human Resources Manager shall make and retain copies and forward the originals of these statements to the Clerk of the San Diego County Board of Supervisors. Statements for all other designated employees shall be retained by the Human Resources Manager for the Olivenhain Municipal Water District.

Sec. 27.4. Opinions of the General Counsel.

A. Opinion Requests. Any designated official or employee who is unsure of any right or obligation arising under this Conflict of Interest Code may request an opinion from the General Counsel of the Olivenhain Municipal Water District or the General Counsel of the Fair Political Practices Commission.

B. Evidence of Good Faith. If an opinion is rendered by the General Counsel of the Olivenhain Municipal Water District stating, in full, the facts of the law upon which the opinion is

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based, compliance by the designated official or employee with such opinion may be evidence of good faith in any civil or criminal proceeding brought pursuant to the Political Reform Act of 1974, the Fair Political Practices Commission Regulations, and the provisions of the Conflict of Interest Code of the Olivenhain Municipal Water District in accordance with Ordinance No. 100 of the Olivenhain Municipal Water District providing for the defense, indemnification and a defrayal of costs for designated officials and employees acts to comply in good faith with the disclosure and qualification requirements of the District's Conflict of Interest Code.

Sec. 27.5, 27.6, and 27.7 were added via Ordinance 305 / October 22, 2003

Sec. 27.5. No Board Directors, officers, or employees of the District shall be financially interested in any contract made by them as provided in Government Code Section 1090 et seq.

Sec. 27.6. was revised via Ordinance 375 / March 24,2010

Sec. 27.6. was revised via Ordinance 307 / Nov. 19, 2003

Sec 27.6. All funds of the District and all investments shall be handled in accordance with the adopted financial policies of the District. All signatures for investments and fund transfers established by District Resolutions shall be adhered to by all Board members and employees of the District. The Board shall appoint an ad hoc Finance committee, comprised of the District's Treasurer, one Board Member, and Staff members appointed by the General Manager to review and evaluate District investments. The ad hoc Finance Committee shall meet only as needed at mutually agreeable times to evaluate the safety of District investments and to review the District finances. The ad hoc Finance committee shall make recommendations to the full Board regarding District financial policies and shall make recommendations to the full Board regarding the hiring of external independent auditors. The Finance Department shall provide a financial report to the Board monthly. Any District financial matters of concern to the ad hoc Finance Committee shall be reported to the Board at the next scheduled Board meeting.

Sec. 27.7. Violation of Administrative and Ethics Code.

Any perceived violation by any member of the Board of Directors or the General Manager of this Administrative and Ethics Code or the Conflict of Interest Code shall be referred to the full Board of Directors for consideration of any action deemed appropriate by the Board.

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Any perceived violation by any employee of this Administrative and Ethics Code or the Conflict of Interest Code shall be referred to the General Manager for consideration of any action deemed appropriate.