

PAJARO/SUNNY MESA

COMMUNITY SERVICES DISTRICT

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CONFLICT OF INTEREST CODE OF THE PAJARO/SUNNY MESA COMMUNITY SERVICES DISTRICT

The Political Reform Act of 1974 (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, section 18730 of Title 2 of the California Code of Regulations, which contains the terms of a standard conflict of interest code that can be incorporated by reference in an agency’s code. After public notice and hearing, the Fair Political Practices Commission may amend the standard code to conform to amendments of the Political Reform Act. Therefore, the terms of section 18730 of title 2 of the California Code of Regulations and any amendments to it duly adopted by the Fair Political Practices Commission together with the attached Appendices designating positions and establishing disclosure categories are hereby incorporated by reference and together constitute the Conflict of Interest of the PAJARO/SUNNY MESA COMMUNITY SERVICES DISTRICT (hereafter “Agency”).

Individuals holding designated positions shall file their statement of economic interests with the BOARD OF SUPERVISORS OF THE COUNTY OF MONTEREY, which will make the statements available for public inspection and reproduction pursuant to Government Code section 81008. Upon receipt of the statements for Board of Directors and General Manager the Agency shall make and retain copies and forward the original of the statements to the code reviewing body. Statements for all other designated positions shall be retained by the Agency.

Attachments: Appendix A: Designated Positions
Appendix B: Disclosure Categories

Adopted: April 27, 2023
Amended: NA

APPENDIX A: DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Assigned Disclosure Class</u>
Board of Directors	A-1 and A-2, B, C, D, E
General Manager	A-1 and A-2, B, C, D, E
General Counsel	A-1 and A-2, B, C, D, E
Manager of Operations	A-1 and A-2, B, C, D, E
Consultants ¹	A-1 and A-2, B, C, D, E

APPENDIX B: DISCLOSURE CATEGORIES

¹ § 18700.3. Consultant, Public Official Who Manages Public Investments: Definitions.

- (a) For purposes of Sections 82019 and 82048, "consultant" means an individual who, pursuant to a contract with a state or local government agency:
- (1) Makes a governmental decision whether to:
 - (A) Approve a rate, rule, or regulation;
 - (B) Adopt or enforce a law;
 - (C) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
 - (D) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
 - (E) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;
 - (F) Grant agency approval to a plan, design, report, study, or similar item;
 - (G) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or
 - (2) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in Regulation 18704(a) and (b) or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code under Section 87302.
- (b) For purposes of Section 87200, the following definitions apply:
- (1) "Other public officials who manage public investments" means:
 - (A) Members of boards and commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;
 - (B) High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and

- (C) Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions that would otherwise be performed by the public officials described in subdivision (b)(1)(B).
- (c) "Public investments" means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.
- (d) "Public moneys" means all moneys belonging to, received by, or held by, the state, or any city, county, town, district, or public agency therein, or by an officer thereof acting in the officer's official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement systems, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a party.
- (e) "Management of public investments" means the following non-ministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.

General Provisions Applicable to All Categories

All persons identified herein shall file a "Statement of Economic Interests" (FPPC Form 700) for each Disclosure Category being all of:

- Schedule A-1-Investments; Stocks, Bonds and Other Interests
- Schedule A-2-Investments, Income, and Assets of Business Entities/Trusts
- Schedule B-Interests in Real Property
- Schedule C-Income, Loans, and Business Positions
- Schedule D-Income-Gifts
- Schedule E-Income-Gifts: Travel Payments, Advances, and Reimbursements

The economic interest to be disclosed for each disclosure category shall: (1) being or doing business within the geographical jurisdiction or service area of the District; and/or (2) is such a kind of economic interest which the employee foreseeably can affect in a material way through the conduct or operation of such employee's office with the District.

Category 1

A designated position in this category must report all investments, business positions, interests in real property, and sources of income, including gifts, loans, and travel payments.