

**2008 CONFLICT OF INTEREST CODE  
BIENNIAL REVIEW REPLY FORM**

Contact Person: Marci Kilian Telephone Number: (760) 639-6128

Name of Agency: City of Vista / Buena Sanitation District

Mailing Address 600 Eucalyptus Ave., Vista CA 92084

This agency <sup>es</sup> <sup>issue</sup> has reviewed its conflict of interest code and has determined that:

**Amendments are necessary:** (Attach Amended Code)  
(Check all that applies)

- Include new positions (including consultants) which must be designated
- Revise the titles of existing positions
- Delete titles of positions that have been abolished
- Delete positions that manage public investments
- Revise disclosure categories
- Other \_\_\_\_\_

**No amendments are necessary.** Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foresee-ably be affected materially by the decision made by those designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of ~~Chief Executive Officer~~: Marci Kilian, City Clerk Date: 9/2/08  
Mayor + Chair are on attached Resolutions

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than August 31, 2008 to:**

**Clerk of the Board of Supervisors  
(Conflict of Interest Code)  
1600 Pacific Highway, Room 402  
San Diego, CA 92101**

Approved and/or authorized by the Board  
of Supervisors of the County of San Diego  
Date: 9/2/08 Minute Order No. \_\_\_\_\_  
THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors  
By: Nancy V. [Signature]  
Deputy Clerk

COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
2008 SEP 4 PM 1 45  
THOMAS J. PASTUSZKA  
CLERK OF THE BOARD  
OF SUPERVISORS



# City of Vista

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September 2, 2008

Clerk of the Board of Supervisors  
(Conflict of Interest Code)  
1600 Pacific Highway, Room 402  
San Diego, CA 92101

**RE: Biennial Review**

Please see the attached Biennial Review Reply Form, along with City Council Resolution No. 2008-164, amending the list of designated employees, and Buena Sanitation District Resolution No. 2008-12, rescinding Resolution 2006-8 and adopting a Conflict of Interest Code and establishing the list of designated employees.

Please feel free to telephone me if you have any questions.

**CITY OF VISTA**

Marci Kilian  
City Clerk

enclosures

UNRECORDED

PLEASE PRINT NAME OF DEPARTMENT AND PHONE NUMBER

DATE

FOR THE CITY OF VISTA, CALIFORNIA, I HEREBY CERTIFY THAT THE LIST OF DESIGNATED EMPLOYEES FOR THE YEAR 2008-09 IS AS FOLLOWS: [The following text is mirrored and appears to be bleed-through from the reverse side of the page.]

**RESOLUTION NO. 2008-12**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BUENA  
SANITATION DISTRICT ADOPTING A CONFLICT OF INTEREST CODE,  
ESTABLISHING THE LIST OF DESIGNATED EMPLOYEES, AND  
RESCINDING RESOLUTION 2006-8**

NOW THEREFORE, BE IT RESOLVED,

**SECTION 1. Adoption of Conflict of Interest Code.**

Pursuant to the requirements and authority of the Political Reform Act of 1974, California Government Code Section 81000, et seq., the provisions of Section 18730 of Title 2 of the California Code of Regulations are incorporated herein and adopted by reference as the Conflict of Interest Code of the Buena Sanitation District.

**SECTION 2. Filing Requirements.**

A. All persons required to file a financial disclosure statement pursuant to the Conflict of Interest Code adopted under Section 1 above shall file such statements with the Clerk of the Board of the Buena Sanitation District at such times and in the manner prescribed by the provisions of the Conflict of Interest Code.

B. Pursuant to Government Code Section 82011(b) and 87500(j), the County Board of Supervisors is the code reviewing body and the filing officer for the Buena Sanitation District. The Clerk of the Board of the Buena Sanitation District shall make and retain a copy of the financial disclosure statements of the Members of the Board of Directors of the Buena Sanitation District and forward the original to the County Board of Supervisors. Members of the Board of Directors of the Buena Sanitation District may file an "Expanded Statement," covering territory of the District which is outside the jurisdiction of the City. If a member files an "Expanded Statement," the Clerk shall forward a copy of the statement with an original signature to the Board of Supervisors. Designated employees who are required to file statements under the City's Conflict of Interest Code may also file an "Expanded Statement."

C. The Clerk of the Board shall retain the originals of all other financial disclosure statements filed pursuant to this Resolution.

**SECTION 3. Designated Employees.**

A. From time to time, and not later than October 1 of each even numbered year, in accordance with Section 87306.5 of the Political Reform Act of 1974, upon order of the Board of Supervisors of the County of San Diego, the District Manager shall review the Conflict of Interest Code and submit to the Board any recommended changes. The Buena Sanitation District Board of Directors may adopt any changes required to the Conflict of Interest Code by Resolution, or may amend the listing of designated employees who are subject to the requirements of this Resolution and shall submit such adoption or amendment to the County Board of Supervisors or respond in writing that no changes are needed.

B. The persons holding the positions enumerated in the list of designated employees, attached hereto as the Appendix, are "designated employees" within the meaning

of the Conflict of Interest Code adopted pursuant to this Resolution, and shall file disclosure statements for each of the disclosure categories as defined in Section 4 below.

C. In addition to those persons holding the positions enumerated in the Appendix, attached hereto, every consultant employed by the Buena Sanitation District is a designated employee for purposes of this resolution and shall be required as a condition of employment to file a financial disclosure statement under the broadest disclosure category, except as follows:

Upon petition, the District Manager may determine in writing that the scope of services to be provided by any consultant or the level of participation in any decision is necessarily limited and that such consultant is not subject to the requirements of the Conflict of Interest Code, or the disclosure category for such consultant shall be a narrower category. The District Manager's written determination shall include a description of the consultant's duties and, based upon that description, a statement of the basis for finding an exemption or such narrower disclosure record and shall be filed in the Office of the Clerk of the Board of the Buena Sanitation District in the same manner as required for financial disclosure statements.

#### SECTION 4. Disclosure categories.

As used in Section 3, disclosure categories are as follows:

- Category 1: Investments and business positions in business entities and sources of income.
- Category 2: Interests in real property.
- Category 3: Investments, and business positions in business entities, interests in real property, and sources of income subject to the regulatory, permit or licensing authority of the department, board, commission, or city agency.
- Category 4: Investments, and business positions in business entities, in business entities and sources of income which engage in land development, construction, acquisition or sale of real property.
- Category 5: Investments, and business positions in business entities, in business entities and sources of income of the type which, within the past two years, have contracted with the designee employee's department or board or commission, to provide services, supplies, materials, machinery or equipment.
- Category 6: Investments, and business positions in business entities, in business entities and sources of income of the type which, within the past two years, have contacted with the City, or a City agency, to provide services, supplies, materials, machinery or equipment.

#### SECTION 5. Exemptions

Pursuant to section 87100.1 of the Political Reform Act of 1974, a registered professional engineer of a licensed land surveyor who renders professional services as a consultant, either directly or through a firm in which he or she is employed or is a principal, is not required to file a financial disclosure statement under this Resolution, where the consultant renders professional engineering or land surveying services independently of the control and direction of the Buena Sanitation District and does not exercise public agency decision making authority as a contract District Engineer or surveyor pursuant to Sections 6703 or 8703 of the Business and Professions Code. However, this exemption shall not apply to that portion of the work performed by any registered professional engineer or

licenses land surveyor in connection with any recommendation of the formula to spread costs of an assessment district if:

A. The engineer has received income or \$250.00 or more for such professional services within twelve (12) months prior to the creation of an assessment district; and,

B. The district includes other parcels in addition to those parcels for which the engineer received the income. The recommendation of the actual formula for spreading an assessment does not include preliminary site studies, preliminary engineering, plans, specifications, estimates, compliance with environmental laws and regulations, or the collection of data and information utilized in applying the formula.

SECTION 6. Resolution 2006-8 is hereby rescinded.

PASSED AND ADOPTED at a meeting of the Board of Directors of the Buena Sanitation District held this 26th day of August 2008, by the following vote:

AYES: CHAIRPERSON VANCE, RITTER, GRONKE, CAMPBELL, LOPEZ

NOES: NONE

ABSTAIN: NONE



MORRIS B. VANCE, Chairperson

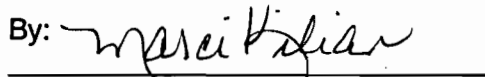
APPROVED AS TO FORM:  
Darold Pieper, City Attorney

By:



ATTEST:  
Marci Kilian, Clerk of the Board

By:



**APPENDIX TO THE BUENA SANITATION DISTRICT  
CONFLICT OF INTEREST CODE  
DESIGNATED EMPLOYEES AND DISCLOSURE CATEGORIES**

The following officials of the Buena Sanitation District are designated by Section 87200 of the Political Reform Act as being required to file Statements of Economic Interests.

<b><u>OFFICIALS</u></b>	<b><u>DISCLOSURE CATEGORIES</u></b>
Chairperson	1,2
Members of the Board	1,2
District Manager	1,2
District Counsel	1,2
District Treasurer/Director of Finance	1,2

The following officials and employees are hereby determined to be other public officials who manage public investments and shall file Statements of Economic Interests in accordance with the disclosure categories identified for each, pursuant to this resolution.

<b><u>DEPARTMENT AND POSITION</u></b>	<b><u>DISCLOSURE CATEGORIES</u></b>
Assistant District Manager	1,2
Assistant District Counsel	1,2
Director of Engineering	1,2
Assistant Director of Engineering	1,2
Senior Engineer	2,4,5
Finance Manager	1,2
Accountant	1,2
Members of the Investment Advisory Committee	1,2

RESOLUTION NO. 2008-164

**A RESOLUTION OF THE CITY COUNCIL OF THE CHARTERED CITY OF VISTA AMENDING THE LIST OF DESIGNATED EMPLOYEES SUBJECT TO THE PROVISIONS OF THE CONFLICT OF INTEREST CODE OF THE CITY OF VISTA PURSUANT TO CHAPTER 2.32 OF THE VISTA MUNICIPAL CODE**

WHEREAS, the Political Reform Act of 1974, California Government Code Section 81000, et seq., requires the City of Vista to adopt a Conflict of Interest Code ("Code"), and periodically review and amend it, if amendments are required; and,

WHEREAS, the City Council has adopted a Code by reference, as Chapter 2.32 of the Vista Municipal Code; and,

WHEREAS, the City Council heretofore has directed the City Manager to review the current Code, including the list of those positions identified as "designated employees" in the Appendix; and,

WHEREAS, the City Council has received and considered the recommendations of the City Manager and the City Clerk with respect to the proposed changes and amendments to the Code and the Appendix of positions identified as "designated employees" subject to the provision for financial disclosure under the Code.

NOW THEREFORE, BE IT RESOLVED as follows:

The list of those positions of the City of Vista identified as "designated employees" of the City for purposes of requiring the filing of financial disclosure statements pursuant to the City's Code, and the disclosure categories under which such financial disclosure shall be made, is hereby approved as identified in the Appendix, attached hereto and incorporated herein by reference.

PASSED AND ADOPTED at a meeting of the City Council held on the 26th day of August 2008, by the following vote:

AYES: MAYOR VANCE, RITTER, GRONKE, CAMPBELL, LOPEZ

NOES: NONE

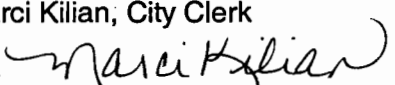
ABSTAIN: NONE

  
\_\_\_\_\_  
MORRIS B. VANCE, Mayor

APPROVED AS TO FORM:  
Darold Pieper, City Attorney

By:   
\_\_\_\_\_

ATTEST:  
Marci Kilian, City Clerk

By:   
\_\_\_\_\_

**APPENDIX TO THE CONFLICT OF INTEREST CODE OF THE  
CITY OF VISTA, DESIGNATED EMPLOYEES AND  
DISCLOSURE CATEGORIES**

**I. OFFICIALS DESIGNATED BY STATUTE**

The following officials of the City of Vista are designated by Section 87200 of the Political Reform Act as being required to file Statements of Economic Interests.

<b><u>OFFICIALS</u></b>	<b><u>DISCLOSURE CATEGORIES</u></b>
Mayor and Members of the City Council	1,2
Members of the Planning Commission	1,2
City Manager	1,2
City Attorney	1,2
City Treasurer/Director of Finance	1,2

**II. LOCAL DESIGNATED OFFICIALS AND EMPLOYEES**

The following officials and employees are hereby determined to be "designated employees" pursuant to Section 2.32.030 of the Vista Municipal Code and Section 87302 of the Political Reform Act, and shall file Statements of Economic Interests in accordance with the disclosure categories identified for each, pursuant to Section 2.32.040 of the Vista Municipal Code.

<b><u>DEPARTMENT AND POSITION</u></b>	<b><u>DISCLOSURE CATEGORIES</u></b>
<b>ADMINISTRATIVE SERVICES</b>	
Director of Administrative Services	1,2
Human Resources Manager	3,5
Human Resources Analyst	3,5
Risk Manager	3,5
<b>CITY ATTORNEY</b>	
Assistant City Attorney	1,2
<b>CITY CLERK</b>	
City Clerk	1,2
Assistant City Clerk	2,4,6
<b>CITY MANAGER</b>	
Assistant City Manager	1,2
Deputy City Manager	1,2
Assistant to the City Manager	2,4,6
Senior Management Analyst	2,4,6
Management Analyst	2,4,6
Code Enforcement Manager	2,4,5
Communications Officer	2,4,6
<b>COMMISSION, BOARD &amp; COMMITTEE MEMBERS</b>	
Building Board of Appeals	2,3,6
CDBG Advisory Committee	3,4,6

**DEPARTMENT AND POSITION****DISCLOSURE CATEGORIES****COMMISSION, BOARD & COMMITTEE MEMBERS**

Crime/Substance Abuse Prevention Commission	3,4,6
Investment Advisory Committee	1
Mobilehome Review Board	2,3,6
Parks and Recreation Commission	2,3,4,6
Public Arts Commission	2,3,4,6
Redevelopment Project Area Committee	1,2
Sales Tax Oversight Committee	1,2
Senior Citizens Affairs Commission	3,4,6
Traffic Commission	2,3,6

**COMMUNITY DEVELOPMENT**

Director of Community Development	1,2
Assistant Director of Community Development/Building Official	1,2
City Planner	1,2
Principal Planner	1,2
Environmental Planner	1,2
Building Inspection Supervisor	2,4,5
Principal Engineer	1,2
Land Development Associate Engineer	2,4,5

**COMMUNITY PROJECTS**

Director of Community Projects	1,2
Construction Manager	1,2

**ECONOMIC DEVELOPMENT**

Director of Economic Development	1,2
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**ENGINEERING**

Director of Engineering	1,2
Assistant Director of Engineering	2,4,6
Management Analyst	2,4,6
Principal Engineer	2,4,5
Senior Engineer	2,4,5
Associate Engineer	2,4,5
Assistant Engineer	2,4,5
Construction Inspection Supervisor	2,4,5
Transportation Operations Manager	2,4,5
Stormwater Program Manager	2,4,5
Right-of-Way Agent	2,4,5
Construction Inspection Technician	2,4,5

**FINANCE**

Accountant/Deputy City Treasurer	1,2
Finance Manager	1,2
Revenue Billing Manager	1,2
Financial Analyst	2,4,6
Management Analyst	2,4,6
Accountant	1,2

**DEPARTMENT AND POSITION****DISCLOSURE CATEGORIES****FIRE**

Fire Chief	1,2
Deputy Fire Chief	1,2
Battalion Chief	3,4,5
Emergency Services Officer	3,4,5
Senior Management Analyst	2,4,6
Supervising Fire Inspector/Assistant Fire Marshall	3,4,5

**PARKS AND COMMUNITY SERVICES**

Director of Parks & Community Services	1,2
Assistant Director of Parks & Community Services	1,2
Parks and Community Services Superintendent	3,4,5
Program Manager	3,4,5
Project Director	1,2
Community Services Program Manager	3,4,5
Waterpark Manager	3,4,5
Management Analyst	2,4,6
Senior Recreation Supervisor	2,4,6
Recreation Supervisor	2,4,6
Marketing Director	2,4,6
Food Services Supervisor	3,4,5
Facility Maintenance Supervisor	3,4,5
Park Supervisor	3,4,5
Theatre Facility Manager	3,4,5
Ticket Office Supervisor	3,4,5

**PUBLIC WORKS**

Director of Public Works	1,2
Public Works Operations Manager	3,4,5
Management Analyst	2,4,6
Public Works Supervisor	3,4,5
Wastewater Supervisor	3,4,5
Fleet Maintenance Supervisor	3,4,5

**REDEVELOPMENT**

Director of Redevelopment	1,2
Redevelopment Project Manager	2,3,4,6
Redevelopment and Housing Manager	2,3,4,6
Senior Housing Specialist	4,3,6
Management Analyst	2,4,6
Redevelopment Analyst	2,4,6
Information Technology Manager	3,5
Information Technology Analyst	2,4,6
Community Outreach Program Manager	2,4,6

**OTHER**

New positions created subsequent to the adoption of this appendix which will qualify for treatment as a "designated employee" in the judgment of the City Manager or her designee, will be assigned disclosure categories that correspond to the closest comparable position until the next appendix is adopted.