



WEST VALLEY WATER DISTRICT
855 W. BASE LINE ROAD, RIALTO, CA 92376
PH: (909) 875-1804
WWW.WVWD.ORG

**SPECIAL POLICY REVIEW AND OVERSIGHT COMMITTEE MEETING
AGENDA**

Wednesday, November 12, 2025, 5:00 PM

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

BOARD OF DIRECTORS

Director Gregory Young, Chair
Director Daniel Jenkins

Members of the public may attend the meeting in person at 855 W. Base Line Road, Rialto, CA 92376, or you may join the meeting using Zoom by clicking this link: <https://us02web.zoom.us/j/8402937790>. Public comment may be submitted via Zoom, by telephone by calling the following number and access code: Dial: (888) 475-4499, Access Code: 840-293-7790, or via email to administration@wvwd.org.

If you require additional assistance, please contact administration@wvwd.org.

CALL TO ORDER

PUBLIC PARTICIPATION

Any person wishing to speak to the Board of Directors on matters listed or not listed on the agenda, within its jurisdiction, is asked to complete a Speaker Card and submit it to the Board Secretary, if you are attending in person. For anyone joining on Zoom, please wait for the Board President's instruction to indicate that you would like to speak. Each speaker is limited to three (3) minutes. Under the State of California Brown Act, the Board of Directors is prohibited from discussing or taking action on any item not listed on the posted agenda. Comments related to noticed Public Hearing(s) and Business Matters will be heard during the occurrence of the item.

Public communication is the time for anyone to address the Board on any agenda item or anything under the jurisdiction of the District. Also, please remember that no disruptions from the crowd will be tolerated. If someone disrupts the meeting, they will be removed.

DISCUSSION ITEMS

1. Updates to the Policy Review and Oversight Committee
2. Conflict of Interest Code Update **Pg. 3**
3. Conflict of Interest Policy for Design-Build Projects **Pg. 11**

ADJOURN

Please Note:

Material related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the District's office located at 855 W. Baseline, Rialto, during normal business hours. Also, such documents are available on the District's website at www.wvwd.org subject to staff's ability to post the documents before the meeting.

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in the above-agendized public meeting should be directed to the Acting Board Secretary, Paola Lara, at least 72 hours in advance of the meeting to ensure availability of the requested service or accommodation. Ms. Lara may be contacted by telephone at (909) 875-1804 ext. 702, or in writing at the West Valley Water District, P.O. Box 920, Rialto, CA 92377-0920.

DECLARATION OF POSTING:

I declare under penalty of perjury, that I am employed by the West Valley Water District and posted the foregoing Agenda at the District Offices on November 6, 2025.

Paola Lara

Paola Lara, Acting Board Secretary



STAFF REPORT

DATE: November 12, 2025
TO: Policy Review and Oversight Committee
FROM: Paola Lara, Acting Board Secretary
SUBJECT: Conflict of Interest Code Update

STRATEGIC GOAL:

Strategic Goal 5 - Implement Best Practices; Strategic Goal 7 – Realize Health, Safety, and Regulatory Compliance; Strategic Goal 8 - Deliver Superior Customer Service.

MEETING HISTORY:

N/A

BACKGROUND:

The West Valley Water District (WVWD) is required by the Political Reform Act to review its Conflict of Interest Code (COIC) biennially and notify the Fair Political Practices Commission (FPPC) whether the agency's code needs to be amended. The code designates positions that are required to file a Statement of Economic Interest, Form 700, and specifies what disclosure categories they must report.

The COIC and Statement of Economic Interest provides information to the public about an official's or designated position's financial interests to ensure that they are making decisions in the best interest of the public. It also outlines potential conflicts of interest so the official can abstain from making or participating in governmental decisions that may be deemed a conflict of interest.

DISCUSSION:

As a multi-county agency, FPPC is WVWD's code-reviewing body and following the classification and compensation study, staff worked directly with FPPC to review and update our Conflict of Interest Code. FPPC approved an update to our COIC on June, 2025.

Following the COIC update in June 2025, two additional positions were approved by the Board of Directors that also need to be included as designated positions in the COIC.

FISCAL IMPACT:

There is no fiscal impact.

REQUESTED ACTION:

Forward a recommendation to the Board of Directors to approve the Conflict of Interest Code Update.

Attachments

[Notice of Intent to Amend 10.30.25.pdf](#)

[WVWD COIC - Strikethrough.pdf](#)

NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE
OF THE **WEST VALLEY WATER DISTRICT**

NOTICE IS HEREBY GIVEN that the **West Valley Water District**, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its conflict of interest code. A comment period has been established commencing on October 30, 2025 and closing on December 13, 2025. All inquiries should be directed to the contact listed below.

The **West Valley Water District** proposes to amend its conflict of interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the conflict of interest code include: **addition of two designated positions** and also makes other technical changes.

The proposed amendment and explanation of the reasons can be obtained from the agency's contact.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than **December 13, 2025** or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than **Friday, November 28, 2025**.

The **West Valley Water District** has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: **Elvia Dominguez, Board Secretary, 909-875-1804, email edominguez@wvwd.org**

WEST VALLEY WATER DISTRICT

CONFLICT OF INTEREST CODE

The Political Reform Act (Government Code Section, 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 California Code of Regulations Section 18730) that contains 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 it 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**, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) All statements will be retained by the **District**.

APPENDIX A DESIGNATED POSITIONS

Designated Positions	Disclosure Categories
Assistant General Manager	1, 2
Legal Counsel**	1, 2
Director of Engineering	1, 2
Director of Technical Services	1
Director of Operations	1
Government and Legislative Affairs Manager	1
Human Resources & Risk Manager	1, 4
Board Secretary	3
Business Systems Manager	3
Chief Water Systems Operator – Distribution and Meter Services	3
Chief Water Systems Operator – Production	3
Chief Water Systems Operator – Treatment	3
Customer Service Supervisor	3
<u>Development Services Supervisor</u>	<u>3</u>
<u>Project Manager</u>	<u>3</u>
Support Service Supervisor	3
Senior Engineer	3
Water Quality Supervisor	3
Consultants/New Positions	*

**The position of Legal Counsel is filled by an outside consultant, but acts in a staff capacity.

*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

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 comply fully 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 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. (Gov. Code Sec. 81008.)

Officials Who Manage Public Investments

The following positions are not covered by the code because the positions manage public investments. Individuals holding such positions must file under Government Code Section 87200 and are listed for informational purposes only. ~~Section 87200~~ requires disclosure of all investments and business positions in business entities, all income, including gifts, loans and travel payments, and real property.

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

APPENDIX B DISCLOSURE CATEGORIES

CATEGORY 1

Designated positions required to disclose economic interests under Category 1 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~~ if the business entity or source provides leased facilities, products, equipment, vehicles, machinery or services (including training or consulting services) of the type utilized by 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~~ if the business entity or source provides real estate services (e.g., consulting, appraisal, development, construction) of the type ~~used~~ utilized by the District.

CATEGORY 3

Designated positions required to disclose economic interests under Category 3 shall report all investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) if the business entity or source provides leased facilities, products, equipment, vehicles, machinery or services (including training or consulting services) of the type utilized by the positions 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) if the business entity or source has, during the reporting period, filed a claim or has a claim pending before the District.



STAFF REPORT

DATE: November 12, 2025
TO: Policy Review and Oversight Committee
FROM: Rocky Welborn, Director of Engineering
SUBJECT: Conflict of Interest Policy for Design-Build Projects

STRATEGIC GOALS:

Strategic Goal 2 - Be an Exemplary Employer

F. Upgrade and Modernize Facilities

Strategic Goal 5 – Apply Sound Planning, Innovation, and Best Practices

B. Explore Innovative Solutions and Implement When Feasible and Cost-Effective

Strategic Goal 6 – Demonstrate Effective Financial Stewardship

B. Continuously Explore and Implement Cost-Saving Initiatives

MEETING HISTORY:

N/A

BACKGROUND:

California Public Contract Code sections 22162(c) and 22185.2, requires the District to establish a standard organizational conflict-of-interest policy, consistent with applicable law, regarding the ability of consultants or contractors (collectively, “Proposer”) to perform work relating to potential progressive design-build or design-build projects (together, a “Design-Build Project”);

In 2021, the District adopted Resolution 2021-14 to adopt a design Build Procurement method for the Oliver P. Roemer Water Filtration Facility expansion. This authorization was only for the mentioned project and did not adopt the Conflict of Interest principles required by the Public Contract Code for Progressive Design Build Projects.

DISCUSSION:

In 2015 and 2024, the California Legislature adopted legislation to require a conflict of interest policy for design build projects. The purpose of this requirement is to ensure impartiality and prevent an unfair competitive advantage that arises from Design Build project delivery methods.

Staff and the District's legal council reviewed the necessary legislation and prepared the attached draft Policy and Resolution that addresses the requirements of the California Public Contract Code for Progressive Design Build Project Delivery.

FISCAL IMPACT:

No fiscal impact is anticipated from adopting the Conflict of Interest Policy.

REQUESTED ACTION:

Staff recommends that the Committee forward a recommendation to the Board of Directors to:

1. Adopt Resolution No. 2025-XX adopting the 2025 Conflict of Interest Policy covering Design-Build Projects
2. Authorize the General Manager to execute all necessary documents.

Attachments

[Resolution No. 2025-XX Conflict of Interest Policy.pdf](#)

[West Valley - 2025 Conflict of Interest Policy - PDB.pdf](#)

RESOLUTION NO. _____

**A RESOLUTION OF THE WEST VALLEY WATER DISTRICT
ADOPTING A CONFLICT OF INTEREST POLICY FOR
IMPLEMENTING/PERFORMING PROGRESSIVE DESIGN
BUILD PROJECTS**

WHEREAS, California Public Contract Code sections 22162(c) and 22185.2, requires the District to establish a standard organizational conflict-of-interest policy, consistent with applicable law, regarding the ability of consultants or contractors (collectively, “Proposer”) to perform work for the West Valley Water District (“District”) relating to potential progressive design-build or design-build projects (together, a “Design-Build Project”); and

WHEREAS, District desires to adopt the necessary policies and procedures necessary to implement Progressive Design-Build Projects.

NOW, THEREFORE, the West Valley Water District (“District”) hereby resolves as follows:

SECTION 1. The District hereby adopts the “2025 West Valley Water District Organizational Conflict-of-Interest policy covering Design Build Projects” a copy of which is on file at the offices of the District available for inspection by the Public.

SECTION 2. The General Manager is hereby authorized and directed to include a copy of this Resolution in Water District’s Procurement Policies and Procedures; and,

SECTION 3. The General Manager is hereby authorized and directed, to develop solicitations for Design-Build Projects.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2025, by the following roll call vote. Resolution _____ is hereby repealed at the effective date of this resolution.

AYES:
NOES:
ABSENT:
ABSTAIN:

President of the Board of Directors
West Valley Water District

ATTEST:

Secretary of the Board of Directors
West Valley Water District

2025 WEST VALLEY WATER DISTRICT ORGANIZATIONAL CONFLICT-OF-INTEREST POLICY COVERING DESIGN-BUILD PROJECTS

Purpose

The purpose of this policy is to establish guidelines, as required under California Public Contract Code sections 22162(c) and 22185.2, for a standard organizational conflict-of-interest policy, consistent with applicable law, regarding the ability of consultants or contractors (collectively, “Proposer”) to perform work for the West Valley Water District (“District”) relating to potential progressive design-build or design-build projects (together, a “Design-Build Project”).

Policy

A potential Proposer will not be allowed to participate as a design-build entity or to join a design-build team if, without limitation, any of the following is true:

- Proposer is under contract with the District to manage or administer the Design-Build Project.
- Proposer is under contract with any other entity or stakeholder to perform oversight of the design-build team for the District on the Design-Build Project.
- Proposer has performed work on a previous contract with the District that expressly excludes them from participating as a design-build entity or joining a design-build team on the Design-Build Project.
- Proposer would violate Government Code section 1090, including, but not limited to, Government Code section 1097.6.
- Proposer would violate any other applicable federal or state conflict-of-interest rules and regulations.

Proposer’s Obligations

Proposers shall make a full written disclosure to the District of the facts and circumstances regarding an organizational conflict-of-interest or a potential organizational conflict-of-interest and shall have a continuing obligation to do so until they are no longer Proposers.

Proposers shall disclose in the response documents to a request for qualifications or request for proposals for a Design-Build Project, all of the work previously performed in relation to the Design-Build Project.

Proposers shall conform to applicable federal and state conflict-of-interest rules and regulations including, without limitation, the California Political Reform Act, California Government Code Section 1090, the federal Copeland “Anti-Kickback” Act and federal conflict-of-interest rules set forth in the federal funding agency’s administrative grant and cooperative agreement regulations.

Federal conflict-of-interest rules and regulations shall only apply where the Design-Build Project receives federal funding.

Conflict-of-Interest Issues

Resolution of a conflict-of-interest issue is ultimately at the sole discretion of District. If a Proposer determines that a conflict-of-interest or potential conflict-of-interest exists, it must disclose the conflict or potential conflict-of-interest to the District. The disclosure may or may not disqualify a Proposer from being awarded a contract. The Proposer shall propose measures to avoid, neutralize, or mitigate all conflicts or potential conflicts. District, in its sole discretion, shall determine whether the proposed measures are sufficient to overcome the conflict or potential conflict and whether the Proposer may continue with the procurement process. District has the right to terminate or amend a resulting design-build project contract if the successful Proposer failed to disclose a conflict or potential conflict that it knew or should have known about, or if the Proposer provided information in its disclosure that is false or misleading.

The successful Proposer to whom a contract is awarded has an ongoing obligation to monitor and disclose its conflicts or potential conflicts-of-interest. District has a right to ongoing enforcement of this policy. If an organizational conflict-of-interest is discovered after award, the Proposer will make an immediate and full written disclosure to the District that includes a description of the action that the Proposer has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict-of-interest is determined to exist and the Proposer was aware of an organizational conflict-of-interest prior to award of the contract and did not disclose the conflict-of-interest, District may terminate the contract with the Proposer for material breach. If the Proposer is terminated, District assumes no obligations, responsibilities and liabilities to reimburse all or part of the costs incurred or alleged to have been incurred by the Proposer.

This policy shall be incorporated by reference into and included as part of all District design build project requests for qualifications, requests for proposals, and all District design-build contracts.

This policy shall not constitute a limitation on the obligations of the Proposer in relation to any organizational conflict-of-interest.