

Attachment B -
Conflict of Interest Codes -
Updated Versions

Conflict of Interest Code:

Agriculture/Weights & Measures

Agriculture, Weights and Measures
County's Conflict of Interest Code Appendix
 Date Amended: October 14, 2024

County of San Diego Departments	Designated Positions	Disclosure Categories
Agriculture, Weights, and Measures (AWM)	1) Agricultural Commissioner/Sealer of Weights and Measures 2) Assistant Director/Assistant Agricultural Commissioner/Sealer of Weights and Measures 3) Deputy Director – Agriculture, Weights and Measures 4) Deputy Agricultural Commissioner 5) Deputy Sealer 6) Chief, Departmental Operations	All All All All All All
	Consultants	All Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation: The Agricultural Commissioner may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are 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 duties and, based on that description, a statement of the extent of disclosure statements. The Agricultural Commissioner'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. Disclosure for designated employees pursuant to Schedule E, Gifts, shall be limited to gifts with a value of \$50 or more received from persons doing business with the San Diego County

		– Agriculture, Weights and Measures.
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Conflict of Interest Code:

Bonsall Unified School District

**Conflict of Interest Code of
the Bonsall Unified School
District**

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, shall constitute the conflict of interest code of the District and are hereby incorporated by reference.

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). Upon receipt of the statements for the persons designated as a Category 1 filer, the District shall make and retain copies and forward the originals (by mail or e-disclosure) to the District's code reviewing body (Clerk of the Board of Supervisors, County of San Diego). All other statements will be retained by the District.

APPENDIX

Disclosure Categories

1. Category 1: A person designated Category 1 shall disclose:
 - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
 - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.
2. Category 2: A person designated Category 2 shall disclose:
 - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
 - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type

used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

3. Full Disclosure: Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:

a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.

b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

Designated Positions

Designated Positions	Disclosure Category
Governing Board Members	1
Superintendent of Schools	1
Executive Director, Business and Administrative Services	2
Executive Director, Human Resources and Student Services	2
Executive Director, Educational Services	2
Director, Special Education	2
Director, Purchasing/Risk Management	2

Disclosures for Consultants

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18701)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law

3. Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18701)

BONSALL UNIFIED SCHOOL DISTRICT
October 16, 2024

Bonsall USD

Exhibit

Conflict Of Interest

E 9270
Board Bylaws

RESOLUTION NO. 24-10-02

RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code 81000 et seq. requires state and local government agencies in California to adopt and promulgate conflict of interest codes; and

WHEREAS, the Governing Board of the Bonsall Unified School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the districts conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Bonsall Unified School District has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Bonsall Unified School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS 16th day of October, 2024 at a regular meeting, by the following vote:

Ayes: 5 Noes: 0 Absent: 0

Attest:


Board Clerk


Board President

Conflict of Interest Code of the Bonsall Unified School District

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, shall constitute the conflict of interest code of the District and are hereby incorporated by reference.

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). Upon receipt of the statements for the persons designated as a Category 1 filer, the District shall make and retain copies and forward the originals (by mail or e-disclosure) to the District's code reviewing body (Clerk of the Board of Supervisors, County of San Diego). All other statements will be retained by the District.

APPENDIX

Disclosure Categories

1. **Category 1: A person designated Category 1 shall disclose:**
 - a. **Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.**
 - b. **Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.**
2. **Category 2: A person designated Category 2 shall disclose:**
 - a. **Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.**
 - b. **Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type**

used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

3. Full Disclosure: Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:

a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.

b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

Designated Positions

Designated Positions	Disclosure Category
Governing Board Members	1
Superintendent of Schools	1
Executive Director, Business and Administrative Services	2
Executive Director, Human Resources and Student Services	2
Executive Director, Educational Services	2
Director, Special Education	2
Director, Purchasing/Risk Management	2

Disclosures for Consultants

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18701)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law

3. Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18701)

BONSALL UNIFIED SCHOOL DISTRICT
October 16, 2024

Conflict of Interest Code:

Chief Administrative Office (CAO)

CHIEF ADMINISTRATIVE OFFICE (A6)
1600 Pacific Highway
San Diego, CA 92101

Designated Positions	Reportable Economic Category Numbers
Chief Administrative Officer (CAO)	1, 2, 3
Assistant Chief Administrative Officer (ACAO)	1, 2, 3
Director, Office of Ethics, Compliance and Labor Standards (OECLS)	1, 2, 3
Director, Office of Equity & Racial Justice (OERJ)	1, 2, 3
Deputy Director, Office of Labor Standards and Enforcement	1, 2, 3
Deputy Director, Office of Equity & Racial Justice (OERJ)	1, 2, 3
CAO Director of Policy	1, 2, 3
CAO Chief of Staff	1, 2, 3
CAO Project Manager	1, 2, 3
CAO Staff Officer	1, 2, 3
Chief Evaluation Officer (OEPA)	1, 2, 3
Chief Ethics/Compliance Officer - Ethics	1, 2, 3
Chief Ethics/Compliance Officer - Compliance	1, 2, 3
Chief Ethics/Compliance Officer - Privacy	1, 2, 3
Chief Data Officer	1, 2, 3
Chief Binational Affairs Officer	1, 2, 3
Group Program Manager	1, 2, 3

Conflict of Interest Code:

Clean Energy Alliance

**CONFLICT OF INTEREST CODE OF THE
CLEAN ENERGY ALLIANCE**

**Incorporation of FPPC Regulation 18730
(2 California Code of Regulations, Section 18730) by Reference**

The Political Reform Act (Government Code § 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 Cal. Code Regs § 18730) that contains the terms of a standard conflict of code which can be incorporated by reference in an agency's code. After public notice and hearing, Section 18730 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 incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Clean Energy Alliance ("CEA").

All Officials and Designated Positions required to submit a statement of economic interests shall file their statements with the Secretary, as CEA's Filing Officer. CEA's Filing Officer shall retain the originals of the statements of all Officials and Designated Positions and shall make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

**APPENDIX
CONFLICT OF INTEREST CODE of the
Clean Energy Alliance
Amended on September 26, 2024**

PART A

**DESIGNATED POSITIONS
GOVERNED BY THE CONFLICT OF INTEREST CODE**

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
Assistant General Counsel	1, 2, 3
Board of Directors	1, 2, 3
Board of Directors (Alternates)	1, 2, 3
Board Secretary/Administrative Assistant	1, 2, 3
Chief Executive Officer	1, 2, 3
General Counsel	1, 2, 3
Key Accounts/Program Manager	1, 2, 3
Members of Community Advisory Committee	1, 2, 3
Power Procurement Manager	1, 2, 3
Regulatory Analyst	1, 2, 3
Treasurer	1, 2, 3
Consultants and New Positions ¹	4

¹ Individuals providing services as a Consultant defined in Regulation 187300.3(a)(2), or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitations:

The Chief Executive Officer or his or her designee 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 not required to fully comply with disclosure requirements in this section. Such written determination shall include a

CLEAN ENERGY ALLIANCE
CONFLICT OF INTEREST CODE

PART B

DISCLOSURE CATEGORIES

Officials and designated positions must report financial interests in accordance with the assigned disclosure categories.

CATEGORY 1:

Persons in this category shall disclose all interests in real property within the jurisdiction of CEA. Real property shall be deemed to be within the jurisdiction if the property or any part of it is located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by CEA.

Persons are not required to disclose a residence, such as a home or vacation cabin, used exclusively as a personal residence; however, a residence in which a person rents out a room or for which a person claims a business deduction may be reportable.

CATEGORY 2:

Persons in this category shall disclose all income (including gifts, loans and travel payments) from sources that contract with CEA, or that provide, plan to provide, or have provided during the previous two years, facilities, goods, commodities, technology, equipment, vehicles, machinery, or services, including training or consulting services of the type utilized by CEA.

CATEGORY 3:

Persons in this category shall disclose all business positions and investments in business entities that contract with CEA or that provide, plan to provide, or have provided during the previous two years, facilities, goods, commodities, technology, equipment, vehicles, machinery, or services, including training or consulting services of the type utilized by CEA.

CATEGORY 4:

Individuals who perform under contract the duties of any designated position shall be required

description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer or his or her designee'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 Section 81008.)

to file Statements of Economic Interests disclosing reportable interests in the categories assigned to that designated position.

In addition, individuals who, under contract, participate in decisions which affect financial interests by providing information, advice, recommendation, or counsel to CEA which could affect their financial interests shall be required to file Statements of Economic Interests, unless they fall within the Political Reform Act's exceptions to the definition of consultant. The level of disclosure shall be determined by the Chief Executive Officer or his or her designee. (See footnote in Part A for clarification.)

Conflict of Interest Code:

County Counsel

County of San Diego Departments	Designated Positions	Disclosure Categories
County Counsel	<p>Assistant County Counsel Chief Deputy County Counsel Asst. Chief Deputy County Counsel Senior Deputy County Counsel Deputy County Counsel Chief, Departmental Administrative Services Claims & Investigator Supervisor Senior Litigation Investigator Litigation Investigator Claims Representative I or II Confidential Senior Paralegal Confidential Paralegal</p> <p>Consultants</p> <p>Official disclosing pursuant to Government Code section 87200: County Counsel</p>	<p>A1, A2, B, C, D, E A1, A2, B, C, D, E A1, A2, B, C, D, E A1, A2, B, C, D, E A1, A2, B, C, D, E A1, A2, B, C, D, E A1, A2, B, C, D, E A1, A2, B, C, D, E A1, A2, B, C, D, E A1, A2, B, C, D, E A1, A2, B, C, D, E A1, A2, B, C, D, E A1, A2, B, C, D, E</p> <p>Consultants are included in the list of designated employees and are required to disclose pursuant to the broadest category in the code, subject to the following limitation: The County Counsel may determine, in writing, that a particular consultant, although a "designated position," is hired to perform a range of duties that are 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 duties and, based upon that description, a statement of the extent of the disclosure requirements. The County Counsel'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.</p> <p>A1, A2, B, C, D, E</p>

Conflict of Interest Code:

**DCAO - Finance & General
Government Group**

Conflict of Interest Code:

**DCAO - Health & Human Services
Agency**

County of San Diego Departments	Designated Positions	Discloser Categories
	<p>Category 1:</p> <p>Full Disclosure - All interests in real property in the state of California. As well as investments, business positions and sources of income, including gifts, loans, and travel payments.</p> <p>Category 2:</p> <p>Partial Disclosure - All investments, business positions and income, including gifts, loans and travel payments, or income from a nonprofit organization, if the source is the type to receive grants or other monies from or through the Health and Human Services Agency.</p>	

County of San Diego Departments	Designated Positions	Disclosure Categories
Health & Human Services Agency	Administrative Analyst II	2 - Partial Disclosure
	Administrative Analyst II - <i>in Dept of Agency Contract Support</i>	1 - Full Disclosure
	Administrative Analyst III	1 - Full Disclosure
	Agency Program & Ops Manager	2 - Partial Disclosure
	Aging Program Spec II – only assigned to Public Admin/Pubic Guardian	1 - Full Disclosure
	Aging Program Spec III - only assigned to Public Admin/Pubic Guardian	1 - Full Disclosure
	Asst Chief Nursing Officer	1 - Full Disclosure
	Asst Dir of Nursing	1 - Full Disclosure
	Asst Dir, Departmental Ops	1 - Full Disclosure
	Asst Group Finance Director	1 - Full Disclosure
	Asst Medical Services Admin	1 - Full Disclosure
	Asst Public Health Lab Dir	1 - Full Disclosure
	Behavioral Hlth Program Coord	1 - Full Disclosure
	Behavioral Hlth Program Mgr	2 - Partial Disclosure
	CAO Group Analyst	2 - Partial Disclosure
	Capital Project Coordinator	1 - Full Disclosure
	Chief Information Officer	1 - Full Disclosure
	Chief Medical Officer	1 - Full Disclosure
	Chief Nursing Officer	1 - Full Disclosure
	Chief Operations Officer, HHSA	1 - Full Disclosure
	Chief, Agency Operations	2 - Partial Disclosure
	Chief, Agency Operations - <i>in Dept of Agency Contract Support</i>	1 - Full Disclosure
	Chief, Child & Adolescent Svcs	2 - Partial Disclosure
	Chief, Departmental Operations	1 - Full Disclosure
	Chief, Dietetic Services	2 - Partial Disclosure
	Chief, Occup/Phy Therapy Svcs	2 - Partial Disclosure
	Chief, Office of AIDS Coord	2 - Partial Disclosure
	Child & Fam Well-Being PlcyAnlst	2 - Partial Disclosure
	Clinic Dir, Behavioral Hth Svc	1 - Full Disclosure
	Coord, Child Hlth & Disab Prev	2 - Partial Disclosure
	Coord, Emergency Medical Svcs	2 - Partial Disclosure
	DCAO/Dir, Hlth & Hmn Svcs Agcy	1 - Full Disclosure
	Dep Dir, Departmental Ops	1 - Full Disclosure
	Dep Dir, Inpat/Resid Care Fac	1 - Full Disclosure
	Dep Public Health Officer	1 - Full Disclosure
	Departmental Budget Manager	2 - Partial Disclosure
	Dir of Nursing	1 - Full Disclosure
	Dir, Agency Operations	1 - Full Disclosure
	Dir, AIS & Pub Adm/Pub Guard	1 - Full Disclosure
	Dir, Behavioral Health Service	1 - Full Disclosure
Dir, Child & Family Well-Being	1 - Full Disclosure	
Dir, Departmental Operations	1 - Full Disclosure	
Dir, Housing & Community Dev	1 - Full Disclosure	
Dir, Off of Immgt & Refge Affr	1 - Full Disclosure	
Dir, Regional Operations	1 - Full Disclosure	
Estate Property Manager	1 - Full Disclosure	

County of San Diego Departments	Designated Positions	Disclosure Categories
Health & Human Services Agency	Exec Dir, First 5 Commission	1 - Full Disclosure
	Exec Finance Director	1 - Full Disclosure
	Facilities Analyst	1 - Full Disclosure
	Group Communications Officer	2 - Partial Disclosure
	Group Finance Director	1 - Full Disclosure
	Group Human Resources Director	1 - Full Disclosure
	Group Information Tech Mgr	1 - Full Disclosure
	Group Program Manager	2 - Partial Disclosure
	Health Info Mgmt Svcs Admin	2 - Partial Disclosure
	Health Planning & Prog Spec	1 - Full Disclosure
	Health Svcs Program Coord	2 - Partial Disclosure
	HHSA Contract Auditor	1 - Full Disclosure
	Human Resources Manager	2 - Partial Disclosure
	Human Services Program Mgr	2 - Partial Disclosure
	Information Technology Princpl	2 - Partial Disclosure
	Manager, Health Info Mgmt Svcs	2 - Partial Disclosure
	Medical Claims Manager	2 - Partial Disclosure
	Medical Director	1 - Full Disclosure
	Military & Veterans Affrs Off	1 - Full Disclosure
	Pharmacy Manager	1 - Full Disclosure
	Principal Accountant	1 - Full Disclosure
	Principal Admin Analyst	1 - Full Disclosure
	Principal Data & Rsrch Analyst	2 - Partial Disclosure
	Privacy Officer	2 - Partial Disclosure
	Program Coordinator	2 - Partial Disclosure
	Protective Services Prog Mgr	2 - Partial Disclosure
	Public Health Medical Officer	2 - Partial Disclosure
	Public Health Nurse Manager	1 - Full Disclosure
	Public Health Officer	1 - Full Disclosure
	Revenue & Budget Mgr, HHSA	1 - Full Disclosure
	Sr Accountant	1 - Full Disclosure
	Sr Data and Research Analyst	2 - Partial Disclosure
	Sr Facilities Analyst	1 - Full Disclosure
Sr. HHSA Contract Auditor	1 - Full Disclosure	
Supv Psychiatrist	2 - Partial Disclosure	
<p>Consultants:</p> <p>Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in this Code, subject to the following limitation:</p> <p>The Director, Health & Human Services Agency may determine, in writing, that a particular consultant, although a “designated position” is hired to perform a range of duties that are not 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 duties and based on the description, a statement of the extent of disclosure requirements. The Director’s determination is a public record and shall be retained for public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.</p>		

County of San Diego Departments	Designated Positions	Disclosure Categories
<p>Health & Human Services Agency</p>	<p>Disclosure Categories:</p>	
	<p>Category 1 – Full Disclosure</p> <p>All interest in real property in the State of California, as well as investments, business positions and sources of income, including gifts, loans and travel payments, or income from a nonprofit organization (grants), or other monies from or through the Health and Human Services Agency.</p> <p>Category 2 – Partial Disclosure</p> <p>All investments, business positions and sources of income, including gifts, loans and travel payments, or income from a nonprofit organization, if the source is the type to receive grants or other monies from or through the Health and Human Services Agency.</p>	

Conflict of Interest Code:

**DCAO - Land Use & Environment
Group**

County of San Diego Departments	Designated Positions	Disclosure Categories
<p>Land Use & Environment Group</p> <p>Including the Office of Sustainability and Environmental Justice</p>	<p>Deputy Chief Administrative Officer Chief Operations Officer LUEG Program Manager Chief Sustainability Officer Group Finance Director CAO Group Analyst Group Human Resources Director Group Information Technology Manager Group Program Manager Group Communications Officer Consultant</p>	<p>All All All All All All 1,2,3 All All All All Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation: The Deputy Chief Administrative Officer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with disclosure requirements described in this Section. Such written determination shall include a description of consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Deputy Chief Administrative Officer's determination is a public record and shall be retained for public inspection in the same manner and location as the Conflict of Interest</p>

COSD CLERK OF THE BOARD
2024 SEP 26 PM4:18

Conflict of Interest Code:

DCAO - Public Safety Group

Conflict of Interest Code:

**Deer Springs Protection
District**

APPENDIX "A"

DESIGNATED POSITIONS

<u>Title</u>	<u>Disclosure Category</u>
Directors.....	1
District Administrator	1
Clerk of the Board.....	2
Legal Counsel (Consultant)	1

APPENDIX "B"

DISCLOSURE CATEGORIES OF REPORTABLE ECONOMIC INTERESTS

1. FULL DISCLOSURE

What to report: All investments and business positions in business entities, sources of income including gifts, loans, travel payments, and interests in real property located within or doing business within the District.

What Form 700 schedules to file: All schedules (A through E)

2. DISTRICT-RELATED INCOME

What to report: All investments and business positions in business entities and sources of income including gifts, loans, and travel payments if the source is of a type which provides, manufactures, or supplies services, supplies, materials, machinery, or equipment of the type utilized by or subject to the review and approval of the District.

What Form 700 schedules to file: A, C, D, E

3. DISTRICT-RELATED INCOME, REAL PROPERTY

What to report: All investments and business positions in business entities and sources of income including gifts, loans, and travel payments if the source is of a type which provides, manufactures, or supplies services, supplies, materials, machinery, or equipment of the type utilized by or subject to the review or approval of the District and all interests in real property within the District.

What Form 700 schedules to file: All schedules (A through E)

FORM 700 SCHEDULES – DESCRIPTION

- Schedule A-1: Investments Stocks, Bonds, and Other Interests (Ownership Interest is Less than 10%)
- Schedule A-2: Investments Income and Assets of Business Entities/Trusts (Ownership Interest is 10% or Greater)
- Schedule B: Interests in Real Property (Including Rental Income)
- Schedule C: Income, Loans and Business Positions (Other than Gifts and Travel Payments)
- Schedule D: Income – Gifts
- Schedule E: Travel Payments, Advances and Reimbursements



RESOLUTION 24-05

COSD CLERK OF THE BOARD
2024 OCT 14 PM 1:55

**RESOLUTION OF THE DEER SPRINGS FIRE PROTECTION DISTRICT
TO ADOPT THE REVISED CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act, Government Code §81000, et seq., requires state and local government agencies, including special districts, to adopt and promulgate Conflict of Interest Codes; and

WHEREAS, the Deer Springs Fire Protection District adopted a revised Agency Conflict of Interest Code as required in 2016; and

WHEREAS, pursuant to Government Code §87306.5 the local agency which has adopted a Conflict of Interest Code is required to review said Code every two years, and if a change is necessitated by changed circumstances, submit an amended Conflict of Interest Code to the Code Review Body; and

WHEREAS, the County of San Diego Board of Supervisors has the authority and responsibility to act as the Code Review Body for local agencies within their jurisdiction; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations §18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code; and

WHEREAS, 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; and

WHEREAS, a change in the Code is necessitated by changes in job titles, classification, or duties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Deer Springs Fire Protection District:

1. That the terms of 2 California Code of Regulations §18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference; and
2. That this regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Deer Springs Fire Protection District; and
3. That individuals holding designated positions shall file their statements of economic interests with the County of San Diego, which will make the statements available for public inspection and reproduction (Government Code §81008). All statements will be retained by the County of San Diego.

BE IT FURTHER RESOLVED, that this Resolution supersedes any prior Conflict of Interest Codes of the Deer Springs Fire Protection District.

BE IT FURTHER RESOLVED, that following ratification and approval, this Resolution shall be transmitted to the County of San Diego Board of Supervisors for review.

Passed and Adopted by the Board of Directors of the Deer Springs Fire Protection District, County of San Diego, State of California, on this 9th day of October, 2024, by the following vote:

AYES:

NAYS:

ABSENT:

Approved: 

Bret A. Sealey
President

Attested: 

Steven Kerrin
Secretary/Treasurer

Conflict of Interest Code:

Elevate School

ELEVATE SCHOOL

CONFLICT OF INTEREST CODE

I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., Elevate School, a California nonprofit public benefit corporation, adopts this Conflict of Interest Code (“Code”), which shall apply to all board members, and all other designated employees of Elevate School, and Elevate Elementary, the public charter school it operates (“Charter School”), as required by California Government Code Section 87300.

II. DEFINITION OF TERMS

As applicable to a California public charter school, the definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission, specifically California Code of Regulations Section 18730, and any amendments or modifications to the Act and regulations are incorporated by reference to this Code.

III. DESIGNATED REPORTERS

Board members and employees who hold positions that involve the making or participation in the making, of decisions that may foreseeably have a material effect on any financial interest, shall be “Designated Reporters.” The Designated Reporters are listed in “Exhibit A” attached to this policy and incorporated by reference.

IV. STATEMENT OF ECONOMIC INTERESTS: FILING

Each Designated Reporter shall file a Statement of Economic Interest (“Statement”) at the time and manner prescribed by California Code of Regulations, Title 2, Section 18730, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the employee’s position is assigned in Exhibit A.

An investment, interest in real property or income shall be reportable, if the business entity in which the investment is held, the interest in real property, the business position, or source of income may foreseeably be affected materially by a decision made or participated in by the designated employee by virtue of his or her position. The specific financial disclosure responsibilities assigned to each Designated Reporter are set forth in Exhibit B.

Filing of Annual Statements. All Statements shall be supplied by the Charter School. All Statements shall be filed with the Charter School. The Charter School's filing officer shall make and retain a copy of the Statement and forward the original to the San Diego County Board of Supervisors.

V. DISQUALIFICATION

No Designated Reporter shall make, participate in making, or try to use his/her official position to influence any Charter School decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the Designated Reporter or a member of his or her immediate family.

VI. MANNER OF DISQUALIFICATION

A: Designated Reporters Who are NOT Board Members

When a Designated Reporter who is not a Board member determines that he/she should not make a decision because of a disqualifying interest, he/she should submit a written disclosure of the disqualifying interest to his/her immediate supervisor. The supervisor shall immediately reassign the matter to another employee and shall forward the disclosure notice to the Executive Director, who shall record the employee's disqualification. In the case of a conflict involving the Executive Director, this determination and disclosure shall be made in writing to the Board.

B: Board Member Designated Reporters

The Charter School shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Charter School enter into any contract or transaction with any other corporation, firm, association, or other entity in which one or more of the Charter School's directors are directors and have a material financial interest).

EXHIBIT A

DESIGNATED REPORTERS

Designated Position	Assigned Disclosure Category
Governing Board Members	1, 2, 3
Executive Director	1, 2, 3
Business Coordinator	1, 2, 3
Operations Manager	1, 2, 3
Assistant Director	1, 2, 3
Consultants/New Positions	*

*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 Executive Director 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 in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director'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. (Govt. Code §81008.)

EXHIBIT B

DISCLOSURE CATEGORIES

Category 1

Designated positions assigned to this category must report:

Interests in real property which are located in whole or in part within two (2) miles of any facility utilized by Elevate School, including any leaseholds, beneficial or ownership interest or option to acquire such interest in real property.

Category 2

Designated positions assigned to this category must report:

Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type utilized by Elevate School.

Category 3

Designated positions assigned to this category must report:

Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings of equipment of the type to be utilized by the designated positions department.

4872-6397-5394, v. 4

Conflict of Interest Code:

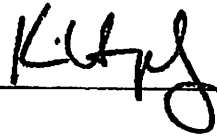
Guajome Park Academy

**GUAJOME PARK ACADEMY
CONFLICT-OF-INTEREST CODE**

The Political Reform Act (Govt. Code § 81000, *et seq.*) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission (FPPC) has adopted a regulation (2 CCR § 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 FPPC to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations § 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This regulation and the attached Exhibits A and B, designating positions and establishing disclosure categories, shall constitute the conflict-of-interest code of Guajome Park Academy, which operates Guajome Park Academy (or "Charter School").

Individuals holding designated positions shall file their Form 700 Statements of Economic Interests with the Charter School, which will make the statements available for public inspection and reproduction. (Govt. Code § 81008.) All statements will be retained by the Charter School.

APPROVED AND ADOPTED by the Board of Directors of Guajome Park Academy on the 3rd day of October 2024.



Guajome Park Academy Superintendent

I, the undersigned, do hereby certify:

1. That I am the Secretary of the Guajome Park Academy Board of Directors; and
2. That the foregoing Conflict-of-Interest Code constitutes the Conflict-of-Interest Code of said school as duly adopted by the school's Board of Directors on August 6, 2020.

Secretary Name Dawn Voss

Secretary Signature Dawn Voss

Guajome Park Academy Board of Directors

EXHIBIT A
DESIGNATED POSITIONS

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Members of the Governing Board	I
Charter School Superintendent	I
Head of School	I
General Counsel	I
Consultants	*

*Consultants are 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 Superintendent may determine in writing that a particular consultant, 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 in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Superintendent'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. (Govt. Code § 81008.)

EXHIBIT B

DISCLOSURE CATEGORIES

Category I

Designated positions assigned to this category must report:

- a. Interests in real property which are located in whole or in part within the boundaries (and a two mile radius) of any county in which the Charter School operates.
- b. Investments in, income, including gifts, loans, and travel payments, from, and business positions in any business entity of the type which engages in, the manufacture, sale, repair, rental or distribution of school supplies, books, materials, school furnishings or equipment utilized by the Charter School, its parents, teachers and students for educational purposes. This includes, but is not limited to, educational supplies, textbooks and items used for extra-curricular courses.
- c. Investments in, income, including gifts, loans, and travel payments, from, sources which are engaged in the performance of work or services of the type to be utilized by the Charter School, its parents, teachers and students for educational purposes. This includes, but is not limited to, student services commonly provided in public schools such as speech therapists and counselors.

Category II

Designated positions assigned to this category must report:

Investments in, income, including gifts, loans, and travel payments, from, and business positions in any business entity of the type which engages in the manufacture, sale, repair, rental or distribution of school supplies, books, materials, school furnishings or equipment to be utilized by the Charter School, its parents, teachers and students for educational purposes. This includes, but is not limited to, educational supplies, textbooks and items used for extra curricular courses.

Category III

Designated positions assigned to this category must report:

Investments in, income, including gifts, loans, and travel payments, from, sources which are engaged in the performance of work or services of the type to be utilized by the Charter School, its parents, teachers and students for educational purposes. This includes, but is not limited to, student services commonly provided in public schools such as speech therapists and counselors.

Conflict of Interest Code:

High Tech High

**HIGH TECH HIGH
AMENDED 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 **HIGH TECH HIGH** ("HTH").

Individuals holding designated positions shall file their statements of economic interests with **HTH**, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) Upon receipt of the statements for the top officials, e.g., Members of the Board, Alternates, and the Executive Director, **HTH** shall make and retain copies and forward the originals to the **SAN DIEGO COUNTY CLERK OF THE BOARD OF SUPERVISORS**. All other statements will be retained by the **HTH**.

APPENDIX A
DESIGNATED POSITIONS

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Members of the Governing Board	1, 2, 3
Athletics and Extracurricular Program Manager	1, 2, 3
Athletics and Wellness Coordinator	1, 2, 3
Benefits Manager	1, 2, 3
Business Manager	1, 2, 3
Business Operations Analyst	1, 2, 3
Chief Executive Officer/President	1, 2, 3
Chief Operations Officer	1, 2, 3
Chief People and Organizational Development Officer	1, 2, 3
Chief Learning Officer	1, 2, 3
Chief Financial Officer/Treasurer	1, 2, 3
Compliance Officer	1, 2, 3
General Counsel	1, 2, 3
Dean	1, 2, 3
Chief of Staff	1, 2, 3
Chief Technology Officer	1, 2, 3
Controller	1, 2, 3
Data Scientist	1, 2, 3
Director, Athletics and Wellness	1, 2, 3
Director of Communications and External Affairs	1, 2, 3
Director, Community Engagement & Admissions	1, 2, 3
Director, Credentialing Operations	1, 2, 3
Director, Data Analytics	1, 2, 3
Director, Emerging Bilingual Learning	1, 2, 3
Director, Facilities	1, 2, 3
Director, Food and Nutrition Services	1, 2, 3
Director, Human Resources	1, 2, 3
Director, District Intern & Induction Programs	1, 2, 3
Director of Instructional Leadership and Development	1, 2, 3
Director of Operations	1, 2, 3
Director of General Education	1, 2, 3
Director, Special Education	1, 2, 3
Director of Teacher Center	1, 2, 3
Director, Teacher Credentialing	1, 2, 3
Executive Assistant to the Officers	1, 2, 3
Executive Director, Human Resources	1, 2, 3

Executive Director, College Advising	1, 2, 3
Executive Director, Special Education	1, 2, 3
Expanded Learning Program Manager	1, 2, 3
Food and Nutrition Services Manager	1, 2, 3
Human Resources Generalist	1, 2, 3
Human Resources Manager	1, 2, 3
Manager, Accounts Payable	1, 2, 3
Production Manager	1, 2, 3
Senior Accountant I	1, 2, 3
Senior Accountant II	1, 2, 3
Senior Director, Facilities	1, 2, 3
Senior Manager, Food & Nutrition Services	1, 2, 3
School Director	1, 2, 3
Student Information Systems Administrator	1, 2, 3
Supervisor, Food and Nutrition Services	1, 2, 3
Consultants	*

***Consultants are 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 Chief Executive Officer may determine in writing that a particular consultant, 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 in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer'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 Section 81008.)

APPENDIX B DISCLOSURE CATEGORIES

Category 1

Designated positions assigned to this category must report:

- a. Interests in real property, which are located in whole or in part within the boundaries (and a two mile radius) of any county in which **HTH** operates.
- b. Investments in, income, including gifts, loans, and travel payments, from, and business positions in any business entity of the type which engages in the acquisition or disposal of real property or are engaged in building construction or design.
- c. Investments in, income, including gifts, loans, and travel payments, from, and business positions in any business entity of the type which engages in, the manufacture, sale, repair, rental or distribution of school supplies, books, materials, school furnishings or equipment to be utilized by **HTH**.

Category 2

Designated positions assigned to this category must report:

Investments in, income, including gifts, loans, and travel payments, from, and business positions in any business entity of the type which engages in the manufacture, sale, repair, rental or distribution of school supplies, books, materials, school furnishings or equipment to be utilized by **HTH**, its parents, teachers and students for educational purposes. This includes, but is not limited to, educational supplies, textbooks and items used for extra curricular courses.

Category 3

Designated positions assigned to this category must report:

Investments in income, including gifts, loans, and travel payments, from sources which are engaged in the performance of work or services of the type to be utilized by **HTH**, its parents, teachers and students for educational purposes. This includes, but is not limited to, student services commonly provided in public schools such as speech therapists and counselors.

Conflict of Interest Code:

**Jamul-Dulzura Union School
District**

Jamul-Dulzura Union School District

Conflict of Interest

E 9270: Board Bylaws

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

APPENDIX

Disclosure Categories

1. Category 1: A person designated Category 1 shall disclose:

a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.

b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.

2. Category 2: A person designated Category 2 shall disclose:

a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.

b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

3. Full Disclosure: Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:

a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.

b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

Designated Positions

Designated Position Disclosure Category

Board of Trustees (Pres., Vice Pres., Clerk, 2-Members) 3

Superintendent of Schools 3

Assistant Superintendent 3

Business Manager/CBO 3

Director -

Food Services Director 2

Director of Information Systems & Educational Technology 2

Director of Maintenance, Operations & Transportation 2

Director of Special Education 2

Disclosures for Consultants

Consultants are designated employees who must disclose financial interests as determined on a case- by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18700.3)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18700.3)

Board Approved: November 15, 2016

Board Revised: October 8, 2024

Last Reviewed: October 8, 2024

Conflict of Interest Code:

Lakeside Water District

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

LAKESIDE WATER DISTRICT

(Amended September 10, 2024)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments as defined by 2 Cal. Code of Regs. 18701 (b), are NOT subject to the District's Code, but are subject to the disclosure requirements of the Political Reform Act. (Government Code Section 87200 et. Seq.). [Regs. 18730 (b)(3)] these positions are listed here for information purposes only.

It has been determined that the positions listed below are officials who manage public investments:

Members of the Board of Directors

General Manager

Treasurer

Investment Consultant

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATERGORIES
ASSIGNED

General Counsel

1,2

District Engineer

2,3,5

Operations Superintendent

2,3,5

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income or real property which the Designated Employee must disclose for each disclosure category to which the or she is assigned.

Category 1: All investments and business positions in, and sources of income from, business entities that do business or own real property within the jurisdiction of the District, plan to do business or own real property within the jurisdiction of the District within the next year, or have done business or owned real property within the jurisdiction of the District within the past two (2) years.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District, plan to engage in such activities within the jurisdiction of the District within the next year, or have engaged in such activities within the jurisdiction within the past two (2) years.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, material, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

Conflict of Interest Code:

**Local Agency Formation Commission
(LAFCO)**

**SAN DIEGO COUNTY
LOCAL AGENCY FORMATION COMMISSION**

COSD CLERK OF THE BOARD
2024 OCT 14 PM 3:32

**ARTICLE VII
CONFLICT OF INTEREST CODE**

On September 14, 1992, pursuant to the provisions of Government Code Section 87306, the San Diego Local Agency Formation Commission (LAFCO) amended its Conflict of Interest Code adopted September 12, 1977 by substituting and incorporating by reference the terms of Fair Political Practices Commission Regulation No. 18730. Said amended Code was approved by the Board of Supervisors, as LAFCO's Code Reviewing Body, on January 5, 1993.

Copies of the Commission's amended Conflict of Interest Code and FPPC Regulation 18730 are attached hereto for reference, and identified as, respectively, Attachment 1 and Attachment 2.

**CONFLICT OF INTEREST CODE
SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION**

The Political Reform Act, Government Code Section 81000 et seq., requires state and local government agencies to adopt and promulgate conflict of interests codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference, and, along with the attached Appendix in which members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the San Diego County Local Agency Formation Commission.

All officials and designated employees shall file statements of economic interests – also known as Form 700 – with the Commission Clerk. Should statements be received in signed paper format the Commission Clerk shall make and retain copies and forward the originals to the Clerk of the Board of Supervisors for the County of San Diego as the LAFCO filing officer. Should statements be filed using the County of San Diego's Form 700 e-filing system both the Commission Clerk and the Clerk of the Board of Supervisors will receive access to the e-filed statements simultaneously. The Commission Clerk will

make all retained statements available for public inspection and reproduction during regular business hours.

Exhibit A:

Designated Positions

Exhibit B:

Disclosure Categories

Adopted September 14, 1992

Administratively Revised and Corrected September 22, 1994

Updated July 31, 1995

Administratively Revised and Corrected March 27, 2000

Comprehensively Updated and re-adopted March 3, 2008

Administratively Revised and Corrected June 15, 2010

Amended: August 3, 2020

EXHIBIT A

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>*Reportable Economic Interest Category Number</u>
A. Officials	
Regular Members of the Commission	1, 2, 3, 4, and 5
Alternate Members of the Commission	1, 2, 3, 4 and 5
B. Management and Other Employees	
Executive Officer	1, 2, 3, 4, and 5
Assistant Executive Officer	, 3, 4, and 5
Chief, Policy Research	3, 4, and 5
Chief, Governmental Services	3, 4, and 5
Local Governmental Analyst III	4 and 5
Local Governmental Analyst II	4 and 5
Local Governmental Analyst I	4 and 5
GIS/IT Analyst	4 and 5
C. General Counsel	
Commission Counsel	1, 2, 3, 4, and 5
Deputy Commission Counsel	1, 2, 3, 4, and 5
D. Consultants	
<p>Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitations:</p> <p>The Executive Officer may determine in writing that a particular consultant, 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 duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Officer'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.</p>	

EXHIBIT B

DISCLOSURE CATEGORIES

Category 1

Designated officials or employees assigned to this category must report:

All investments involving stocks, bonds, and other interest where ownership is less than 10 percent. (Schedule A-1 in Form 700)

All investments, income, and assets of businesses entities and/or trusts where ownership is 10 percent or greater. (Schedule A-2 in Form 700)

Category 2

Designated officials or employees assigned to this category must report:

All interests in real estate – including rental properties – located within San Diego County and any other areas in which the Commission is exercising any of its regulatory or planning duties and powers. (Schedule B in Form 700)

Category 3

Designated officials or employees assigned to this category must report:

All income and associated businesses and business positions that include spouses or domestic partners as well as any personnel loans. (Schedule C in Form 700)

Category 4

Designated officials or employees assigned to this category must report:

All gifts received directly or through intermediaries with a fair market value of \$50 or more. (Schedule D in Form 700).

Category 5

Designated officials or employees assigned to this category must report:

All travel and associated lodging and meals provided free of charge or reimbursed. (Schedule E in Form 700)

APPROVED
SAN DIEGO LAFCO REGULAR MEETING
October 7, 2024

Item 6h

Proposed Update to Conflict of Interest Code

Item presented to consider amendments to its adopted Conflict of Interest Code as part of a biennial review. The proposed amendments are considered minor and involve adding two positions – Commission Clerk and Communications Associate – to the list of LAFCO employees required to file annual statements of economic interest. The proposed amendments are being presented for Commission approval and for subsequent filing with the County of San Diego Board of Supervisors as the code-reviewing body for LAFCO.

**

Commissioner McCann motioned with second from Commissioner MacKenzie to approve the staff recommendation (Alternative One) as presented.

Alternative One (recommended):

- (a) Approve the proposed amendments to the Conflict of Interest Code as presented in Attachment One with any specified changes.
- (b) Direct the Commission Clerk to file the amended Conflict of Interest Code with the County Board Clerk for consideration by the County of San Diego Board of Supervisors by the October 18, 2024 deadline.

Roll call requested:

AYES: Anderson, Becker, Desmond, MacKenzie, Mathis, McCann (voting), Whitburn, and Willis

NOES: None

ABSENT: Vargas, von Wilpert, and White

ABSTAINING: None

The Commission Clerk confirmed the motion was approved 8-0.



San Diego County Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

COSD CLERK OF THE BOARD
2024 OCT 14 PM 3:32

6h

AGENDA REPORT
Consent | Action

October 7, 2024

TO: Commissioners
FROM: Keene Simonds, Executive Officer
Erica Sellen, Commission Clerk
SUBJECT: Proposed Update to Conflict of Interest Code

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider amendments to its adopted Conflict of Interest Code as part of a biennial review. The proposed amendments are considered minor and involve adding two positions – Commission Clerk and Communications Associate – to the list of LAFCO employees required to file annual statements of economic interest. The proposed amendments are being presented for Commission approval and for subsequent filing with the County of San Diego Board of Supervisors as the code-reviewing body for LAFCO.

BACKGROUND

Political Reform Act

California Government Code Section 87300 codifies the Political Reform Act of 1974 and requires State and local government agencies to adopt their own conflict of interest codes and perform biennial reviews to consider amendments as needed. The conflict of interest code prescribes filing requirements for public officials with respect to reporting outside incomes, gifts, and other financial interests. The underlying purpose is to prevent biases – actual and apparent – tied to the financial interests of decision-makers.

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Keene Simonds, Executive Officer
2550 Fifth Avenue, Suite 725
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T 619.321.3380
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Joel Anderson
County of San Diego
Jim Desmond
County of San Diego
Nora Vargas, Alt.
County of San Diego

Kristi Becker
City of Solana Beach
Dane White
City of Escondido
John McCann Alt.
City of Chula Vista

Chair Stephen Whitburn
City of San Diego
Marni von Wilpert, Alt.
City of San Diego

Vice Chair Barry Willis
Alpine Fire Protection
Jo MacKenzie
Vista Irrigation
David Drake, Alt.
Rincon del Diablo

Harry Mathis
General Public
Brigitte Browning, Alt.
General Public

San Diego LAFCO | Adopted Conflict of Interest Code

San Diego LAFCO adopted its Conflict of Interest Code in 1992 with subsequent amendments approved in 1995, 2008, and 2020. The latter set of amendments streamlined the Code and marked by explicitly syncing LAFCO disclosure categories to Form 700 categories.

A copy of the current Code is attached.

DISCUSSION

This item is for San Diego LAFCO to consider amendments to its adopted Conflict of Interest Code as part of the Commission's biennial review. The amendments are limited to addition two positions – Commission Clerk and Communications Associate – to the list of responsible parties needing to file Form 700s. Should the Commission approve the amendments, they would be forwarded to the County of San Diego Board of Supervisors for their approval as the code-reviewing body for LAFCO under statute. The deadline to file proposed amendments with the County is October 18, 2024.

ANALYSIS

The recommended amendments before San Diego LAFCO are minor and add two new positions – Commission Clerk and Communications Associate – to the list of employees subject to the regular (assuming office, leaving office, and annual) Form 700 filings. It is relatedly proposed both positions be subject to the same level of Form 700 filing as the Analyst series to include Categories 4 (gifts) and 5 (travel) only.

RECOMMENDATION

It is recommended San Diego LAFCO approve the proposed amendments to the Conflict of Interest Code based on the preceding analysis. This recommendation is consistent with Alternative One outlined in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO.

Alternative One (recommended):

- (a) Approve the proposed amendments to the Conflict of Interest Code as presented in Attachment One with any specified changes.
- (b) Direct the Commission Clerk to file the amended Conflict of Interest Code with the County Board Clerk for consideration by the County of San Diego Board of Supervisors by the October 18, 2024 deadline.

Alternative Two:

Continue consideration to a future meeting and provide direction to staff concerning additional information or related tasks.

PROCEDURES

This item has been placed on the San Diego LAFCO's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation unless otherwise specified by the Commission.

On behalf of the Executive Officer,



Erica Sellen
Commission Clerk

Attachments:

- 1) Existing Conflict of Interest Code
- 2) Review Notice by County of San Diego

Conflict of Interest Code:

**Metro Wastewater Joint
Powers Authority**

2024 Local Agency Biennial Notice

COSD CLERK OF THE BOARD
2024 NOV 8 PM 12:29

Name of Agency: METRO WASTEWATER JOINT POWERS AUTHORITY
Mailing Address: P.O. BOX 1072
Contact Person: LORI PEOPLES Phone No. 619.548.2934
Email: LORIMETROJPA@GMAIL.COM Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Lori Anne Peoples Digitally signed by Lori Anne Peoples
Date: 2024.11.07 16:03:27 -08'00'
Signature of Designated Officer

11/07/2024
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2024**, via email to:

Form700@sdcountry.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

RESOLUTION NO. 2024-01A

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
METRO WASTEWATER JOINT POWERS AUTHORITY
ADOPTING AN AMENDED CONFLICT OF INTEREST CODE
PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 *et seq.* (the "**Act**"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Metro Wastewater JPA (the "**JPA**") and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the "**Code**") which was amended on December 2, 2004, in compliance with the Act; and

WHEREAS, the Board of Directors adopted an amendment of the Code on September 1, 2016, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the JPA, namely the creation of new positions and the adoption of a new organizational chart, have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the JPA's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the JPA being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Code was provided each affected designated employee and publicly posted for review; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Directors on August 1, 2024, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED BY THE METRO WASTEWATER JPA AS FOLLOWS:

Section 1. The Metro Wastewater JPA does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto as **Attachment A** in proposed final and strikeout/underline format, and shall be on file with the Board Secretary and available to the public for inspection and copying during regular business hours;

Section 2. That the said amended Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Code shall become effective immediately upon approval by the Board of Supervisors, as submitted.

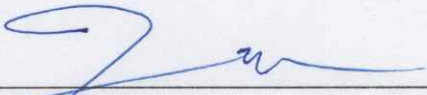
PASSED, APPROVED AND ADOPTED this 1st day of August 2024, by the following vote, to wit:

AYES: Preciado, Duncan, Kendrick, McKay, Baber, Jones, Yamane, Robak, Swanson, De Hoff

NOES: None

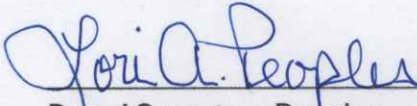
ABSENT: Worden, Anderson

ABSTAIN: None



Chair Jones
Metro Wastewater JPA

ATTEST:



Board Secretary Peoples
Metro Wastewater JPA

ATTACHMENT A

CONFLICT OF INTEREST CODE OF THE METRO

WASTEWATER JPA

(Amended August 1, 2024)¹

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Metro Wastewater JPA Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3(b), are NOT subject to the JPA's Code, but must file disclosure statements under Government Code Section 87200 *et seq.* [Regs. § 18730(b)(3)]

It has been determined that the positions listed below are officials who manage public investments. These positions are listed here for informational purposes only²:

Members of the Board of Directors and their Alternates

Executive Director

Treasurer

Engineering Consultant

Financial Consultant

General Counsel

Consultants and New Positions

¹ This amendment to update organizational changes and new positions, as provided by the Fair Political Practice Commission, was approved by the Board of Directors on August 1, 2024.

² Individuals 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 § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Executive Director	1 through 6
Treasurer	1, 4, 5, 6
Engineering Consultant	1 through 6
Financial Consultant	1 through 6
Board Members and Alternates	1 through 6
General Counsel	1 through 6
Consultants and New Positions ³	

³ Individuals serving as a consultant as defined in FPPC Reg. 18700.3(a) or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure category in this Code subject to the following limitation:

The Board of Directors may determine in writing that due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734). The Board of Directors' 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).

PART “B”

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests which the designated position must disclose for each disclosure category to which he or she is assigned.⁴ “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the JPA.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the JPA.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the JPA.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments from, business entities that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the JPA.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments from, business entities that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position’s department, unit or division.

⁴ This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

Conflict of Interest Code:

National School District

Bylaw 9270: Conflict Of Interest

Status: ADOPTED

Original Adopted Date: 12/08/2010 | Last Revised Date: 08/14/2024 | Last Reviewed Date: 08/14/2024

The Governing Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by the Board member's, district employee's, or other designated persons financial, family, or other personal interest or consideration.

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect the Board member's relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which the Board member's relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

The Board shall adopt for the district a conflict of interest code that incorporates the provisions of 2 CCR 18730 by reference, specifies the district's designated positions, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment. (Government Code 87302, 87302.6)

Conflict of Interest under the Political Reform Act

A district official, including a Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use an official position to influence a governmental decision in which the district official knows or has reason to know that there is a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the district official, the district official's immediate family, or any financial interest described in 2 CCR 18700. (Government Code 87100, 87101, 87103; 2 CCR 18700-18707)

A district official makes a governmental decision when, within the authority of the office or position, the district official authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before another district official for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.

However, a district official shall participate in the making of a contract in which the district official has a financial interest if such participation is required by the rule of necessity or legally required participation pursuant to Government Code 87101 and 2 CCR 18705.

Conflict of Interest from Campaign Contributions

To avoid improper influence over the Board's decision-making involving the issuance of a license, permit, or other entitlements for use, including a contract, district officers, which includes Board members or agency heads, shall comply with Government Code 84308, including the following: (Government Code 84308)

1. A district officer is prohibited from accepting, soliciting, or directing a contribution of more than \$250 from any party or participant to a proceeding involving a license, permit, or other entitlement for use, including a contract, or from that person's agent, while the proceeding is pending before the Board and for 12 months following the date a final decision is rendered in the proceeding, if the Board member knows or has reason to know that the party or participant has a financial interest in the Board's decision.
2. Any district officer who received a contribution of more than \$250 from a party or participant in the preceding 12 months shall disclose that fact on the record of the proceeding prior to the Board rendering a decision in the proceeding. If the district officer willfully or knowingly received the contribution and knows or has reason to know that the participant has a financial interest in the Board's decision, the district officer shall not make, participate in making, or in any way attempt to use the official position to influence the Board's decision.
3. A district officer who receives a contribution that would otherwise require disqualification as described in Item #2 above may participate in the proceeding if the contribution is returned within 30 days from the time the district officer knows or should have known about the contribution and the proceeding.
4. A district officer who unknowingly accepts, solicits, or directs a contribution of more than \$250 during the 12 months after the date of the Board's final decision on the proceeding may cure the violation by returning the contribution, or the portion exceeding \$250, within 14 days of accepting, soliciting, or directing the contribution, provided the district officer did not knowingly or willfully accept, solicit, or direct the prohibited contribution. The district officer shall maintain records of curing the violation.

The provisions in Government Code 84308 as specified above do not apply to labor contracts, competitively bid contracts, and personal employment contracts. (Government Code 84308)

Additional Requirements for Boards that Manage Public Investments

Any Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18707)

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
2. Not discuss or vote on the matter, or otherwise act in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. The Board member may listen to the public discussion and deliberations of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

If the item is on the consent calendar, the Board member shall either make a motion to remove the item from the consent calendar or the Board member shall abstain from voting on the consent calendar. In any event, the Board member shall refrain from discussing or voting on the item. However, the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose the interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that the recusal is because of a

conflict of interest pursuant to Government Code 87100. The Board member shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.

Conflict of Interest under Government Code 1090 - Financial Interest in a Contract

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest in a contract made by the Board, the contract is void. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract in which there is only a "remote interest," as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into the contract. (Government Code 1091)

Because this area of law is complex, it is strongly recommended that CSBA's District and County Office of Education Legal Services or district legal counsel be consulted if a Board member's spouse is an employee of the district or when analyzing whether an interest is a noninterest or remote interest.

In addition, a Board member shall not be considered to be financially interested in a contract in which the interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for actual and necessary expenses incurred in the performance of official duties, in the employment of a spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other applicable circumstance specified in Government Code 1091.5.

Common Law Doctrine Against Conflict of Interest

A Board member shall abstain from any official action in which the Board member's private or personal interest may conflict with official duties.

Incompatible Offices and Activities

Pursuant to Education Code 35107, an employee of a school district may not be sworn into office as an elected or appointed member of that district's Board unless the Board member resigns as an employee. If the employee does not resign, the employment automatically terminates when is sworn into office. See BB 9220 - Governing Board Elections.

The determination as to whether an activity or office is incompatible is complex and requires a case-by-case analysis of the particular activities or duties of the office; therefore, it is recommended that CSBA's District and County Office of Education Legal Services or district legal counsel be consulted as appropriate.

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (Government Code 1099, 1126)

Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

In addition, the limitation on gifts does not apply to informational materials such as books, reports, pamphlets, calendars, and periodicals. (Government Code 82028)

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation, except when: (Government Code 89506)

1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the

- day immediately following the speech and the travel is within the United States.
2. The travel is provided by a person or agency specified in Government Code 89506, including a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

Gifts of travel exempted from the gift limitation, as described in Items #1 and 2 above, shall nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession, unless the sole or predominant activity of the business, trade, or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

The provisions of 2 CCR [18730](#) and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. Upon receipt of these statements, the agency shall make and retain a copy and forward the original of these statements to the Clerk of the Board of Supervisors. The original statements for all other designated employees will be retained by the agency. The district's filling officer shall make the statements available for public review and inspection.

APPENDIX

Disclosure Categories

1. Category 1: A person designated Category 1 shall disclose
 - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
 - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.
2. Category 2: A person designated Category 2 shall disclose:
 - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
 - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.
3. Full Disclosure: Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in

accordance with Government Code [87200](#):

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
 - b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.
- Designated Positions

Designated Position Disclosure Category

Designated Position	Disclosure Category
Governing Board Members	1, 2
Superintendent	1, 2
Assistant Superintendent	1, 2
Directors	1, 2
Purchasing Supervisor	1, 2
Coordinators	2
Principals	2
Supervisors	2

Disclosures for Consultants

Consultants are designated employees who must disclose financial interests as determined on a case-by- case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR [18700.3](#))

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR [18704](#), subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR [18700.3](#))

Conflict of Interest Code:

North County Transit District

Board Policy No. 8 Conflict of Interest Code

Summary

This policy establishes the NCTD Conflict of Interest Code pursuant to the Political Reform Act (Government Code § 81000, et seq.).

Purpose

The Political Reform Act (Government Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission ("FPPC") has adopted 2 Cal. Code of Regulations (hereinafter, "Regulation") § 18730 which 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, Regulation 18730 may be amended by the FPPC to conform to amendments in the Political Reform Act. Therefore, the terms of Regulation 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the North County Transit District (the "District").

Government Code § 87306.5, also requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or if the code must be amended. Once the determinations have been made, a notice must be submitted to the code reviewing body per the biennial review.

All officials set forth in Government Code § 87200 and designated positions shall file their statements of economic interest with the Chief People Officer as the District's Filing Officer. The Human Resources Manager shall make and retain a copy of all statements filed by Members of the Board, the Executive Director and all other designated positions and will forward the originals of such statements to the Clerk of the County of San Diego Board of Supervisors. The Human Resources Manager shall retain copies of the statements and will make all retained statements and electronic filings available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

Officials Who Manage Public Investments

District officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3(b), are not subject to the District's Code, but must file disclosure statements under Government Code § 87200, et seq. (Regs. 18730(b)(3)) These positions are listed here for informational purposes only.

Board Policy No. 8 – Conflict of Interest Code

It has been determined that the positions listed below are officials who manage public investments (Note: Individuals holding one of the below-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by 87200):

Board Members and Alternates
Chief Executive Officer
Chief Financial Officer
Financial Consultants

Disclosure Requirements

- A. Public Officials and employees holding positions designated in this Conflict of Interest Code are required to file the initial, annual, and leaving office statement of economic interest for the types of interests in the categories set forth in the applicable Disclosure Categories. It has been determined that these persons make or participate in making decisions, which foreseeably may have a material effect on such financial interests.
- B. Where the Disclosure Category requires disclosure of interests in real property, the designated employee is only required to disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the District.
- C. Where the Disclosure Category requires disclosure of investments or sources of income, the designated employee is only required to disclose investments in business entities and sources of income that do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction.
- D. Where the Disclosure Category requires disclosure of business positions, the designated employee is only required to disclose positions of director, officer, partner, employee, or any position of management in organizations or enterprises operated for profit.

Designated Positions Governed by the Conflict of Interest Code

DESIGNATED EMPLOYEES' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Accounting Manager (All)	1
Accountant (All)	5
Accounting Technician	1
Architect	2, 3, 5
Asset Administrator (All)	5
Bus Mechanical Officer	5
Capital Program Manager	1, 2
Chief Development Officer	1, 2

Board Policy No. 8 – Conflict of Interest Code

DESIGNATED EMPLOYEES' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Chief Executive Officer	1, 2, 3, 4, 5, 6
Chief Financial Officer	1, 2, 3, 4, 5, 6
Chief General Counsel	1, 2, 3, 4
Chief Planning and Customer Experience Officer	1, 2
Chief People Officer	1, 2
Chief Procurement Officer	1, 2, 4
Chief Operations Officer (All)	1, 2
Chief Mechanical Officer	1, 2
Chief of Staff	1, 2, 3, 4, 5
Chief Technology Officer	1, 2
Compliance Officer	1, 2
Contract Officer (All)	1, 2
Controller	1, 2
Deputy General Counsel	1, 2, 3, 4
Executive Assistant/Deputy Clerk	5
Director of Administration	5
Director of Bus Operations	4, 5
Director of Customer Experience	5
Director of Engineering	1, 2, 4, 5, 6
Director of Enterprise Risk Management	5
Director of Facilities	5
Director of Human Resources	1, 3, 5
Director of Information Technology	5
Director of Maintenance of Way	5, 6
Director of Marketing and Communications	5
Director of Operations Control Center	5
Director of Learning & Development	5
Director of Payroll	1, 2
Director of Planning & Development	5
Director of Rail Mechanical	5
Director of Rail Operations	5
Director of Security	5
Director of Service Planning	5
Director of Signals	5
Director of Strategic Planning & Transit Systems	5
Drug & Alcohol Program Administrator	5
Engineering Technician	5

Board Policy No. 8 – Conflict of Interest Code

DESIGNATED EMPLOYEES' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Engineer (Civil, Facilities, IT)	5
Executive Advisor (All)	5
Facilities General Services Supervisor	5
Facility Manager (All)	5
Fare Revenue Specialist	4
Fleet Maintenance Manager	5
Government Affairs Officer	5
Grants Analyst/Administrator	5
Human Resources Business Partner (All)	5
Information Technology Manager	5
Information Technology Program Manager	5
Information Technology Project Coordinator	5
Maintenance of Way Manager	5, 6
Maintenance of Way Supervisor	5, 6
Management Analyst (All)	5
Manager of Customer Experience	5
Manager of Equipment for Rail (All)	5
Manager of Paratransit & Mobility Services	5
Manager of Rail Operations	5
Manager of Real Estate	1, 2, 3, 5, 6
Manager of Security	5
Manager of Support Services	5
Marketing and Communications Associate (All)	5
Paralegal	5
Paratransit & Mobility Services Ops Supervisor	5
Payroll Specialist (All)	1, 2
Planner (All)	2, 5
Procurement & Contract Administration Manager	1, 2
Program Manager Marketing and Ridership Development	5
Program Network Operations Manager	5
Program Manager Rail Technologies	5
Program Risk Manager	1, 2, 4
Project Administrator	5
Project Manager (All)	5
Quality Control Supervisor (All)	5
Rail Structures Engineer	5
Rail Technologies (All)	5

Board Policy No. 8 – Conflict of Interest Code

DESIGNATED EMPLOYEES' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Real Estate Administrator	6
Right of Way Manager	5, 6
Safety Manager	5
Safety Trainer	5
Senior Financial Analyst	5
Senior Graphic Communications Designer	5
Senior Network Engineer (All)	5
Senior Planner	2, 5
Senior Project Analyst	5
Senior Rail Engineer	5
Senior Right of Way Coordinator	6
Senior Training Analyst	5
Staff Attorney (All)	1, 2, 3, 4
Trainer (All)	5
Signal Manager (All)	5
Strategic & Financial Business Advisor	1, 2
System Safety and Compliance Inspector	5
System Safety Specialist (All)	5
Systems Engineer (All)	5
Technical Manager-Train Control Systems	5
Training Manager (All)	5
Transit Planner (All)	5
Consultants and New Positions	Individuals providing services as a Consultant defined in Regulation 18700.3, or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Chief Executive Officer may determine that due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in

Board Policy No. 8 – Conflict of Interest Code

DESIGNATED EMPLOYEES' TITLE OR FUNCTION

DISCLOSURE CATEGORIES ASSIGNED

a written document. (Gov. Code Sec. 82019; Regulations 18219 and 18734). The Chief Executive Officer'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.)

Disclosure Categories

The disclosure categories listed below identify the types of economic interests that the Designated Position must disclose for each disclosure category to which he or she is assigned. (Note: This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg.18730.1))

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the District.

Category 2: All interests in real property which are located in whole or in part within, or not more than two miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position's department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the Designated Position's department, unit or division.

Conflict of Interest Code:

**Oceanside Small Craft Harbor
District**

**CITY OF OCEANSIDE
LOCAL CONFLICT OF INTEREST CODE
APPENDIX**

**List of Designated Positions/Employees
Disclosure Requirements
(2024 Update)**

SECTION I: AUTHORITY

The Political Reform Act of 1974 [Government Code sections 81000 -91015] requires local government agencies to adopt local conflict of interest codes. The local conflict of interest code for the City of Oceanside is contained in Sections 2.61 - 2.69 of the Oceanside City Code which adopts by reference the latest provisions of Section 18730 of Title 2 of the California Code of Regulations and in this list of designated positions/employees and disclosure requirements. The most recent version of 2 Cal. Code of Regs. section 18730 is on file with the City Clerk.

The local conflict of interest code for the City of Oceanside contains both reporting requirements for the disclosure of financial interests and disqualification requirements. Violations of the local conflict of interest code are subject to the administrative, criminal and civil sanctions of the Political Reform Act.

This list is adopted pursuant to the provisions of Section 2.62 of Chapter 2 of the Oceanside City Code and constitutes the "Appendix" referred to in subsection (b)(3) [Disclosure Categories] of 2 Cal. Code of Regs. section 18730.

The mayor, members of the City Council, members of the planning commission, the city manager, the city attorney, the city treasurer, the financial services director (for finance director functions), the FSD revenue and treasury manager and the person serving as finance director for the Harbor District¹ are required to disclose financial interests pursuant to Government Code sections 87200 - 87210 and are therefore not included in the list set forth below.

¹ Pursuant to Government Code section 87200 and 2 Cal. Code of Regs. section 18720 it has been determined that the following positions manage public investments and will file the form 700 statement of economic interest: Administrative Services Director (as Finance Director), ASD Revenue/Treasury Manager and the City employee designated as the Finance Director for the Small Craft Harbor District.

SECTION II: EFFECTIVE DATE

This 2024 update shall be effective the day following its approval by the code reviewing body, the City Council of the City of Oceanside, California, and shall remain in effect until repealed or superseded.

SECTION III: LIST OF DESIGNATED POSITIONS/EMPLOYEES AND DISCLOSURE CATEGORIES²

The positions within the City listed in this appendix are "designated positions." Any person whose employment position (whether full time, part time or temporary) with the City is a designated position, is a "designated employee" for the purposes of the local conflict of interest code. Designated employees shall disclose in the manner provided in the local conflict of interest code of the City of Oceanside, those financial interests, which are within the schedules and categories represented by the letter(s) following the listing position. The disclosure category requirements represented by categories 1-4 and are set forth in subsection (b)(7) [Manner of Reporting] of 2 Cal. Code of Regs. section 18730. Generally, the disclosure categories are as follows:

<u>Category</u>	<u>Financial Interest to be disclosed</u>
1	All investments, business positions in, and income from sources located in or doing business in the jurisdiction. Interests in real property located in the jurisdiction, including property located within a two-mile radius of the jurisdiction or of any property owned or used by the City, Agency or District.
2	All investments, business positions in and income sources of the type which provide services, supplies, materials machinery or equipment of the type utilized by the City, Agency or District.
3	All investments, business positions in, and sources of income which are subject to the regulatory, permit or licensing authority of the City, Agency or District.
4	All interests in real property and sources of income which are subject to the regulatory, permit or licensing authority of the City, Agency, or District.

² The Community Development Commission has no designated positions or employees other than the Commission, the Redevelopment Advisory Committee, the Executive Director and the General Counsel. All other board, commissions and designated positions/employees which may perform Community Development Commission related services are of the City. The Small Craft Harbor District has entered into an agreement whereby the City provides management and other services to the District. Whenever a Harbor District position is designated, it shall mean the City employee providing those services for the District.

Designated Positions

Disclosure Categories

Legislative Bodies other than the City Council:

Community Development Commission	1
*Small Craft Harbor District Board of Directors	1

Board, Commissions & Committees:

Citizens Investment Oversight Committee	1
Downtown Advisory Commission	4
Economic Development Commission	1
Historical Preservation Advisory Commission	4
Housing Commission	4
Rehabilitation Loan Committee	4
Library Board of Directors	3
Manufactured Home Fair Practices Commission	4
Oversight Board of the Successor Agency	4
Utilities Commission	4
Measure X Citizens Oversight Committee	1

City Staff:

Assistant Fire Marshal	2
Accounting Manager	2
Administrative Analyst II	2
Assistant Building Official	3
Assistant City Attorney	1
Assistant City Clerk	1
Assistant City Manager	1
Assistant Police Chief	1
Associate Traffic Engineer	3
Aquatics Program Administrator	2
Plans Examiner I	3
Plans Examiner II	3
Plans Examiner III	3
Budget Manager	2
Chief Building Official	1
CIP Manager I	2
CIP Manager II	2
CIP Manager III	2
City Clerk	1
City Engineer	1
City Planner	1
City Traffic Engineer	3

Coastal Zone Administrator	1
Code Enforcement Division Manager	3
Code Enforcement Officer I	4
Code Enforcement Officer II	4
Code Enforcement Officer III	4
Compliance Officer	3
Council Aide	1
Consulting Assistant	2
**Consultants	(See explanation below)
	4
Deputy City Attorney I	1
Deputy City Attorney II	1
Deputy City Manager	1
Deputy Fire Chief	1
Development Services Director	1
Economic Development Manager	1
Economic Development Specialist	2
Emergency Management Coordinator	3
Environmental Compliance Inspector	3
Environmental Officer	1
Financial Services Division Manager	2
Financial Services Director	1
Fire Chief	1
Fire Safety Specialist	2
Fleet Manager	2
Fleet Supervisor	2
Harbor Division Manager	1
Homeless Services Manager	2
Housing Administrator	1
Housing & Neighborhood Services Director	1
Housing Program Manager	4
Human Resources Director	1
Human Resources Division Manager	2
Information Technology Division Manager	2
Information Technology Procurement Analyst	2
Lead Water Utilities Inspector	3
Library Director	1
Library Division Manager	2
License Land Surveyor	4
Literacy Coordinator	2

Management Analyst	2
Parks and Beaches Maintenance Supervisor	4
Payroll Supervisor	2
Police Captain	1
Police Chief	1
Police Lieutenant	3
Police Media Relations Manager	2
Police Records Manager	2
Police Services Administrator	2
Principal Engineer	3
Principal Engineering Staff Assistant	2
Principal Human Resources Analyst	2
Principal Librarian	2
Principal Management Analyst	2
Principal Planner	4
Principal Water Engineer	2
Property Agent I	4
Property Agent II	4
Public Safety Communications Manager	2
Public Works Director	1
Public Works Division Manager	2
Purchasing Technician	2
Real Estate Manager	1
Records Manager	2
Risk Manager	2
Senior Civil Engineer	3
Senior Human Resource Analyst	2
Senior Information Technologies Analyst	2
Senior Maintenance Supervisor	4
Senior Management Analyst	2
Senior Planner	1
Senior Property Agent	4
Supervising Accountant	2
Sustainability Program Administrator	2
Treasury Manager	2
Water Utilities Director	1
Water Utilities Division Manager	2
Water Utilities Inspector	2
Water/Wastewater Project Manager	2

FILING OFFICER

- * The Clerk of the Board of Supervisors is filing officer for the Oceanside Small Craft Harbor District.

The City Clerk is the filing officer for the City of Oceanside and all city agencies, boards, commissions, committees and designated positions/employees.

**CONSULTANTS

Definition:

Fair Political Practices Commission regulation [2 Cal. Code of Regs. section 18700] defines "consultant" as an individual who, pursuant to a contract with a state or local governmental agency:

(a) Makes a governmental decision whether to:

- (1) Approve a rate, rule or regulation;
- (2) Adopt or enforce a law;
- (3) Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement;
- (4) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
- (5) Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
- (6) Grant agency approval to a plan, design, report, study, or similar item;
- (7) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision of the agency; or

(b) Serves in an ongoing staff capacity with the agency and in that capacity 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 local conflict of interest code.

"Consultant" does not include persons who:

- (1) Conduct research and arrive at conclusions with respect to his or her rendition of information, advice, recommendation or counsel

independent of the control and direction of the agency or of any agency official, other than normal contract monitoring; and

- (2) Possess no authority with respect to any agency decision beyond the rendition of information, advice, recommendation or counsel and only provide services on a sporadic basis.

Disclosure required:

- (1) Consultants that meet the definition of paragraph (a), above, shall disclose according to disclosure categories 1-4 subject to the following limitation: The department head of the department for which the consultant provides primary services, with the approval of the City Attorney, may determine in writing that a particular consultant, 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 paragraph. The written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The written determination is a public record and shall be retained for public inspection in the office of the City Clerk.
- (2) Consultants that meet the definition of paragraph (b), above, shall disclose financial interests in the same manner as is required for the designated position the duties of which are performed, in whole or in part, by the consultant.


DECLARATION

The proposed conflict of interest code specifically enumerates each of the positions within the City, Agency or District, which involve the making of decisions, which may foreseeably have a material financial effect on any financial interest. The City, Agency and District have satisfied all of the requirements of TITLE 2, Division 6 of the California Code of Regulations 18750.1(b) preliminary to approval of the proposed code.



City Manager

APPROVED AS TO FORM:



City Attorney

Conflict of Interest Code:

Otay Water District

OTAY WATER DISTRICT
CONFLICTS OF INTEREST CODE

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DIVISION I DISTRICT ADMINISTRATION
CHAPTER 5 PERSONNEL PRACTICES
SECTION 6 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 Cal. Code of Regs. Sec. 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 Appendix, designating positions and establishing disclosure requirements, shall constitute the Conflict of Interest Code of the **Otay Water District (District)**.

6.01 DEFINITIONS

The definitions contained in the Political Reform Act of 1974 (Government Code Sections 81000 et seq.), regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. Sections 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this Conflict of Interest Code.

6.02 DESIGNATED EMPLOYEES

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

The General Manager or his/her designee shall have the authority to designate any person holding a position within the District as a person designated to provide disclosures regardless of whether or not the position that the person holds is included in the Appendix if, in the view of the General Manager or his/her designee, the person has the potential to make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

6.03 DISCLOSURE CATEGORIES

This Code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this code in that same capacity, or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their financial interest pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 87200, *et seq.*¹ In addition, this code does not establish any disclosure obligation for any designated public officials who are designated in a conflict of interest code for another agency, if all of the following apply:

- (A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;
- (B) The disclosure assigned in the code of the other agency is the same as that required under Article 2 of Chapter 7 of the Political Reform Act, Government Code Section 87200; and
- (C) The filing officer is the same for both agencies.

Such persons are covered by this Code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of financial interests are reportable. Such a designated employee shall disclose in his or her Statement of Economic Interest those financial interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the financial interests set forth in a designated employee's disclosure categories are the kinds of financial interests which he or she foreseeably can affect materially through the conduct of his or her office.

6.04 STATEMENTS OF ECONOMIC INTERESTS: PLACE OF FILING

All officials and employees required to submit a Statement of Economic Interest (employees in Designated Positions) shall file their statements with the County of San Diego, Clerk of the Board, electronically through eDisclosure; the County's Form 700 system. A Form 700 notification email will be sent to filers at the beginning of each year with instructions on how to file their form. All retained

¹ Designated employees who are required to file statements of economic interest under any other agency's Conflict of Interest Code or under Article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interest in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and district statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code Section 81004.

statements or electronic copies shall be available for public inspection and reproduction. (Cal. Gov't Code § 81008).²

The General Manager, or his or her designee may file Statements of Economic Interests electronically in accordance with the provisions of Government Code Section 87500.2.

6.05 STATEMENTS OF ECONOMIC INTERESTS: TIME OF FILING

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated, and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed. If a person assumes an office between October 1 and December 31 and files an assuming office Statement of Economic Interests, that person need not file an annual Statement of Economic Interests pursuant to Section 87203 until one year later than the date specified in subsection C below.

(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(E) Military Service. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

² See Government Code section 81010 and 2 Cal. Code of Regs. section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

6.06 STATEMENTS FOR PERSONS WHO RESIGN PRIOR TO ASSUMING OFFICE

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or a leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

1. File a written resignation with the appointing power; and
2. File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

6.07 CONTENTS OF AND PERIOD COVERED BY STATEMENTS OF ECONOMIC INTERESTS

(A) Contents of Initial Statements

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or on the date of appointment, and income received during the 12 months prior to the date of assuming office or the date of being appointed, respectively.

(C) Contents of Annual Statements

Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office, whichever is later.

(D) Contents of Leaving Office Statements

Leaving office statements shall disclose reportable investments, interest in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

6.08 MANNER OF REPORTING

Statements of economic interest shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investments and Real Property Disclosure

When an investment or an interest in real property³ is required to be reported⁴, the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(B) Personal Income Disclosure

When personal income is required to be reported⁵, the statement shall contain:

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

1. The name and address of each source of income aggregating \$500 or more in value or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received. A gift includes forgiveness of a debt or a rebate or discount of a debt owed⁶;
5. In the case of a loan given or received, the annual interest rate and the security, if any, given for the loan and the term of the loan.
6. Gov. Code section 82030 defines income and specifically excludes:
 - (a) Any loan or loans from a commercial lending institution which are made in the lender's regular course of business on terms available to members of the public without regard to official status.
 - (b) Any loan from or payments received on a loan made to an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, uncle, aunt, or first cousin, or the spouse of any such person, provided that a loan or loan payment received from any such person shall be considered income if he or she is acting as an agent or intermediary for any person not covered by this paragraph.
 - (c) Any indebtedness created as part of a retail installment or credit card transaction if made in the lender's regular course of business on terms

⁶ 2 Cal. Code of Regs. section 18940

available to members of the public without regard to official status.

(C) Business Entity Income Disclosure

When income of a business entity, including income of a sole proprietorship, is required to be reported⁷, the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure

When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period

In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

6.09 PROHIBITION ON RECEIPT OF HONORARIA

A. No designated public official shall accept any honorarium from any source if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.

⁷ Income of a business entity is reportable if the direct, indirect, or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

6.10 PROHIBITION ON RECEIPT OF GIFTS IN EXCESS OF AMOUNT ESTABLISHED BY LAW⁸

A. No designated public official shall accept gifts with a total value of more than the maximum amount established by law, in any calendar year, from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

6.11 LOANS TO PUBLIC OFFICIALS

A. No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

B. No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

C. No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card

⁸ Designated Persons are prohibited from accepting gifts from any single source in a calendar year with a total value in excess of designated amounts. See Govt. Code § 89503, sub-divisions (e), (f) and (g). [Note: Pursuant to Gov. Code § 89503(f), the FPPC adjusts the gift limit every odd-numbered year to reflect changes in the Consumer Price Index; therefore, the \$470 limit adopted by the FPPC in January of 2017 will be updated in January 2019 and every odd year thereafter, until further notice. See also 2 CCR § 18940.2]

transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

D. No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

E. This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

6.12 LOAN TERMS

A. Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

B. This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

C. Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

6.13 PERSONAL LOANS

A. Except as set forth in subdivision (B), a personal loan received by any designated public official shall become a gift to the designated public official for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

B. This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift

on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

C. Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

6.14 DISQUALIFICATION

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

- (A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;
- (B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;
- (C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;
- (D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or
- (E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating to the maximum amount established by law, or more, in value provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

6.15 LEGALLY REQUIRED PARTICIPATION

No designated public official shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated public official who is on a voting

body is needed to break a tie does not make his or her participation legally required for purposes of this section.

6.16 DISQUALIFICATION OF STATE OFFICERS AND EMPLOYEES

In addition to the general disqualification provisions of Section 6.14, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

- (A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or
- (B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1000 or more.

6.17 DISCLOSURE OF DISQUALIFYING INTEREST

When a designated public official determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

6.18 ASSISTANCE OF THE COMMISSION AND COUNSEL

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 and 2 CCR Sections 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

6.19 VIOLATIONS

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal, and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 - 91015. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

6.20 PROHIBITED TRANSACTIONS

Members of the Board of Directors and Designated Employees shall comply with the Prohibited Transactions policy, annexed hereto as Exhibit A, pursuant to California Government Code Sections 1090, et seq.

6.21 INCOMPATIBLE ACTIVITIES

Members of the Board of Directors, District officers, and all other District employees shall comply with the Incompatible Activities policy, annexed hereto as Exhibit B, pursuant to California Government Code Sections 1126, et seq.

APPENDIX

OTAY WATER DISTRICT
CONFLICT OF INTEREST CODE
DESIGNATED POSITIONS

<u>DESIGNATED EMPLOYEES' TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES ASSIGNED</u>
Members of the Board of Directors	1, 2, 3, 4, 5, 6
General Manager	1, 2, 3, 4, 5, 6
District Secretary	6
Assistant Chief of Finance	1, 2, 5, 6, 7
Chief of Administrative Services	1, 2, 3, 4, 5, 6, 7
Chief Financial Officer	1, 2, 5, 6, 7
Chief of Engineering	1, 2, 3, 4, 6, 7
Chief of Water Operations	1, 2, 3, 4, 6, 7
Associate Civil Engineer	1, 2, 3, 4, 7
Communications Officer	6
Customer Service Manager	2, 5, 7
Environmental Compliance Specialist	1, 2, 3, 4, 7
Engineering Manager	1, 2, 3, 4, 7
Field Services Manager	1, 2, 3, 4, 7
Finance Manager	2, 5, 7
GIS Manager	3, 6, 7
Human Resources Manager	3, 6
IT Manager	3, 6, 7
Network Engineer	3, 6, 7

Purchasing and Facilities Manager	2, 6
Safety and Security Specialist	1, 2, 3, 4, 6
Senior Procurement and Contracting Analyst	6
Senior Civil Engineer	1, 2, 3, 4, 7
System Operations Manager	1, 2, 3, 4, 7
Utility Services Manager	1, 2, 3, 4, 7
Consultant/New Positions ⁹	1, 2, 3, 4, 5, 6

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701 (b) are not subject to the District's Conflict of Interest Code except with respect to its disqualification provisions. They must file disclosure statements under Government Code § 87200 et seq. [2 CCR § 18730(b)(3)] These positions are listed above for informational purposes only.

Individuals holding the positions listed below are officials who manage public investments and who must file their disclosure statements under Government Code Section 87200:

Members of the Board of Directors
 General Manager
 Chief Financial Officer
 Asst. Chief Financial Officer
 Financial Consultants

Individuals holding 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

⁹ Consultants/New Positions are 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, not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of the disclosure requirements. The written 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 section 81008)

Consultants are required to file disclosure statements where they: (a) conduct research and arrive at conclusions with respect to rendition of information, advice, recommendation or counsel independent of control and direction of the agency or any agency official other than normal contract monitoring; and (b) possess no authority with respect to any agency decision beyond the rendition of information, advice, recommendation or counsel.

Commission makes the final determination whether a position is covered by Government Code Section 87200.

Government Code Section 87200 requires that individuals holding the above-listed positions shall, each year at a time specified by commission regulations, file a statement disclosing their investments, their interests in real property and their income during the period since the previous statement filed. The statement shall include any investments and interest in real property held at any time during the period covered by the statement, whether or not they are still held at the time of filing.

APPENDIX, CONTINUED

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the designated employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in, and sources of income from, all business entities that do business or own real property in the District, plan to do business or own real property in the District within the next year or have done business or owned real property in the District within the past two years.

Category 2: All interests in real property which are located in whole or in part within, or not more than two (2) miles outside the boundaries of the District.

Category 3: All investments and business positions in, and sources of income from, business entities subject to the regulatory, permit or licensing authority of the Designated Employee's Department, will be subject to such authority within the next year or have been subject to such authority within the past two years.

Category 4: All investments, business positions, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property in the District, plan to engage in such activities in the District within the next year or have engaged in such activities in the District within the past two years.

Category 5: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan or other financial institutions.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, or equipment of a type purchased, leased, used, or administered by the District.

Category 7: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, or equipment of a type purchased, leased, used, or administered by the Designated Employee's Department.

EXHIBIT A

Prohibited Transactions for Specified Personnel

Members of the Board of Directors ("Members") shall comply with this Prohibited Transactions policy pursuant to California Government Code §§ 1090, *et seq.*

Members shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Members shall not be purchasers at any sale or vendors at any purchase made by them in their official capacity. Members shall not be deemed to be interested in a contract entered into by a body or board of which they are members if the Member has only a remote interest in the contract and if the fact of that interest is disclosed to the body or board of which the Member is a member and noted in its official records, and thereafter the body or board authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the Board of Directors member with the remote interest. "Remote interest" shall be defined as in California Government Code § 1091(b).

Members shall not be considered to be financially interested in a contract if their interest is including, but not limited to, any of the following (Government Code § 1091.5):

1. That of an officer in being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty;
2. That of a recipient of public services generally provided by the public body or board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the board;
3. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or an public corporation or special, judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091;

4. That of a spouse of an officer or employee of a public agency if his/her spouse's employment or office-holding has existed for at least one year prior to his/her election or appointment;
5. That of a non-salaried member of a nonprofit corporation, provided that such interest is disclosed to the board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records;
6. That of a non-compensated officer of a nonprofit, tax-exempt corporation, which, as one of its primary purposes, supports the functions of the board or to which the board has legal obligation to give particular consideration, and provided further that such interest is noted in its official records;

For purposes of this paragraph, an officer is "noncompensated" even though he or she receives reimbursement from the nonprofit, tax-exempt corporation for necessary travel and other actual expenses incurred in performing the duties of his or her office.

7. That of compensation for employment with a governmental agency, other than the governmental agency that employs the officer or employee, provided that the interest is disclosed to the board at the time of consideration of the contract, and provided further that the interest is noted in its official records;
8. That of an attorney of the contracting party of that of an owner, officer, employee or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm or real estate firm.

In addition, Members shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if their sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor (Government Code § 1091.5).

Authority:

California Government Code §§ 1090, et seq.

EXHIBIT B

Incompatible Activities Policy

District officers, members of the Board of Directors, and all other District employees (collectively, "district personnel") shall comply with this Incompatible Activities policy pursuant to California Government Code §§ 1125, et seq.

District personnel shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties as a member of the Board of Directors, or with the duties, functions, or responsibilities of his or her appointing power or the agency by which he or she is employed.

The outside employment, activity, or enterprise of district personnel is prohibited if it: (1) involves the use for private gain or advantage of his or her local District time, facilities, equipment and supplies; or the badge, uniform, prestige, or influence of his or her local District office or employment or, (2) involves receipt or acceptance by district personnel of any money or other consideration from anyone other than the District for the performance of an act which district personnel, if not performing such act, would be required or expected to render in the regular course or hours of their local District employment or as a part of their duties as a local District officer or employee or, (3) involves the time demands as would render performance of his or her duties as a local district personnel member less efficient.

Nothing in this policy shall be interpreted to prohibit any outside employment, activity, counsel, or enterprise on behalf of another governmental entity, subject to common law and professional conflict of interest rules.

Copies of this regulation shall be posted in prominent places at the District Office. District personnel who violate this regulation may be subject to discipline as set forth in the applicable Code of Ordinances and Policies. Board of Directors members who violate this section may be subject to censure. Disciplinary appeals by district personnel shall be handled pursuant to applicable Code of Ordinances and Policies.

Authority:

California Government Code §§ 1125, et seq.

Conflict of Interest Code:

**San Diego County Probation
Department**

County of San Diego Department	Designated positions	Disclosure Categories
Probation	Chief Probation Officer	A-1, A-2, B, C, D, E
	Assistant Chief Probation Officer	A-1, A-2, B, C, D, E
	Deputy Chief Probation Officer	A-1, A-2, B, C, D, E
	Division Chief (All Services)	A-1, A-2, B, C, D, E
	Manager, Probation Fiscal & Information Services	A-1, A-2, B, C, D, E
	Manager Probation Program Planning	A-1, A-2, B, C, D, E
	Medical Director	A-1, A-2, B, C, D, E
	Information Technology Principal	A-1, A-2, B, C, D, E
	Departmental Budget Manager	A-1, A-2, B, C, D, E
	Group Program Manager	A-1, A-2, B, C, D, E
	Program Coordinator	A-1, A-2, B, C, D, E
	Administrative Analyst III • Contracts Procurement	A-1, A-2, B, C, D, E

Conflict of Interest Code:

Purchasing and Contracting

County of San Diego
Department of Purchasing and Contracting
Conflict of Interest Code

EMPLOYEES DESIGNATED TO COMPLETE
A STATEMENT OF ECONOMIC INTEREST FORM 700

County of San Diego Departments	Class No.	Designated Positions	Disclosure Categories
Department of Purchasing and Contracting	0927	Chief, Departmental Operations	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2111	Chief, Departmental Admin Svcs	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2166	Director, Purchasing and Contracting	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2264	Assistant Director, Purchasing and Contracting	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2302	Administrative Analyst II	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2303	Administrative Analyst III	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2304	Administrative Analyst I	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2437	Program Coordinator	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2582	Information Technology Principal	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2601	Assistant Procurement Specialist	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2610	Procurement Specialist	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2618	Senior Procurement Contracting Officer	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2619	Assistant Procurement Contracting Officer	1,2,3,4 A-1, A-2, B,C,D,E, 5
	2622	Procurement Contracting Officer	1,2,3,4 A-1, A-2, B,C,D,E, 5
	3004	County Records Manager	1,2,3,4 A-1, A-2, B,C,D,E, 5
0318	Group Program Manager	1,2,3,4 A-1, A-2, B,C,D,E, 5	
	Consultants	<p>Consultants are included in the list of designated employees and are required to disclose pursuant to the broadest category in the code, subject to the following limitation: The County Counsel may determine, in writing, that a particular consultant, 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 duties and, based upon that description, a statement of the extent of disclosure requirements. The County Counsel'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.</p>	

Conflict of Interest Code:

Rancho Santa Fe Fire Protection
District

RESOLUTION No. 2024-11

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO SANTA FE FIRE PROTECTION DISTRICT AMENDING THE FAIR POLITICAL PRACTICES COMMISSION'S STANDARD CONFLICT OF INTEREST CODE AND CANDIDATE DISCLOSURE STATEMENT and REPEALING RESOLUTION NO. 2024-08

WHEREAS, the Political Reform Act requires certain District Officials, specified in section 87200 of the California Government Code, to file economic disclosure forms ("Form 700") and abstain from making or participating in making governmental decision which have a reasonably foreseeable material effect on an economic interest; and

WHEREAS, the Rancho Santa Fe Fire Protection District approved an "Agency Conflict of Interest Code" as required by California Government Code on May 24, 2000; and

WHEREAS, the Fair Political Practices Commission ("FPPC") has adopted a regulation, California Code of Regulations, Title 2, division 6, Section 18730 (hereinafter "CCR 18730"), which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act.

WHEREAS, consistent with the biennial schedule established by the Fair Political Practices Commission for amending local conflict of interest codes, the District reviews and amends its local conflict of interest code every two years;

NOW, THEREFORE, the Board of Directors of the Rancho Santa Fe Fire Protection District does RESOLVE as follows:

1. Resolution No. 2024-08 is hereby repealed.
2. The Conflict of Interest Code for the Rancho Santa Fe Fire Protection District is hereby amended to read as follows:

CONFLICT OF INTEREST CODE FOR THE RANCHO SANTA FE FIRE PROTECTION DISTRICT

The Political Reform Act, Government Code §81000, et. seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission ("FPPC") has adopted a regulation, California Code of Regulations, Title 2, division 6, Section 18730 (hereinafter "CCR 18730"), which contains the terms of a standard conflict of interest code. After public notice and hearing the regulation 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 Appendix A and B, attached to this resolution and a part of it, designating officials, employees and consultants, and establishing disclosure categories, shall constitute the conflict of interest code of the Rancho Santa Fe Fire Protection District (District).

Individuals holding designated positions shall file their statements of economic interest directly with the Clerk of the Board of Supervisors via their current electronic filing system.

3. The Conflict of Interest Code for the Rancho Santa Fe Fire Protection District will become effective the date the Board of Directors approves this resolution.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Rancho Santa Fe Fire Protection District on September 18, 2024, by the following vote:

AYES: James Ashcraft, Nancy Hillgren, Randall Malin, John Tanner, Tucker Stine

NOES:

ABSENT:

ABSTAIN:



JAMES H ASHCRAFT

President



SARAH MONTAGNE

Board Clerk

DESIGNATED POSITIONS

<u>Titles</u>	Assigned Disclosure Category
Directors	1
Candidate for Board of Directors	1
Chief Officers, <i>including but not limited to</i>	
Fire Chief	1
Deputy Chief	1
Battalion Chief.....	3
Finance Manager	1
Executive Assistant/Board Clerk	1
Fire Marshal	1
Fire Prevention Personnel, <i>including but not limited to</i> :.....	
Deputy Fire Marshal.....	3
Fire Prevention Specialist.....	3

OTHER REPORTING REQUIREMENTS

Consultants (Defined in FPPC Regulation 18701(a)(2)
The positions of the following consultants presently Retained by the Agency:

Attorney(s)	1
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DISCLOSURE CATEGORIES OF REPORTABLE ECONOMIC INTERESTS

1. FULL DISCLOSURE

What to report? All investments and business positions in business entities, sources of income including gifts, loans and travel payments, and interests in real property.

What Form 700 schedules? All Schedules. (A through E)

2. DISTRICT-RELATED INCOME

What to report? All investments and business positions in business entities and sources of income including gifts, loans and travel payments if the source is of a type which provides, manufactures, or supplies services, supplies, materials, machinery or equipment of the type utilized by or subject to the review or approval of the district.

What Form 700 schedules? A, C, D, E

3. DISTRICT-RELATED INCOME, REAL PROPERTY

What to report? All investments and business positions in business entities and sources of income including gifts, loans and travel payments if the source is of a type which provides, manufactures, or supplies services, supplies, materials, machinery or equipment of the type utilized by or subject to the review or approval of the district and all interests in real property.

What Form 700 schedules? All Schedules (A through E)

4. DIVISION-RELATED INCOME (Administration, Operations, Prevention)

What to report? All investments and business positions in business entities and sources of income including gifts, loans and travel payments if the source is of a type which provides, manufactures or supplies equipment, supplies, material, services or machinery of the type utilized by or subject to the review or approval of the department in which that person is employed.

What Form 700 schedules? A, C, D, E

FORM 700 SCHEDULES – DESCRIPTION

Form 700

- Schedules A-1 Investments (Stocks, Bonds, and Other Interests (Ownership Interest is Less than 10%))
- Schedules A-2 Investments, Income and Assets of Business Entities/Trusts (Ownership Interest is 10% or Greater)
- Schedule B Interests in Real Property (Including Rental Income)
- Schedule C Income, Loans and Business Positions (Other than Gifts and Travel Payments)
- Schedule D Income – Gifts
- Schedule E Travel Payments, Advances and Reimbursements

Conflict of Interest Code:

**Rancho Santa Fe School
District**

RANCHO SANTA FE SCHOOL DISTRICT

Board Bylaw No. 9011: CONFLICT OF INTEREST AND DISCLOSURE CODE

A. Unlawful Financial Interests In Contracts With The District

The Board acknowledges that Government Code sections 1090-1097 covering unlawful financial interests in contracts with the District apply to Board members and employees. It shall be the policy of the District that these laws be complied with. Government Code section 1098 shall apply to any public officer or employee who willfully and knowingly discloses for pecuniary gain, to any other person, confidential information acquired by him or her in the course of his or her official duties, or uses any such information for the purpose of pecuniary gain.

B. Unlawful Incompatible Activities

The Board acknowledges that Government Code sections 1125-1129 covering unlawful incompatible activities apply to Board members and employees. It shall be the policy of the District that these laws are complied with.

The Board may determine at any time whether any outside activity is incompatible as long as such determination is consistent with Government Code sections 1125-1129.

The Board shall give written notice to any Board member or employee who is engaging in any incompatible activity that such activity has been determined by the Board to be prohibited. The Board member or employee has the right to appeal such determination to the Board, but such appeal must be filed in writing within twenty (20) days of receipt of the determination. Any appeal must state the specific grounds for the appeal and must be supported by proper evidence.

No Board member or employee shall be disciplined for engaging in any unlawful incompatible activity without prior written notice that such activity has been determined to be prohibited, and without prior written notice that discipline is proposed.

C. Conflict Of Interest Code Required By Government Code Section 87300

Adoption

In compliance with the Political Reform Act of 1974, Government Code sections 81000 et seq., the Board hereby adopts this Conflict of Interest Code pursuant to and required by Government Code section 87300, which shall apply to all Board members and designated employees of the District. It is the intent of this Conflict of Interest Code to ensure full compliance with all applicable law.

The District's Conflict of Interest Code shall comprise and incorporate by reference the terms of Government Code section 87300 and the terms of California Code of Regulations, Title 2, section 18730 and any amendments thereto adopted by the Fair Political Practices Commission, together with the attachments hereto to this Bylaw specifying designated positions and the specific types of disclosure statements required for each position.

Designated Employees

Employees of the District and Board members who hold positions which involve the making, or participation in the making, of decisions which may have a foreseeable material effect on any financial interest, shall be designated employees. All persons who hold the positions specifically enumerated in Exhibit "A" are designated employees.

Disclosure Statement Filing

1. Each designated employee and Board member shall file annual Statements of Economic Interests directly with the District in the manner prescribed in this Code and by the County Clerk, disclosing reportable interests in real property, investments in and business positions with business entities, and income which might foreseeably be affected materially by the operations of the District. It has been determined that it is foreseeable that the types of investments, interests in real property, and income listed in the disclosure categories in Exhibit "B" may be affected materially by decisions made or participated in by the designated employee by virtue of his/her position. Such interests are reportable if held by the designated employee. Upon receipt of the statements, the District shall make and retain copies and forward the originals to the County of San Diego Clerk of the Board of Supervisors.
2. Annual statements shall be filed on or before April 1 disclosing investments, business positions, interests in real property and income held or received in the period since the closing date of the employee's previously filed statement and December 31st.
3. Leaving office statements shall be filed by every person who leaves a designated position specified in Exhibit "A" within thirty (30) days after leaving the position, disclosing his/her reportable investments, business positions, interests in real property, and income during the period since the closing date of the previous statement filed and the date of termination. The statement shall include any investments in and position in business entities, interests in real property, and income held or received at any time during the period covered by the statement, whether or not they are still held at the time of filing. If an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.
4. Board members and the Superintendent shall file initial statements thirty (30) days before assuming office. All other employees appointed, promoted or transferred to designated positions shall file initial statements within thirty (30) days after the date of assuming the position.

5. The Superintendent is the designated filing officer regarding the filing of Statements of Economic Interest.

Disclosure Statement Contents

Disclosure statements shall be made on forms supplied by the County Clerk.

1. Contents of Investment and Interest in Real Property Reports (Government Code section 87206):

When an investment or interest in real property is required to be disclosed, the statement shall contain the following:

- a. A statement of the nature of the investment or interest
 - b. The name of the business entity in which each investment is held and general description of the business activity.
 - c. The address or other precise location of the real property.
 - d. A statement of whether the fair market value of the investment or interest in real property exceeds Two Thousand Dollars (\$2,000) but does not exceed Ten Thousand Dollars (\$10,000), whether it exceeds Ten Thousand Dollars (\$10,000) but does not exceed One Hundred Thousand Dollars (\$100,000), or whether it exceeds One Hundred Thousand Dollars (\$100,000) but does not exceed one million dollars (\$ 1,000,000) or whether it exceeds one million dollars (\$1,000,000).
 - e. In the case of an investment which constitutes fifty percent (50%) or more of the ownership interest in a business entity, disclosure of the investments and interests in real property of the business entity.
 - f. If the property or investment was partially or wholly acquired or disposed of during the period covered by the statement, the date of acquisition or disposal. Information need not be provided with respect to an interest in real property which is used principally as the residence of the filer or any other property used exclusively as the personal residence of the filer.
2. Contents Of Income Reports (Government Code section 87207):

- a. When income is required to be reported under this Code, the statement shall contain the following:
 - The name and address of each source of income aggregating Five Hundred Dollars (\$500) or more in value, or Fifty Dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source.

- A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was at least Five Hundred Dollars (\$500) but did not exceed One Thousand Dollars (\$1,000), whether it was in excess of One Thousand Dollars (\$1,000), but was not greater than Ten Thousand Dollars (\$10,000), or whether it was greater than Ten Thousand Dollars (\$10,000) but not greater than One Hundred Thousand Dollars (\$100,000).
- A description of the consideration, if any, for which the income was received.
- In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received, the name and address of the donor and the amount, and a description of the gift.
- In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.
- When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:
 - The name, address, and a general description of the business activity of the business entity.
 - In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity, if the filer's pro rata share of fees from such person was greater than One Thousand Dollars (\$1,000).
 - In the case of a business entity not covered by the above sub-paragraph, the name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than Ten Thousand Dollars (\$10,000) during the calendar year.

D. Disqualification

Designated employees must disqualify themselves pursuant to applicable law from making or participating in the making of any decision which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on any reportable financial interest of that employee except as allowable by law.

E. Manner of Disqualification

A designated employee required to disqualify him/herself shall notify his/her immediate superior in writing. This notice shall be forwarded to the Superintendent who shall record

the employee's disqualification. Upon receipt of such statement, the supervisor shall immediately reassign the matter to another employee.

In the case of a member of the Board, notice shall be given immediately prior to the consideration of the matter at the meeting during which consideration of the decision takes place of the conflict of interest or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required. Such disclosure shall be made part of the official record of the Board. The member shall then refrain from discussion and voting on the matter or otherwise participating in any way and shall attempt in no way to use his/her official position to influence any other person with respect to the matter. The Board member must leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters. The Board member may, however, speak on the issue only during the time that the general public speaks on the issue.

F. Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code sections 89501 and 89502.)

The term honorarium does not include:

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade, or profession is making speeches.
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes. (Government Code section 89501.)

G. Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code section 89503 and California Code of Regulations, Title 2, CCR section 18730. The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation except as described in Government Code section 89506. A gift of travel does not include travel provided by the District for Board members and designated employees.

Legal Reference:

**Government Code sections 1090-1098, 1125-1129, 81000 *et seq.*, 87300, 89502, 89503
Title 2 C.C.R. section 18700 *et seq.***

Date Bylaw Adopted By The Board: September 6, 1990

Dates Bylaw Revised By The Board: February 9, 2000; August 18, 2004; June 5, 2008; March 1, 2012; October 4, 2018; September 24, 2024

EXHIBIT A

DESIGNATED POSITIONS

- A. Persons occupying the following positions are designated employees and must disclose financial interests in all categories defined in Exhibit B:

Members of the Board

Superintendent

Consultants as required by applicable law - Title 2, CCR section 18700

- B. Persons occupying the following positions are designated employees and must disclose financial interests defined in categories 2 and 3 of Exhibit B.

Assistant Superintendent

Principals

Chief Business Officer

Director of Maintenance and Operations

Director of Special Education

Director of Technology

EXHIBIT B

DISCLOSURE CATEGORIES

(Not Intended To Conflict With Applicable Law)

Category 1

- a. Interests in real property which is located in whole or in part either (1) within the boundaries of the District, or (2) within two miles of the boundaries of the District, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
- b. Investments in or income from business entities which are contractors or sub-contractors which are or have been within the previous two year period engaged in the performance of building construction or design of the type utilized by the District.
- c. Investments in or income from persons or business entities engaged in the acquisition or disposal of real property within the jurisdiction.

Category 2

Investments in or income from business entities which manufacture or sell supplies, books, machinery, or equipment of the type used by or purchased by the District. Investments include interests described in Category 1.

Category 3

Investments in or income from business entities which are contractors or sub-contractors engaged in the performance of work or services of the type used by or purchased by the District. Investments include interests described in Category 1.

Conflict of Interest Code:

**Resource Conservation District of
Greater San Diego County**

CONFLICT OF INTEREST CODE
OF THE
RESOURCE CONSERVATION DISTRICT
OF GREATER SAN DIEGO COUNTY

(Adopted December 7, 2004)

(Approved as Amended August 7, 2012)

(Approved and/or Authorized December 16, 2016)

(Approved and/or Authorized January 26, 2021)

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 has adopted a regulation (2 Cal. Code of Regs. § 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 Section 18730 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 incorporation page, Regulation 18730, and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Resource Conservation District Of Greater San Diego County (the "District").

The District's Board Clerk as the designated filing officer, shall upon receipt of the electronically filed statements of the Directors, designated employees, and consultants ensure the submission and receipt of all electronically filed statements to the Clerk of the Board of Supervisors. The District's Board Clerk will make the statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008.) The Conflict of Interest Code for the Resource Conservation District of Greater San Diego County will become effective the date the Board of Directors approves the resolution.

**CONFLICT OF INTEREST CODE OF THE
RESOURCE CONSERVATION DISTRICT
OF GREATER SAN DIEGO COUNTY**

EXHIBIT "A"

DESIGNATED POSITIONS

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>ASSIGNED DISCLOSURE</u>
Executive Director	1
Board Members	1
Program Director	4
Clerk of the Board	1

OTHER REPORTING REQUIREMENTS

Consultants (Defined in FPPC Regulation 18701(a)(2))

The positions of the following consultants presently retained by the District

- Attorney(s) 1

EXHIBIT "B"

DISCLOSURE CATEGORIES OF REPORTABLE ECONOMIC INTERESTS

1. FULL DISCLOSURE

What to report? All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, that do business in, or own real property within the jurisdiction of the District.

What Form 700 schedules? All schedules (A-E)

2. DISTRICT-RELATED INCOME

What to report? All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments if the source is of a type which provides, manufactures, or supplies services, supplies, materials, machinery or equipment of the type utilized by or subject to the review or approval of the District OR, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District (RCD language).

What Form 700 schedules? A, C, D, E

3. DISTRICT-RELATED INCOME, REAL PROPERTY

What to report? All investments and business positions in business entities and sources of income including gifts, loans, and travel payments if the source is of a type which provides, manufactures, or supplies services, supplies, materials, machinery or equipment of the type utilized by or subject to the review or approval of the District and all interests in real property

What Form 700 schedules? All schedules (A-E)

4. DEPARTMENT-RELATED INCOME

What to report? All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments if the source is of a type which provides, manufactures, or supplies services, supplies, materials, machinery or equipment of the type utilized by or subject to the review or approval of the department in which that person in employed.

What Form 700 schedules? A, C, D, E

FORM 700 SCHEDULES – DESCRIPTION

Form 700

- Schedules A-1 Investments (stocks, bonds, and other interests (ownership interest is less than 10%))
- Schedules A-2 Investments, Income, and Assets of Business Entities/Trusts (ownership interest is 10% or greater)
- Schedule B Interests in Real Property (including rental income)
- Schedule C Income, Loans, and Business Positions (other than gifts and travel payments)
- Schedule D Income – Gifts
- Schedule E Travel Payments, Advances, and Reimbursements

Conflict of Interest Code:

**San Diego Board of Education
and Superintendent of Schools**

SAN DIEGO COUNTY OFFICE OF EDUCATION

BYLAW NO. 9270

CLASSIFICATION: Bylaws of the Board

ADOPTED: 3/8/95

REVISED:

SUBJECT: Conflict of Interest Code

PAGE: 1 of 1

The Conflict Interest Code of the San Diego County Board of Education (Board) and the County Superintendent of Schools shall be the terms of the standard Conflict of Interest Code of Title 2, California Code of Regulations section 18730. Any amendments to the Political Reform Act will automatically become a part of the Board's Conflict of Interest Code.

The designation of officers and employees and identification of disclosure categories are set forth in the Board's adopted Conflict of Interest Code. These positions and categories will be reviewed and re-adopted each February by the Board for any necessary amendments pursuant to Government Code section 87311.

The Director, Internal Business Section, shall be the official custodian of Statements of Economic Interest.

Board members and the County Superintendent of Schools shall submit statements of economic interest to the custodian who shall retain a copy and forward the original to the San Diego County Board of Supervisors. Designated employees' statements of economic interest will be retained by the custodian.

These statements shall be available for public inspection and reproduction.

Reference: Conflict of Interest Code of the San Diego County Board of Education and the County Superintendent of Schools Adopted 11/16/94

**Legal Reference: Title 2, California Code of Regulations, section 18730
Government Code
81000 et seq. -- Political Reform Act of 1974
87300 et seq. -- Standard Conflict of Interest Code**

Attachment One

**Appendix to the Conflict of Interest Code
of the County of San Diego Board of Education
and Superintendent of Schools**

SETTING FORTH DISCLOSURE CATEGORIES

Category Number 1 (Employees whose duties are broad and undefinable.)

All sources of income, interests in real property, and investments and business positions in business entities.

Category Number 2 (Employees whose duties include participating in contracting or purchasing for County Office of Education.)

Investments and business positions in business entities, and sources of income, which manufacture, sell or provide services, supplies, materials, books, machinery or equipment of the type utilized by the County Office of Education.

Category Number 3 (Employees whose duties include participating in contracting or purchasing for a specific department within the County Office of Education.)

Investments and business positions in business entities, and sources of income, which manufacture, sell or provide services, supplies, materials, books, machinery or equipment of the type utilized by the designated employee's department or division within the County Office of Education.

Category Number 4 (Employees whose decisions may affect real property interests.)

Investments and business positions in business entities, and sources of income, which engage in land development, construction or the acquisition or sale of real property, and all interests in real property.

**Appendix to the Conflict of Interest Code
of the County of San Diego Board of Education
and Superintendent of Schools**

DESIGNATING POSITIONS AND DISCLOSURE CATEGORIES

<u>Designated Positions</u>	<u>Disclosure Category Numbers</u>
Deputy Superintendent	2
Assistant Superintendents	2
Chief of Staff	2
Chief Communications & Public Relations Officer	2
Executive Directors	2
General Counsel	2
Senior Directors	2
Senior Director, Facilities Planning Services	4
Supervisor III, Purchasing & Contracts	2
<i>Purchasing/Contracts Specialist</i>	2
JPA Senior Claims Adjusters	3
JPA/FBC Program Managers	3
Consultants	See note at bottom of this page.

Officials Who Manage Public Investments:

It has been determined that the positions listed below manage public investments and will file a statement of economic interests pursuant to Government Code Section 87200:

Members, Board of Education
County Superintendent of Schools

NOTE: The County Superintendent of Schools or designee shall make determinations as to what disclosure, if any, is required by a particular consultant.

Conflict of Interest Code:

San Diego County Employees
Retirement Association

2024 Local Agency Biennial Notice

Name of Agency: San Diego County Employees Retirement Association
Mailing Address: 2275 Rio Bonito Way, Suite 100
Contact Person: Teresa Clanton Phone No. 619.515.6877
Email: tclanton@sdcera.org Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) Revise attachment to Appendix B.

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Tracy Sandoval Digitally signed by Tracy Sandoval
Date: 2024.07.31 14:58:48 -07'00'
Signature of Designated Officer

7/31/24
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2024**, via email to:

Form700@sdcountry.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

APPENDIX A

San Diego County Employees Retirement Association
Designated Positions and Disclosure Categories

The positions listed below manage public investments and will file a statement of economic interest pursuant to Government Code Section 87200:

Designated Positions	Disclosure Category
Trustee - Member of the Board of Retirement	1
Retirement Chief Executive Officer	1
Retirement Chief Investment Officer	1
Retirement Deputy Chief Investment Officer	1
Retirement Investment Officer	1
Public Member of the Audit Committee	1

The positions listed below will file a statement of economic interest pursuant to Government Code Section 81000 et seq.:

Designated Positions	Disclosure Category
Retirement Assistant Administrator	2
Retirement Assistant Director Member Services	2
Retirement Assistant General Counsel	2
Retirement General Counsel	2
Retirement Internal Audit Director	2
Retirement Information Technology Director	2
Retirement Business Systems Director	2
Retirement Member Services Manager	2
Retirement Services Manager	2
Consultant – Outside Fiduciary Counsel	2
Consultant – Outside Investment Counsel	2
Consultant – Outside Tax Counsel	2

APPENDIX B

San Diego County Employees Retirement Association Designated Employees Disclosure Categories

Category 1: All-Inclusive Reportable Investments including all disclosures required by California Government Code section 87200.

Category 2: Investments and business positions in any business entity that supplies goods or services to SDCERA, and in any security which was or is held by any fund administered by the Board of Retirement wherein the reporting party's interest in said security amounts to 1% or more of the issue of that security.

Income and gifts from any person or business entity that supplies goods or services to SDCERA.

Interests in real property.

For the purpose of this Appendix, "goods and services" means goods or services supplied by any actuarial, accounting, banking, financial, legal, investments, or consulting firm.

For the purpose of this Appendix, an "interest in real property" is any real property located in or within two miles of the County of San Diego, or within two miles of any land owned by SDCERA as set forth in the Attachment to this Appendix, which list the real properties owned by SDCERA in its Direct and Co-Investment Real Estate Portfolio. A copy of this Attachment is also on file in SDCERA's office.

ATTACHMENT TO APPENDIX B

San Diego County Employees Retirement Association Real Estate Properties

Clifton Commons, Clifton, New Jersey
The Ryan Building, Phoenix, Arizona
Commerce Park, Costa Mesa, California
Rio San Diego Plaza II, San Diego, California
Highlands Ranch, Flower Mound, Texas
105 & 140 Terry Drive, Newtown, Pennsylvania
Gateway Commerce I & II, Irving, Texas
Bothell 405 Business Park, Bothell, Washington
Stratford Station, Centennial, Colorado
101 Post Street, San Francisco, California
La Grange Crossing, La Grange, Illinois
45 Milk Street, Boston, Massachusetts
Tustin Executive Center, Tustin, California
2121 Belmont, Portland, Oregon
SALT Tempe, Arizona
Derby South Lake Union, Seattle, Washington
Derby Slabtown, Portland, Oregon
5990 Sepulveda, Van Nuys, California
Apex, Charlotte, North Carolina
Derby Capitol Hill, Seattle, Washington
Westside Plaza, Doral, Florida
ParkRidge VI, Lone Tree, Colorado
The Residences at Sugar Alley, Salt Lake City, Utah
4141 and 4167 Scottsdale, Scottsdale, Arizona

CONFLICT OF INTEREST CODE
SAN DIEGO COUNTY EMPLOYEES RETIREMENT ASSOCIATION (SDCERA)

September 26, 2024

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 ("FPPC") has adopted a regulation, California Code of Regulations, Title 2, Division 6, Section 18730 (hereinafter "CCR 18730"), which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of CCR 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference and along with the attached Appendix A and Appendix B in which members, officials, consultants, and employees are designated and disclosure categories are set forth constitute the conflict of interest code of San Diego County Employees Retirement Association (SDCERA).

The persons holding positions listed in the Appendix A are designated members, officials, consultants, or employees who manage investment funds and/or participate in the making of decisions that may foreseeably have a material effect on financial interests.

Pursuant to California Code of Regulations, Title 2, Division 6, Section 18730 (4), designated employees shall file statements of economic interests with the agency or with the code reviewing body. All designated positions listed in SDCERA's Appendix A will file disclosure statements (Form 700) with the code reviewing body, San Diego County Board of Supervisors. Any disclosure statements received by our agency will be forwarded to the Clerk of the Board of Supervisors.



Tracy M. Sandoval
Chief Executive Officer
San Diego County Employees Retirement Assn.

Conflict of Interest Code:

San Diego Unified School District

CONFLICT OF INTEREST CODE

Purpose

The purpose of this regulation is to outline what is required for compliance with the “conflict of interest/disclosure provision” of the Political Reform Act of 1974.

The conflict of interest provisions set forth in Chapter 7 of the California Political Reform Act of 1974 (“Political Reform Act”) prohibit any public officer or employee from making, participating in making, or influencing any district decision in which he/she has a financial interest. The Act also requires that certain officers and employees of the district disclose their financial interests. The district is required to adopt a conflict of interest code that has the force of law and contains the following provisions:

1. A designation of those positions within the district which involve the making of or participation in the making of decisions that may foreseeably have a material effect on the financial interests of the person holding the position;
2. For each such position, the specific types of investments, business positions, interests in real property and sources of income which must be disclosed; and

The circumstances under which individual, or categories of, designated employees must disqualify themselves from making or participating in the making of any decision that may foreseeably have a material effect on the financial interest of the person holding the position.

Penalties for Violation of Code

This Conflict of Interest Code has the force of law. Any violation hereof may constitute a misdemeanor with specified penalties depending on the nature of the infraction.

All provisions of the Political Reform Act of 1974, regulations of the Fair Political Practices Commission, specifically 2 California Code of Regulations Section 18730, and any amendments to the Act or regulations, not otherwise modified into this conflict of interest code, are incorporated by reference into this conflict of interest code.

Definitions

1. Designated Positions and Designated Employees: Those persons holding positions listed in Exhibit (1) 3700 are Designated Employees. These are persons make or participate in the making of decisions that may foreseeably have a material effect on financial interests.
2. Disclosure Categories: The disclosure categories set forth in Exhibit (2) 3700 specify which kinds of financial interests are reportable by a Designated Employee. Each Designated Employee is required to disclose in his or her statement of economic interests those financial interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in Exhibit (2) 3700. The financial interests set forth in a designated employee’s disclosure categories are the kinds of financial interests that he/she foreseeably can affect materially through the conduct of his/her office.
3. The definitions, not otherwise modified in this conflict of interest code, contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission, and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

Responsibilities

1. Designated employees shall file disclosure statements and disqualify themselves from making decisions in accordance with the information below.
2. Division heads shall assist the Legal Services Office in determining which positions under their supervisory authority shall be required to file statements of economic interests. New positions to be added to the list should be forwarded to the Legal Services Office.
3. Any management employee employing a consultant or establishing a committee shall determine, in consultation with the Legal Services Office, whether the consultant or committee members will be required, depending on the nature of the assignment, to file a statement of economic interests. *For consultants*, such determination shall be noted on a "Consultant Service Request" form. Designations of *permanent committees* whose members must file statements of economic interests shall be forwarded to the Legal Services Office for inclusion on Exhibit (1) 3700.

Place of Filing Statements of Economic Interests

1. Members of the Board of Education and the Superintendent of Public Education shall file a statement of economic interests electronically with the San Diego County Board of Supervisors through the eDisclosure portal. If they do not file electronically, the original statement for board members and the Superintendent of Public Education will be provided to the Legal Services Office who will forward the originals to the clerk of the San Diego County Board of Supervisors. In either event, a copy will be retained in the files of the Legal Services Office. The Legal Services Office shall be responsible for follow-up to ensure compliance with filing requirements.
2. Designated employees shall file the original of the statement of economic interests with the Legal Services Office.
3. Candidates for election to the Board of Education shall file a statement of economic interests with the San Diego County Registrar of Voters.

Time of Filing and Contents of Statements of Economic Interests

1. Initial statements
 - a. Members of the Board of Education and all designated employees employed by the district on the effective date of this code, as originally adopted, promulgated and approved by the San Diego County Board of Supervisors, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.
 - b. Statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.
2. Assuming office statements
 - a. Members of the Board of Education and all persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming office or the designated positions.
 - b. Members of the Board of Education and all persons who assume a district office or designated position within 30 days after leaving another district office or designated position are not required to file an assuming office statement.

- c. Statements shall disclose any reportable investments, interests in real property and positions held on the date of assuming office, and income received during the 12 months prior to the date of assuming office.
3. Annual statements
 - a. Members of the Board of Education and all designated employees shall file statements no later than April 1.
 - b. Members of the Board of Education and all persons assuming office between October 1 and December 31, and who have properly filed an assuming office statement, are not required to file the next annual statement, but will do so the following year.
 - c. Statements shall disclose any reportable investments, interest in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later.
4. Leaving office statements
 - a. Members of the Board of Education and all designated employees who leave office or designated positions shall file statements within 30 days after leaving office.
 - b. Members of the Board of Education and all persons who leave a district office or designated position only to assume another district office or designated position within 30 days are not required to file a leaving office statement.
 - c. Statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.
5. A person who is a candidate for election to the Board of Education shall file a statement of economic interests with the Registrar of Voters no later than the time of filing declaration of candidacy.
6. Statements for persons who resign prior to assuming office. Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the Legal Services Office to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his/her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his/her appointment. Such person shall not file either an assuming or leaving office statement. Any person who resigns a position within 30 days of the date of a notice from the Legal Services Office shall do both of the following:
 - a. File a written resignation with the district; and
 - b. File a written statement with the Legal Services Office declaring under penalty of perjury that during the period between appointment and resignation he/she did not make, participate in the making, or use the position to influence any decision of the district or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.
7. A designated employee who is required to disclose any interest in real property shall file a supplementary statement disclosing any partially or wholly newly acquired or disposed of reportable interest in real property within 30 days of that acquisition or disposal.

Manner of Reporting

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the Legal Services Office. All statements shall include information concerning reportable investments, interests in real property, income and business positions held or received in accordance with 2 California Code of Regulations Section 18730(b)(7).

Prohibition on Receipt of Honoraria

No member of the Board of Education or designated employee shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. Government Code Section 89501 shall apply to the prohibitions on receipt of honoraria. This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code Section 89506.

Prohibition on Receipt of Gifts

No member of the Board of Education or designated employee shall accept gifts with a total value of more than the limit established each year pursuant to 2 California Code of Regulations 18730 in a calendar year from any single source, if the member or designated employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. Government Code Section 89503 shall apply to the prohibitions on receipt of honoraria.

Loans to Members of the Board of Education

1. No member of the Board of Education shall, from the date of his/her election to office through the date that he/she vacates office, receive a personal loan from any officer, employee, member or consultant of the district.
2. No member of the Board of Education shall, from the date of his/her election to office through the date that he/she vacates office, receive a personal loan from any person who has a contract with the district. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the Board of Education member's official status.
3. No member of the Board of Education shall, from the date of his/her election to office through the date that he/she vacates office, receive a personal loan of \$500.00 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.
4. This section shall not apply to the following:
 - a. Loans made to the campaign committee of the member of the Board of Education or candidate for member of the Board of Education.
 - b. Loans made by a Board of Education member's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempt under this section.
 - c. Loans from a person, which, in the aggregate, do not exceed \$500.00 at any given time.

- d. Loans made, or offered in writing, before January 1, 1998.
- e. Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

Personal Loans Received by Designated Employees

Personal loans received by designated employees may be considered gifts, under 2 California Code of Regulations Section 18730(b)(8.4), for purposes of reporting them on the statement of economic interests.

Disqualification

No member of the Board of Education or designated employee shall make, participate in making, or in any way attempt to use his/her official position to influence the making of any government decision that he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the member of the Board of Education or designated employee, or a member of his or her immediate family, or on:

1. Any business entity in which he or she has a direct or indirect investment worth \$2,000.00 or more.
2. Any real property in which he or she has a direct or indirect interest worth \$2,000.00 or more.
3. Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500.00 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made.
4. Any business entity in which he/she is a director, officer, partner, trustee, employee, or holds a position of management.
5. Any donor or, or any intermediary or agent for a donor of, a gift or gifts aggregating \$470.00 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

Manner of Disqualification

1. Designated employees. A designated employee required to disqualify himself or herself shall notify his/her supervisor in writing. This notice shall be forwarded to the Legal Services Office, which shall record the employee's disqualification. Upon receipt of such statement, the supervisor shall immediately reassign the matter to another employee.
2. Member of the Board of Education. In case of a designated employee who is a member of the board, notice of disqualification shall be given at the meeting during which consideration of the decision takes place and shall be made part of the official record of the board. The member then shall refrain from participating and shall attempt in no way to use his/her official position to influence any other person with respect to the matter.

Legally Required Participation

No member of the Board of Education or designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a member of the Board of Education or designated employee who is on a voting body is needed to break a tie does not make his/her participation legally required for purposes of this section.

Assistance of the Commission

Any designated employee who is unsure of his/her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114.

Legal Reference:

Political Reform Act of 1974

California Government Code Sections 83000 et. seq., and 89000 et. seq.

2 California Code of Regulations Section 18000 et. seq.

Policy
adopted: January 26, 2021

SAN DIEGO UNIFIED SCHOOL DISTRICT
San Diego, California

CATEGORIES OF REPORTABLE ECONOMIC INTERESTS

CATEGORY 1 ALL-INCLUSIVE REPORTABLE INVESTMENTS (See Government Code § 82034)

A designated employee in this category shall disclose all reportable investments (worth more than \$1,000):

- (a) owned by the designated employee, his or her spouse or dependent child;
- (b) owned by an agent on behalf of the designated employee;
- (c) owned by any business entity controlled by the designated employee (i.e., any business entity in which the designated employee, her or her agents, spouse and dependent children have a present or future interest worth more than \$1,000);
- (d) representing the pro rata share (worth more than \$1,000) of the designated employee, his or her spouse and dependent children, or investments of any business entity or trust in which the designated employee, his or her spouse, and dependent children own, directly, indirectly or beneficially, a 10 percent interest or greater;
- (e) this category includes, at a minimum, all sources of investments identified under Category 4.

CATEGORY 2 ALL-INCLUSIVE REPORTABLE INTEREST IN REAL PROPERTY

A designated employee in this category shall disclose all interests (worth more than \$1,000) in real property located within the jurisdiction if the interests are:

- (a) held or own by the designated employee, his or her spouse and dependent child, or
- (b) the pro rata share (worth more than \$1,000) of interests in real property of any business entity or trust in which the designated employee or spouse owns, directly, indirectly, or beneficially, a 10 percent interest or greater.

CATEGORY 3 ALL-INCLUSIVE REPORTABLE INCOME (See Government Code § 82030)

A designated employee in this category shall disclose all income of the designated employee from any Agency-related source aggregating \$250 or more (or \$50 more in the case of gifts) during the reporting period. This category includes, at a minimum, all sources of income identified under Category 5.

CATEGORY 4 LESS INCLUSIVE REPORTABLE INVESTMENTS (See Government Code § 82030)

A designated employee in this category shall disclose only investments (worth more than \$1,000) in any business entity, which within the last two years has contracted with or in the future may foreseeably contract with the Agency for the provision of the following services, supplies, materials, machinery, or equipment:

- (a) Selling or leasing audio-visual equipment, articles, or supplies;
- (b) Publishing, selling, or leasing books, instructional or curriculum material;
- (c) Selling or leasing equipment, articles or supplies which can be used in connection with repairing or maintaining of buildings of grounds;
- (d) Selling or leasing transportation equipment, articles, supplies, or services;
- (e) Performing employment agency or recruitment services;
- (f) Selling or leasing equipment, articles, supplies or foods which can be used in connection with electronic data processing;
- (g) Selling or leasing equipment, articles or supplies which can be used in connection with electronic data processing;
- (h) Providing management consultant services;
- (i) Providing educational consultant services;
- (j) Selling or providing insurance or insurance services of any kind;
- (k) Providing medical, dental or psychological services either individually or as a part of a clinic or partnership, including medical or dental laboratory services;
- (l) Selling plants, garden or landscape supplies, sprinkling systems, sprinkling equipment or parts providing landscaping services of any kind;
- (m) Engaging in a specific business activity identified in Exhibit A as applicable to a specific designated position or category of positions;
- (n) Providing services of any kind to special education students.

CATEGORY 5 LESS-INCLUSIVE REPORTABLE INCOME

A designated employee in this category shall disclose only that reportable income (\$250 or more during reporting period, \$50 or more in the case of gifts) which is derived from a source which within the last two years has contracted with the Agency or in the future may foreseeably contract with the Agency for the provision of the following services, supplies, materials, machinery or equipment:

- (a) Selling or leasing audio-visual equipment, articles, or supplies;
- (b) Publishing, selling, or leasing books, instructional or curriculum material;
- (c) Selling or leasing equipment, articles or supplies which can be used in connection with repairing or maintaining of buildings of grounds;
- (d) Selling or leasing transportation equipment, articles, supplies, or services;
- (e) Performing employment agency or recruitment services;
- (f) Selling or leasing equipment, articles, supplies or foods which can be used in connection with electronic data processing;
- (g) Selling or leasing equipment, articles or supplies which can be used in connection with electronic data processing;
- (h) Providing management consultant services;
- (i) Providing educational consultant services;
- (j) Selling or providing insurance or insurance services of any kind;
- (k) Providing medical, dental or psychological services either individually or as a part of a clinic or partnership, including medical or dental laboratory services;
- (l) Selling plants, garden or landscape supplies, sprinkling systems, sprinkling equipment or parts providing landscaping services of any kind;
- (m) Engaging in a specific business activity identified in Exhibit A as applicable to a specific designated position or category of positions;
- (n) Providing services of any kind to special education students.

9/10/2024

San Diego Unified School District

EXHIBIT 1

DESIGNATED POSITIONS
(as of August 31, 2024)

COSD CLERK OF THE BOARD
2024 SEP 13 AM 9:37

Position Title	Reportable Economic Interests Category Numbers (See Exhibit 2)
Administrator, Balboa Park Program	1, 2, 3
Administrator, Business Operations	1, 2, 3
Administrator, Food Services Compliance and Operations	1, 2, 3
Administrator on Special Assignment	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Administrator, Palomar Program	1, 2, 3
Application Development Coordinator	1, 2, 3
Area Program Manager, Special Education	4h, 4i, 4m, 4n, 5h, 5i, 5m, 5n
Area Superintendent	1, 2, 3
Assistant Area Superintendent (K-12)	1, 2, 3
Assistant General Counsel I and II	1, 2, 3
Audit Manager, Information Systems	1, 2, 3
Audit Manager, Operations	1, 2, 3
Board of Education Member	1, 2, 3
Business Manager, Food Services Dept	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Buyer	1, 2, 3
Candidates	1, 2, 3
Chief Police Services	1, 2, 3
Chief Public Information Officer	1, 2, 3
Chief Research and Evaluation Officer	1, 2, 3
Chief Special Projects Officer	1, 2, 3
Contract Specialist	1, 2, 3
Contracts Administration Supervisor	1, 2, 3
Controller	1, 2, 3
COVID-19 Response Coordinator	1, 2, 3
Deputy General Counsel and Labor Relations Counsel	1, 2, 3
Deputy Superintendent	1, 2, 3
Deputy Superintendent, Operations	1, 2, 3
Director, Advanced Placement Incentive Grant Program	1, 2, 3
Director, Advanced Studies & School Innovation	1, 2, 3
Director, Applications	1, 2, 3
Director, Assessment Services	1, 2, 3
Director, Board Services	1, 2, 3
Director, Budget Development	1, 2, 3
Director, Charter Schools Office	1, 2, 3
Director, Child Development Program	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Director, College, Career and Technical Education	1, 2, 3
Director, Communications	1, 2, 3
Director, Construction Management Department	1, 2, 3
Director, Counseling	1, 2, 3
Director, Due Process Hearings and Mediation	1, 2, 3
Director, Early Childhood Education	1, 2, 3
Director, Educational Complex	1, 2, 3
Director, Educational Technology	1, 2, 3
Director, Facilities Planning and Construction Special Projects	1, 2, 3
Director, Financial Planning, Monitoring and Accountability	1, 2, 3

Position Title	Reportable Economic Interests Category Numbers (See Exhibit 2)
Director, Fiscal Controls and Information Systems	1, 2, 3
Director, Food Services Department	1, 2, 3
Director, Government Relations	1, 2, 3
Director, Human Resources	1, 2, 3
Director, Integrated Technology	1, 2, 3
Director, Instructional Technology	1, 2, 3
Director, Instructional Data Support	1, 2, 3
Director, Labor Relations	1, 2, 3
Director, Leadership Development	1, 2, 3
Director, Neighborhood Schools & Enrollment Options	1, 2, 3
Director, Office of Language Acquisition	1, 2, 3
Director on Special Assignment	1, 2, 3
Director, Payroll/Benefits	1, 2, 3
Director, Physical Education, Health Education, Interscholastic Athletics, and Nursing and Wellness	4h, 4i, 4m, 5h, 5i, 5m
Director, Physical Plant Operations	1, 2, 3
Director, Planning and Accountability	1, 2, 3
Director, Professional Development for Admin. Support and Integrated Teams	1, 2, 3
Director, Professional Development for Instr. Support	1, 2, 3
Director, Project Management Department	1, 2, 3
Director, Purchasing and Contracts	1, 2, 3
Director, Real Estate	1, 2, 3
Director, Research and Development	1, 2, 3
Director, Risk Management	1, 2, 3
Director, School Choice	1, 2, 3
Director, School Innovation	1, 2, 3
Director, Science, Technology, Engineering & Mathematics (STEM)	1, 2, 3
Director, Special Education	1, 2, 3
Director, Special Projects	1, 2, 3
Director, Strategic Planning and Innovation, Office of the Superintendent	1, 2, 3
Director, Student Programs and Professional Learning	1, 2, 3
Director, Teaching and Learning Support	1, 2, 3
Director, Transportation and Distribution Services Department	1, 2, 3
Director, Visual and Performing Arts	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
District Architect	1, 2, 3
Executive Coordinator, Office of Superintendent	4h, 4i, 4m, 5h, 5i, 5m
Executive Director, Advanced Studies	1, 2, 3
Executive Director, Collaborative	1, 2, 3
Executive Director, Data Insights and System Support	1, 2, 3
Executive Director, Diversity and Inclusion	1, 2, 3
Executive Director, Equity and Belonging	1, 2, 3
Executive Director, Financial Planning and Development	1, 2, 3
Executive Director, Information Technology	1, 2, 3
Executive Director, Labor Relations and Assistant General Counsel	1, 2, 3
Executive Director, Leadership and Learning	1, 2, 3
Executive Director, Nursing and Wellness	1, 2, 3
Executive Director, Quality Assurance Office	1, 2, 3
Executive Director, Risk Management and Captive Insurance	1, 2, 3
Executive Director, School Innovation and Integrated Youth Services	1, 2, 3
Executive Director, Special Education	1, 2, 3

Position Title	Reportable Economic Interests Category Numbers (See Exhibit 2)
Executive Director, Strategic Communications and Information	1, 2, 3
Executive Director, Student Services	1, 2, 3
Executive Director, Youth Advocacy	1, 2, 3
Executive Principal	1, 2, 3
Food Services Planning Supervisor	1, 2, 3
General Counsel	1, 2, 3
Human Resources Officer	1, 2, 3
ISB Operations Coordinator	1, 2, 3
Legal Specialist	4h, 4i, 4m, 5h, 5i, 5m
Manager, Accounts Payable	1, 2, 3
Manager, Budget Development	1, 2, 3
Manager, Certificated Human Resources	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Manager, Charter Schools	1, 2, 3
Manager, Classified Personnel	1, 2, 3
Manager, Community Relations	1, 2, 3
Manager, Contracts Compliance	1, 2, 3
Manager, Custodial Services	4c, 4h, 4i, 5c, 5h, 5i
Manager, Elementary and Secondary Education Act	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Manager, Employee Benefits	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Manager, Enrollment Options	4b, 4h, 4i, 4m, 5b, 5h, 5m
Manager, Environmental Health and Safety	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Manager, Extended Learning Opportunity	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Manager, Facilities Planning	4a, 4c, 4i, 4l, 4m, 5a, 5c, 5i, 5l, 5m
Manager, Financial Accounting	1, 2, 3
Manager, Fiscal Control	1, 2, 3
Manager, Fleet Maintenance	4d, 5d
Manager, Food Services Acquisition and Production	1, 2, 3
Manager, Human Resources	1, 2, 3
Manager, Information Technology	1, 2, 3
Manager, Instructional Facilities Planning	4a, 4c, 4i, 4l, 4m, 5a, 5c, 5i, 5l, 5m
Manager, Instructional Materials	1, 2, 3
Manager, Interagency Coordinated Services	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Manager, Landscape Services	4h, 4i, 5h, 5i
Manager, Legislative Affairs - Sacramento	1, 2, 3
Manager, Magnet and Innovation Programs	4a, 4b, 4i, 4m, 4n, 5a, 5b, 5i, 5m, 5n
Manager, Network Services and Telecommunications	1, 2, 3
Manager, Outreach Program	4a, 4b, 4i, 4m, 4n, 5a, 5b, 5i, 5m, 5n
Manager, Physical Plant Operations Program Management	4c, 4h, 4i, 5c, 5h, 5i
Manager, Position Control and Financial Reporting	1, 2, 3
Manager, Translation and Community Services	4b, 4c, 4h, 4m, 4n, 5b, 5c, 5h, 5m, 5n
Manager, Transportation Operations	4d, 5d
Manager, Workers' Compensation	1, 2, 3

Reportable Economic
Interests Category
Numbers (See Exhibit 2)

Position Title

Officer, Special Education Compliance	1, 2, 3
Operations Specialist	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Policy Analyst I	1, 2, 3
Principal on Special Assignment	1, 2, 3
Program Manager, Accountability and Research	4b, 4h, 4i, 4m, 5b, 5h, 5i, 5m
Program Manager, Adult Education	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, Billiteracy and English Learner Support	4g, 4h, 5g, 5h
Program Manager, Children and Youth in Transition	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, Counseling and Guidance	4b, 4i, 4k, 4m, 5b, 5i, 5k, 5m
Program Manager, Cross Content Literacy UTK-12	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, Early Link School Readiness Program	4h, 4i, 4m, 4n, 5h, 5i, 5m, 5n
Program Manager, Education Technology	4a, 4b, 4f, 4g, 4i, 4m, 5a, 5b, 5f, 5g, 5i, 5m
Program Manager, Family Engagement	4a, 4b, 4h, 4i, 4m, 5a, 5b, 5h, 5i, 5m
Program Manager, Gifted and Talented Education	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, Health and Wellness	4g, 4h, 5g, 5h
Program Manager, Instructional Media Services	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, Integrated Advanced Studies & School Innovation	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, JROTC	1, 2, 3
Program Manager, LGBTQ and Advocacy and Education	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, Literacy	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, Math	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, Mental Health Resource Center	4a, 4b, 4i, 4k, 4m, 4n, 5a, 5b, 5i, 5k, 5m, 5n
Program Manager, Office of Language Acquisition	4a, 4b, 4h, 4i, 4m, 5a, 5b, 5h, 5i, 5m
Program Manager, Online Learning	4a, 4b, 4f, 4g, 4h, 4m, 5a, 5b, 5g, 5h, 5m
Program Manager, Parent Outreach	4a, 4b, 4f, 4i, 4j, 4m, 5a, 5b, 5i, 5j, 5m
Program Manager, Placement & Appeal	4b, 4h, 4i, 4m, 5b, 5h, 5i, 5m
Program Manager, Pre K Family Literacy	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, Program Monitoring	4h, 4i, 4m, 4n, 5h, 5i, 5m, 5n
Program Manager, Restorative Practices	4a, 4b, 4f, 4i, 4j, 4m, 5a, 5b, 5i, 5j, 5m
Program Manager, SANDAPP	1, 2, 3
Program Manager, School in the Park	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, School to Career	4h, 4i, 4m, 5h, 5i, 5m
Program Manager, Science	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, Secondary Teaching and Learning	4h, 4i, 4m, 4n, 5h, 5i, 5m, 5n
Program Manager, Section 504/ADA	1, 2, 3
Program Manager, Social Studies	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, STEM Innovation	1, 2, 3
Program Manager, Teacher Preparation and Induction	4h, 4i, 4m, 4n, 5h, 5i, 5m, 5n
Program Manager, Teacher Residency Program	1, 2, 3
Program Manager, Teaching and Learning	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Program Manager, UTK-12 Music	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Project Manager, DWA	1, 2, 3
Real Estate Specialist	1, 2, 3

Position Title	Reportable Economic Interests Category Numbers (See Exhibit 2)
Senior Buyer	1, 2, 3
Senior Contract Specialist	1, 2, 3
Senior Director, Instructional Support	1, 2, 3
Senior Director, Operations Support	1, 2, 3
Senior Executive Director of Staff	1, 2, 3
Senior Executive Director, Facilities Planning and Construction	1, 2, 3
Senior Executive Director, Human Resources	1, 2, 3
Senior Executive Director, Instruction	1, 2, 3
Senior Executive Director, Operations	1, 2, 3
Senior Zone Manager	4c, 4h, 4i, 5c, 5h, 5i
Software Systems Coordinator	1, 2, 3
Special Schools Building Services Supervisor	4c, 4h, 4i, 5c, 5h, 5i
Specialist, Community Relations	4a, 4b, 4i, 4m, 5a, 5b, 5i, 5m
Specialist, Instrumental Music	4h, 4i, 4m, 5h, 5i, 5m
Superintendent of Public Education	1, 2, 3
Systems Development Coordinator	1, 2, 3
Title IX Officer	4b, 4h, 4i, 4m, 5b, 5h, 5i, 5m
Transportation Services Supervisor (Personnel, Training, Safety)	1, 2, 3


CONSULTANTS

Employed as an Independent Contractor 2¹, 4m², 5m²

COMMITTEES

Independent Citizens Oversight Committee (ICOC) members 1, 2, 3

Any committee, of the Board of Education or the Superintendent, acting in a capacity such that an individual of the committee is performing the function of an individual who would fill a designated position.

Approved in a public meeting of the Board of Education of the San Diego Unified School District on 9/10/2024

 Marty Stultz, Director, Board Services
 San Diego Unified School District Board of Education

¹ Disclosure under economic interest category 2 shall be required of the Consultant when, in the opinion of the Board of Education, the Consultant may reasonably be expected to make, participate in making, or in any way attempt to use his or her position as a Consultant to influence a District decision directly or indirectly pertaining to real property.

² Each Consultant, who in the opinion of the Board of Education, may be expected to make, participate in making, or in any way use his or her position as a Consultant to influence a District decision in which the person might reasonably be expected to have a financial interest shall disclose investments in and income from a business entity, a business activity which is that of selling or leasing materials, equipment, supplies or services in any way related to the area in which the individual is rendering service.

Conflict of Interest Code:

San Elijo Joint Powers Authority

**SAN ELIJO JOINT POWERS AUTHORITY
CONFLICT OF INTEREST CODE**

The Political Reform Act of 1974 (Government Code Sections 81000 et. Seq.) requires local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 18730) that contains the terms of a standard conflict of interest code and may 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 Appendix designating positions and establishing disclosure requirements shall constitute the Conflict of Interest Code for the San Elijo Joint Powers Authority (the "Agency").

Individuals holding designated positions and non-designated positions identified in Government Code section 87200 shall file their statement of economic interests with the Agency's Clerk of the Board, who will make the statements available for public inspection and reproduction (Gov. Code section 81008). The Agency will retain all such statements for individuals in designated positions. The Agency will retain copies of all such statements for individuals in non-designated positions and will forward the originals to the Clerk of the Board of Supervisors of San Diego County (Gov. Code section 87500(k)).

APPENDIX A

Disclosure Categories

Individuals holding designated positions must report their interests according to the following disclosure category(ies) to which their position has been assigned.

Category 1: All Sources

Interests in real property (not including primary residence) located within the Agency Service Area (ASA) or within two miles of the ASA; and the investments and business positions in the business entities, and income, including loans, gifts, and travel payments from all sources.

Category 2: Agency Specific

Interests in real property (not including primary residence) located within the ASA or within two miles of the ASA; investments and business positions in business entities doing business within the ASA and/or located in San Diego County; and income, including but not limited to loans, gifts, and travel payments, from sources in San Diego County, and/or from sources outside the County whose economic position may be affected by decisions or recommendations made by the agency at all levels.

Category 3: Department Specific

Interests in real property (not including primary residence) located within the Agency Service Area (ASA) or within two miles of the ASA; investments and business positions in business entities located in San Diego County; and income, including loans, gifts, and travel payments from sources whose economic position may be affected by the decisions or recommendations made by the department to which the filer is assigned duties.

Category 4: Property/Facilities Entitlement

Interests in real property (not including primary residence) located within the Agency Service Area (ASA) or within two miles of the ASA; investments and business positions in business entities located in San Diego County; and income, including loans, gifts, and travel payments from sources that are of the type to request an entitlement to use agency property or facilities, including, but not limited to: a license; a facilities use permit; or a vendor permit.

Category 5: Consultant Specific

Where the broadest disclosure is not necessary, the agency may set an interim disclosure that is more tailored to consulting positions with a limited range of duties.

As used herein, "Agency Service Area" is defined as the jurisdictional boundaries of the Agency's member agencies and those areas served by the Agency's wastewater and recycled water services.

The following designated positions, when active, file according to the assigned categories associated with their title.

Designated Positions

Disclosure Categories

- I. San Elijo Joint Powers Authority Staff:
 - Director of Operations.....2
 - Director of Infrastructure and Sustainability.....2
 - Chief Plant Operator.....3
 - Mechanical Systems Manager.....3
 - Laboratory Manager.....3
 - Recycled Water Supervisor.....3
 - SCADA Manager.....3
 - Project Manager.....3

- II. Consultants: Consultants shall be included in the list of designated positions and shall disclose in accordance with Category 1, except as otherwise provided, if the consultant, pursuant to a contract does either of the following (Reg. 18700.3):
 - 1. Make a governmental decision whether to:
 - Approve a rate, rule or regulation;
 - Adopt or enforce a law;
 - Issue, deny, suspend, or revoke a permit, license application, certificate, approval, order, or similar authorization or entitlement;
 - Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
 - Grant agency approval to a contract which requires agency approval and in which the agency is a party, or to the specifications for such a contract;
 - Grant agency approval to a plan, design, report study, or similar item;
 - Adopt, or grant agency approval of, policies, standards, or guideline for the agency, or for any subdivision of the agency; or
 - 2. Serves in a staff capacity and in that capacity participates in making governmental decisions as defined in Regulation 18704(a) and (b); or performs substantially all the same duties for the agency that would otherwise be performed by an holding a position specified in the agency's Conflict of Interest Code.

The General Manager, with the approval of the Agency's General Counsel, may determine in writing that a particular consultant, 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 paragraph. The written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The written determination is a public record and shall be retained for public inspection in the office of the Agency's Clerk of the Board.

Non-Designated Positions

The following positions are not designated because individuals holding these positions must file the statement of economic interest under Government Code Section 87200. These positions are listed for informational purposes only:

- Board Members
- General Manager
- Director of Finance and Administration
- Consultants involved in the investment of public funds*

*Pursuant to 2 California Code of Regulations section 18700.3(b)(1). "Other public officials who manage public investments" means, members of the board and commissions, including pension and retirement boards or commissions, or of committees who exercise the responsibility for the management of public investments; high level officers and employees 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 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 high-level officers and employees who exercise primary responsibility for the management of public investments.

Conflict of Interest Code:

**San Miguel Consolidated Fire
Protection District**

CONFLICT OF INTEREST CODE

OF THE

**SAN MIGUEL CONSOLIDATED
FIRE PROTECTION DISTRICT**

CONFLICT OF INTEREST CODE OF THE SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT

(Adopted November 13, 2019)

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 has adopted a regulation (2 Cal. Code Regs. § 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 Regulation 18730 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 incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT** (the "District").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Administrative Assistant** as the District's Filing Officer. The **Administrative Assistant** shall make and retain a copy of all statements filed by the Board of Directors and Fire Chief and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Administrative Assistant** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT

(Adopted November 13, 2019)

PART "A"

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. §18700.3, are NOT subject to the District's Code but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)]

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below are District Officials who manage public investments¹. These positions are listed here for informational purposes only.

Board of Directors
Fire Chief
Administrative Officer/ Finance Officer
Financial Consultant

¹ Individuals 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 § 87200.

BBK- October 2019

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Battalion Chief	5
Division Chief	4
Fire Marshal	5, 6
Fire Services Officer	5
General Counsel	1, 2

Consultants and New Positions²

² Individuals serving as a consultant as defined in FPPC Regs 18700.3 or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The Fire Chief may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code §§ 82019; FPPC Regs 18219 and 18734.). The Fire Chief'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 § 81008.)

PART "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.³ "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the District.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that do business or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the boundaries of the District.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated employee's department, unit or division.

Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a nonprofit or other organization, if the source is of the type to receive grants or other monies from or through the District or its subdivisions.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Regs 18730.1)

Conflict of Interest Code:

Sheriff's

Conflict of Interest Code

San Diego County Sheriff's Office

COSD CLERK OF THE BOARD
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Designated Position	Disclosure Category
Administrative Analyst III, Contract Procurement	A-1, A-2, B, C, D, E
Assistant Communications System Manager - Wireless	A-1, A-2, B, C, D, E
Assistant Crime Lab Director	A-1, A-2, B, C, D, E
Assistant Manager, Food Services	A-1, A-2, B, C, D, E
Assistant Medical Services Administrator	A-1, A-2, B, C, D, E
Assistant Sheriff	A-1, A-2, B, C, D, E
Captain	A-1, A-2, B, C, D, E
Chief Finance Officer	A-1, A-2, B, C, D, E
Chief Medical Officer	A-1, A-2, B, C, D, E
Commander	A-1, A-2, B, C, D, E
Communications System Manager	A-1, A-2, B, C, D, E
Contracts Management Manager	A-1, A-2, B, C, D, E
Crime Lab Director	A-1, A-2, B, C, D, E
Director, Legal Affairs	A-1, A-2, B, C, D, E
Deputy Director, Inpatient/Resident Care	A-1, A-2, B, C, D, E
Employee Relations Manager	A-1, A-2, B, C, D, E
Executive Director, Management Services	A-1, A-2, B, C, D, E
Food Services Manager	A-1, A-2, B, C, D, E
Group Program Manager (Chief Mental Health)	A-1, A-2, B, C, D, E
Human Resources Administrator	A-1, A-2, B, C, D, E
Human Resources Manager	A-1, A-2, B, C, D, E
Legal Support Manager	A-1, A-2, B, C, D, E
Licensing Manager	A-1, A-2, B, C, D, E
Lieutenant, Detentions Training Unit	A-1, A-2, B, C, D, E
Lieutenant, Detentions Support Division	A-1, A-2, B, C, D, E
Lieutenant, East Mesa Reentry Facility	A-1, A-2, B, C, D, E
Lieutenant, Fallbrook Substation	A-1, A-2, B, C, D, E
Lieutenant, Imperial Beach Substation	A-1, A-2, B, C, D, E
Lieutenant, JIMS Project	A-1, A-2, B, C, D, E
Lieutenant, Lakeside Substation	A-1, A-2, B, C, D, E
Lieutenant, Law Enforcement Operations Support	A-1, A-2, B, C, D, E
Lieutenant, Lemon Grove Substation	A-1, A-2, B, C, D, E
Lieutenant, Media Relations Director	A-1, A-2, B, C, D, E
Lieutenant, Medical Services Division	A-1, A-2, B, C, D, E
Lieutenant, Ramona Substation	A-1, A-2, B, C, D, E
Lieutenant, Rock Mountain Detention Facility Project	A-1, A-2, B, C, D, E
Lieutenant, Rural Substation	A-1, A-2, B, C, D, E
Lieutenant, South Bay Detention Facility	A-1, A-2, B, C, D, E
Lieutenant, Valley Center/Pauma Substation	A-1, A-2, B, C, D, E
Medical Director, Detentions	A-1, A-2, B, C, D, E
Medical Services Administrator	A-1, A-2, B, C, D, E
Project Manager – Facilities	A-1, A-2, B, C, D, E

Conflict of Interest Code

San Diego County Sheriff's Office

Project Manager – Fleet	A-1, A-2, B, C, D, E
Property and Evidence Manager	A-1, A-2, B, C, D, E
Public Affairs Officer (Community Inclusion Director)	A-1, A-2, B, C, D, E
Public Affairs Officer (Media Relations Director)	A-1, A-2, B, C, D, E
Reentry Services Manager	A-1, A-2, B, C, D, E
Senior Policy Advisor	A-1, A-2, B, C, D, E
Sheriff	A-1, A-2, B, C, D, E
Special Investigator – Intergovernmental Affairs	A-1, A-2, B, C, D, E
Special Investigator – Legal Affairs	A-1, A-2, B, C, D, E
Standards Compliance Manager	A-1, A-2, B, C, D, E
Support Services Manager (Director Support Services)	A-1, A-2, B, C, D, E
Technology Manager (Chief Technology Officer)	A-1, A-2, B, C, D, E
Undersheriff	A-1, A-2, B, C, D, E

Conflict of Interest Code:

Southwestern Community College
District

Southwestern Community College District Procedure CCLC Update No. 2712 AP
Governing Board

CONFLICT OF INTEREST CODE

References: *Government Code Sections 87103(e), 87300-87302, 89501, 89502, and 89503; California Code of Regulations Title 2 §18730
Board Policy 2712 – (BP) Conflict of Interest Code*

Pursuant to Section 18730 of Title 2 of the California Code of Regulations, incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in Section 13 below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section 87300 or the amendment of a conflict of interest code within the meaning of Government Code Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Government Code Sections 87200 et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to other state or local laws pertaining to conflicts of interest.

Section 1. Definitions

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regulations Sections 18100 et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code. This regulation, the list of Designated Positions establishing disclosure requirements, and the list of Disclosure Categories, shall constitute the Conflict of Interest Code of Southwestern Community College District.

Section 2. Designated Employees

The persons holding positions listed in Appendix A are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on the College District's economic interests. Designated employees must file a Statement of Economic Interest, Form 700 annually.

Pursuant to Title 2, §18734, consultants are also included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this Code. However, the Superintendent/President, or designee, may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the broadest disclosure requirements. Such written determination shall include a description of the consultant's duties and, based on that

Approved by Governing Board: September 8, 2010 **Page 1 of 16**
Approved by SCC: October 12, 2022; November 13, 2018; November 15, 2016
Reviewed by GBPC: 1st Read July 21, 2022
Reviewed by PPRC: 1st Read March 7, 2024
SCC: 2nd Read March 13, 2024

CONFLICT OF INTEREST CODE

description, a statement of the extent of disclosure requirements. This determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Section 3. Disclosure Categories

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economics interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code Sections 87200 et seq. In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

- (A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;
- (B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code Section 87200; and
- (C) The filing officer is the same for both agencies.¹ Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in Section 13 specify which kinds of economic interests are reportable. Such a designated employee shall disclose in their statement of economic interests those economic interests they have which are of the kind described in the disclosure categories to which they are assigned in Section 13. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which they foreseeably can affect materially through the conduct of their office.

Section 4. Statements of Economic Interests

Place of Filing. The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code section 81004.

CONFLICT OF INTEREST CODE

body, as provided by the code reviewing body in the agency's conflict of interest code.²

Section 5. Statements of Economic Interests

Time of Filing

- (A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.
- (B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.
- (C) Annual Statements. All designated employees shall file statements no later than April 1.
- (D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

Section 5.5. Statements for Persons Who Resign Prior to Assuming Office

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided they did not make or participate in the making of, or use their position to influence any decision and did not receive or become entitled to receive any form of payment as a result of their appointment. Such persons shall not file either an assuming or leaving office statement.

- (A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:
 - 1. File a written resignation with the appointing power; and
 - 2. File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation they did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

² See Government Code section 81010 and 2 Cal. Code of Regs. section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

CONFLICT OF INTEREST CODE

Section 6. Contents of and Period Covered by Statements of Economic Interests

- (A) **Contents of Initial Statements.** Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.
- (B) **Contents of Assuming Office Statements.** Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.
- (C) **Contents of Annual Statements.** Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later.
- (D) **Contents of Leaving Office Statements.** Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

Section 7. Manner of Reporting

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

- (A) **Investments and Real Property Disclosure.** When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:
 - 1. A statement of the nature of the investment or interest;
 - 2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

CONFLICT OF INTEREST CODE

3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he/she is a director, officer, partner, trustee, employee, or in which they hold any position of management, a description of the business activity in which the

⁵ A designated employee's income includes their community property interest in the income of their spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

CONFLICT OF INTEREST CODE

business entity is engaged, and the designated employee's position with the business entity.

- (E) **Acquisition or Disposal during Reporting Period.** In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

Section 8. Prohibition on Receipt of Honoraria

- (A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on their statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official. Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.
- (B) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code Section 89506.

Section 8.1. Prohibition on Receipt of Gifts in Excess of \$590

- (A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$590 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on their statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.
- Subdivisions (e), (f), and (g) of Government Code Section 89503 shall apply to the prohibitions in this section.

Section 8.2. Loans to Public Officials

- (A) No elected officer of a state or local government agency shall, from the date of their election to office through the date that they vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

CONFLICT OF INTEREST CODE

- (B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while they hold office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.
- (C) No elected officer of a state or local government agency shall, from the date of their election to office through the date that they vacate office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.
- (D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while they hold office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.
- (E) This section shall not apply to the following:
1. Loans made to the campaign committee of an elected officer or candidate for elective office.
 2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
 3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.
 4. Loans made, or offered in writing, before January 1, 1998.

Section 8.3. Loan Terms

Approved by Governing Board: September 8, 2010

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Approved by SCC: October 12, 2022; November 13, 2018; November 15, 2016

Reviewed by GBPC: 1st Read July 21, 2022

Reviewed by PPRC: 1st Read March 7, 2024

SCC: 2nd Read March 13, 2024

CONFLICT OF INTEREST CODE

- (A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of their election to office through the date they vacate office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.
- (B) This section shall not apply to the following types of loans:
1. Loans made to the campaign committee of the elected officer.
 2. Loans made to the elected officer by their spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
 3. Loans made, or offered in writing, before January 1, 1998.
- (C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

Section 8.4. Personal Loans

- (A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:
1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
 2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
 - a. The date the loan was made.
 - b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.
 - c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.
- (B) This section shall not apply to the following types of loans:
1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
 2. A loan that would otherwise not be a gift as defined in this title.

CONFLICT OF INTEREST CODE

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
 4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
 5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.
- (D) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

Section 9. Disqualification.

No employee holding a designated position shall make, participate in making, or in any way attempt to use their official position to influence the making of any governmental decision

which they know or has reason to know will have a reasonably foreseeable material financial effect, distinguishable on its effect on the general public, on the employee or a member of their immediate family or on:

- (A) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000) or more;
- (B) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2,000) or more;
- (C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;
- (D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or
- (E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$590 or more provided to; received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

Section 9.3. Legally Required Participation

No designated employee shall be prevented from making or participating in the making of

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Reviewed by GBPC: 1st Read July 21, 2022

Reviewed by PPRC: 1st Read March 7, 2024

SCC: 2nd Read March 13, 2024

CONFLICT OF INTEREST CODE

any decision to the extent their participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make their participation legally required for purposes of this section.

Section 9.5. Disqualification of State Officers and Employees

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use their official position to influence any

governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of their immediate family has, within 12 months prior to the time when the official action is to be taken:

- (A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or
- (B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

Section 10. Disclosure of Disqualifying Interest

When a designated employee determines that they should not make a governmental decision because they has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

Section 11. Assistance of the Commission and Counsel

Any designated employee who is unsure of their duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 or from the attorney for their agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

Section 12. Violations

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000- 91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

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Approved by SCC: October 12, 2022; November 13, 2018; November 15, 2016

Reviewed by GBPC: 1st Read July 21, 2022

Reviewed by PPRC: 1st Read March 7, 2024

SCC: 2nd Read March 13, 2024

CONFLICT OF INTEREST CODE

Section 13. Designated Positions and Disclosure Requirements

1. The persons occupying following positions manage public investments. They shall file a full statement of economic interests pursuant to Government Code Sections 87200 et seq.:

Governing Board Members
Superintendent/President
Assistant Superintendent/Vice Presidents

2. **Disclosure Categories:** The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the designated employees must disclose for each disclosure category to which they are assigned.

Category 1: Designated positions assigned to this category must report:

- a. Interests in real property within the boundaries of the College District that are used by the College District or are of the type that could be acquired by the College District as well as real property within two miles of the property used or the proposed site.
- b. Investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources of the type that engage in the acquisition or disposal of real property or are engaged in building construction or design for school districts.

Category 2: Designated positions assigned to this category must report investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources that are contractors engaged in the performance of work, training, consulting or services, or are sources that manufacture or sell supplies, instructional materials, machinery, equipment, or vehicles of the type utilized by the College District.

Category 3: Designated positions assigned to this category must report investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources that are contractors engaged in the performance of work, training, consulting or services, or are sources that manufacture or sell supplies, instructional materials, machinery, equipment, or vehicles of the type utilized by the designated position's department.

Category 4: Designated positions assigned to this category must report investments and business positions in, and sources of income (including receipt of gifts, loans, and travel payments) if the business entity or source is of the type to receive grants or other funding from or through the College District.

CONFLICT OF INTEREST CODE

Designated positions are listed in Appendix A. The annual Statements of Economic Interest for all designated positions, shall be completed electronically online via eDisclosure to the County Board of Supervisors.

Consultants must be included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this Code subject to the following limitation: The Superintendent/President may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are 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 duties and, based on that description, a statement of the extent of disclosure requirements. The Superintendent/President'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.

CONFLICT OF INTEREST CODE

APPENDIX A
DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

Designated Position	Disclosure Categories
Accountants	2
Assistant Coordinator, Civic Center Leasing	2 & 3
Assistant Superintendent/Vice President, Academic Affairs	2
Assistant Superintendent/Vice President, Business & Financial Affairs	2
Assistant Superintendent/Vice President, Human Resources	2
Assistant Superintendent/Vice President, Student Affairs	2
Associate Dean, Guided Pathways and Student Success	2 & 3
Associate Regional Director Small Business Development Center Network	2
Chief of Staff	2
Chief Safety Officer	2
Consultants	1, 2, 3, 4
Coordinator, Civic Center Leasing	2 & 3
Dean	2
Dean of Institutional Research and Planning	2
Dean, Applied Technology, Hospitality Management, and Workforce Development	2
Dean, Counseling & Student Support Programs	2
Dean, Enrollment Services	2
Dean, Higher Education Center	2
Dean, Instructional Support Services	2
Designated Position	Disclosure Categories
Dean, Student Engagement and Completion	2
Dean, Student Services	2

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Reviewed by GBPC: 1st Read July 21, 2022

Reviewed by PPRC: 1st Read March 7, 2024

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CONFLICT OF INTEREST CODE

Director of Bi-National and International Programs	2
Director of Campus Enterprise Services	1 & 2
Director, Career & Transfer Connections	2
Director of Completion Programs	2
Director of Employee Relations & Title IX	2
Director of Payroll Services	2
Director, Athletics	
Director, Center Operations	1 & 2
Director, Child Development Center	2
Director, Continuing Education	2
Director, Crown Cove Aquatic Center	2
Director, Disability Support Services	2
Director, Enrollment Services	2
Director, Extended Opportunities Programs & Services (EOPS) & Special Populations	2
Director, Facilities, Operations & Planning	1 & 2
Director, Financial Aid & Veterans Services	1 & 2
Director, Financial Services	1 & 2
Director, Foundation	1 & 2
Director, Grant Programs	1 & 2
Director, Human Resources, Benefits & Workforce Planning	2
Director, Human Resources, Recruitment and Talent Management	2
Director, Mathematics, Engineering, and Science Achievement (MESA) Program	2
Director, Men of Color Success and Excellence	
Director, Outreach and Dual Enrollment	2
Director, Procurement, Central Services & Risk Management	1 & 2
Director, Restorative Justice & Other Off-Campus Programs	2

CONFLICT OF INTEREST CODE

Designated Position	Disclosure Categories
Director, Small Business Development Center	2
Director, Student Development and Health Services	2
Director, Student Equity Programs and Services	2
Director, Student Support Services	2
District Buyers	1 & 2
Executive Director, Center for Business Advancement	2
Executive Director, Foundation	1 & 2
Executive Officer of Equity and Engagement	2
Governing Board Members	1
Internal Auditor	1 & 2
Institutional Technology Officer, Infrastructure	4
Institutional Technology Officer, Operations	4
Manager, Accounting	1 & 2
Manager, Bookstore	2
Manager, Facilities & Fleet Maintenance	1 & 2
Manager, Food Services	1 & 2
Manager, Grounds	2
Manager, Wellness & Aquatics Complex	2
Program Director	2
Public Information Officer / Director of Marketing & Communication	2
Regional Director, Procurement Technical Assistance Center	2
Designated Position	Disclosure Categories
Regional Director, Women's Business Center	2

CONFLICT OF INTEREST CODE

Senior Program Director	2
Sergeant, College Police and Safety	2
Superintendent/President	1
Supervisor, Academic Services	2
Supervisor, Admissions & Records	2
Supervisor, Cashier Services	2
Supervisor, Center Operations	2
Supervisor, Custodial Services	2
Supervisor, Extended Opportunities Programs & Services (EOPS) & Special Populations	2
Supervisor, Financial Aid	2
Supervisor, Library Services	2
Supervisor, Wellness & Aquatics Complex	2

Conflict of Interest Code:

Sweetwater Authority

CONFLICT OF INTEREST CODE
FOR THE
SWEETWATER AUTHORITY

CONFLICT OF INTEREST CODE FOR THE
SWEETWATER AUTHORITY
(Amended September 25, 2024)

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 has adopted a regulation (2 Cal. Code Regs. § 18730) which 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 Regulation 18730 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 incorporation page, regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Sweetwater Authority** (the "**Authority**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Board Secretary/Administrative Assistant** as the Authority's Filing Officer. The **Board Secretary/Administrative Assistant** shall make and retain a copy of all statements filed by Members of the Governing Board and the General Manager, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Board Secretary/Administrative Assistant** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

SWEETWATER AUTHORITY

(Amended September 25, 2024)

PART “A”

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3(b), are NOT subject to the Authority’s Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Governing Board

General Manager

Assistant General Manager

Treasurer

Director of Finance

Financial Consultants

¹ Individuals 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 § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

**DESIGNATED POSITIONS'
TITLE OR FUNCTION**

**DISCLOSURE CATEGORIES
ASSIGNED**

Accounting Manager	5
Assistant Board Secretary/Administrative Assistant	4
Administrative Services Specialist	4
Board Secretary/Administrative Assistant	4
Business Systems Programmer	5
Chemist	5
Chief System Operator	5
Cross Connection Control Supervisor	5
Customer Service Manager	5
Customer Service Supervisor (Field and Office)	5
Director of Administrative Services	4
Director of Engineering and Operations	3, 5
Director of Water Quality	3, 5
Distribution Manager (ALL)	5
Engineer	3, 5
Engineering Manager (ALL)	3, 5

LAW OFFICES OF
BEST BEST & KRIEGER

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Engineering Technician Supervisor	2, 3, 5
Equipment Mechanic Supervisor	5
Field Services Supervisor	5
General Counsel	1, 2
Human Resources Analyst (ALL)	5
Human Resources Manager	5
Information Systems Manager	5
Laboratory Supervisor	5
Land and Environmental Manager	2, 3, 5
Plant Maintenance Supervisor	5
Principal Engineer	2, 3, 5
Principal Engineering/Design Technician	2, 3, 5
Principal Environmental Specialist – Biology	2, 5
Principal Engineering Technician	2, 3, 5
Procurement Specialist	4
Program Manager	5
Program Specialist	5
Public Affairs Manager	5
Public Affairs Representative (ALL)	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Safety/Risk Officer	5
Senior Accountant	5
Senior GIS Specialist	5
Senior Human Resources Analyst	5
Systems Analyst	5
Watershed Caretaker Manager	5
Water Treatment Plant Operator Supervisor	5
Water Quality Manager	5

Consultant and New Positions²

² Individuals providing services as a Consultant defined in Regulation 18700.3(a), or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The General Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). 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.)

PART “B”

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the Designated Position must disclose for each disclosure category to which the designated is assigned.³ “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the Authority.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the Authority.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the Authority, including any leasehold, beneficial or ownership interest or option to acquire property.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Authority.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Authority.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position’s department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

Conflict of Interest Code:

Sweetwater Union High
School District

Bylaws of the Board

BB 9270(a)

CONFLICT OF INTEREST

Incompatible Activities

Board of Trustees members shall not engage in any employment or activity which is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the district. (Government Code 1126)

Conflict of Interest Code

The district's conflict of interest code shall be comprised of the terms of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with a district attachment specifying designated positions and the specific types of disclosure statements required for each position.

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code in even-numbered years. If no change in the code is required, the district shall submit by October 1 a written statement to that effect to the code reviewing body. If a change in the code is necessitated by changed circumstances, the district shall submit an amended code to the code reviewing body. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated by changed circumstances, such as the creation of new designated positions, amendments or revisions, the changed code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing conflict of interest codes, the district shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

If a Board member or designated employee determines that he/she has a financial interest in a decision, as described in Government Code 87103, this determination shall be disclosed. The member shall be disqualified from voting unless his/her participation is legally required. (2 CCR 18700)

Statements of economic interests submitted to the district by designated employees in accordance with the conflict of interest code shall be available for public inspection and reproduction. (Government Code 81008)

In accordance with 2 CFR 200.318(c), appropriate disciplinary action will be applied for violation of the conflict of interest code by officers, employees, or agents of the district.

Financial Interest

CONFLICT OF INTEREST (continued)

Board members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members or designated employees. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract if his/her interest includes, but is not limited to, any of the following: (Government Code 1091.5)

1. That of an officer who is being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty
2. That of a recipient of public services generally provided by the public body or Board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the Board
3. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091
4. That of a spouse of an officer or employee of the district if his/her spouse's employment or officeholding (in the same classification or position) has existed for at least one year prior to his/her election or appointment.
5. That of a nonsalaried member of a nonprofit corporation, provided that such interest is disclosed to the Board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records
6. That of a noncompensated officer of a nonprofit, tax-exempt corporation which, as one of its primary purposes, supports the functions of the nonprofit Board or to which the school Board has a legal obligation to give particular consideration, and provided further that such interest is noted in its official records
7. That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that such interest is disclosed to the Board at the time of consideration of the contract, and provided further that such interest is noted in its official records

CONFLICT OF INTEREST (continued)

8. That of an attorney of the contracting party or that of an owner, officer, employee or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm or real estate firm

In addition, a Board member or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his/her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor. (Government Code 1091.5)

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. Remote interests are specified in Government Code 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

The Board may enter into a contract otherwise prohibited under Government Code section 1090 if permitted by law to acquire an essential supply or service or where a public officer must participate to carry out essential duties, as established by case law.

Even if there is no prohibited or remote interest, a Board member shall abstain from voting on personnel matters that uniquely affect a relative of the Board member. A Board member may vote, however, on collective bargaining agreements and personnel matters that affect a class of employees to which the relative belongs. "Relative" means an adult who is related to the person by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes the individual's parents, grandparents and great-grandparents, children, grandchildren and great-grandchildren, brothers, sisters, aunts and uncles, nieces and nephews, and the similar family of the individual's spouse unless the individual is widowed or divorced.

Conflict of Interest from Campaign Contributions

To avoid improper influence over the Board's decision-making involving the issuance of a license, permit, or other entitlements for use, including a contract, district officers, which

CONFLICT OF INTEREST (continued)

includes Board members or agency heads, shall comply with Government Code 84308, including the following: (Government Code 84308)

1. A district officer is prohibited from accepting, soliciting, or directing a contribution of more than \$250 from any party or participant to a proceeding involving a license, permit, or other entitlement for use, including a contract, or from that person's agent, while the proceeding is pending before the Board and for 12 months following the date a final decision is rendered in the proceeding, if the Board member knows or has reason to know that the party or participant has a financial interest in the Board's decision.
2. Any district officer who received a contribution of more than \$250 from a party or participant in the preceding 12 months shall disclose that fact on the record of the proceeding prior to the Board rendering a decision in the proceeding. If the district officer willfully or knowingly received the contribution and knows or has reason to know that the participant has a financial interest in the Board's decision, the district officer shall not make, participate in making, or in any way attempt to use the official position to influence the Board's decision.
3. A district officer who receives a contribution that would otherwise require disqualification as described in Item #2 above may participate in the proceeding if the contribution is returned within 30 days from the time the district officer knows or should have known about the contribution and the proceeding.
4. A district officer who unknowingly accepts, solicits, or directs a contribution of more than \$250 during the 12 months after the date of the Board's final decision on the proceeding may cure the violation by returning the contribution, or the portion exceeding \$250, within 14 days of accepting, soliciting, or directing the contribution, provided the district officer did not knowingly or willfully accept, solicit, or direct the prohibited contribution. The district officer shall maintain records of curing the violation.

The provisions in Government Code 84308 as specified above do not apply to labor contracts, competitively bid contracts, and personal employment contracts. (Government Code 84308)

Disqualification for Board Members Who Manage Public Investments

A Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:

CONFLICT OF INTEREST (continued)

1. Publicly identify the financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required. (Government Code 87105)
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. This Board member shall not be counted toward achieving a quorum while the item is discussed. (Government Code 87105; 2 CCR 18702.5)
3. Leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters. (Government Code 87105)

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during the consent calendar. (2 CCR 18702.5)

(cf. 3430 - Investing)

The Board member may speak on the issue during the time that the general public speaks on the issue. The Board member shall recuse himself/herself from voting on the matter and leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public. (Government Code 87105; 2 CCR 18702.5)

If the Board's decision is made during closed session, the public identification may be made orally during the open session before the Board goes into closed session and shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. The Board member shall not be present when the decision is considered in closed session or knowingly obtain or review a recording or any other non-public information regarding the Board's decision. (2 CCR 18702.5)

Gifts

A gift is any payment or other benefit provided to an official that confers a personal benefit for which the official does not provide goods or services of equal or greater value. Gifts include meals and entertainment, valued at fair market rates. Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

CONFLICT OF INTEREST (continued)

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000) or more;

Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2,000) or more;

Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating the adjusted annual gift limit set forth in Section 18940.2 of Title 2 of the California Code of Regulations, received by, or promised to, the designated employee within 12 months prior to the time when the decision is made.

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the prevailing gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

CONFLICT OF INTEREST (continued)

The term *honorarium* does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

Design-Build Projects

The District's guidelines for a standard organizational conflict-of-interest policy, consistent with applicable law, regarding Design-Build projects are as follows: (Education Code 17250.20(b))

1. Any professional services provider or other consultant retained by the District to provide services related to a Design-Build project may have an actual or apparent conflict of interest within the meaning of this Board Policy. If such professional services provider or other consultant does have an actual or apparent conflict of interest within the meaning of this Board Policy, that professional services provider or consultant is precluded from participating as part of the design-build entity with which the District contracts for a Design-Build project. This prohibition applies, without limitation, to the architect(s), engineer(s), or other professional firms retained to develop the Design-Build project's:
 - a. design character;
 - b. basic scope and needs;
 - c. preliminary plans;
 - d. specifications; or
 - e. estimated cost.
2. The prohibition in paragraph 1 also applies to the District's Program Manager and Construction Manager, or other professional service provider or consultant, if it provides services in connection with a Design-Build project sufficient to cause a conflict of interest.
3. Any individual who participates in providing the services referenced in paragraphs 1 or 2, and who has a conflict of interest as understood within this Board Policy, is precluded from participating as part of the Design-Build Entity with which the District contracts for the Design-Build project, even if the employer would not otherwise be precluded from participation.

CONFLICT OF INTEREST (continued)

4. Any Design-Build Entity member that employs a former District employee or Board member who engaged in any of the planning, arrangements, or any part of the decision-making process related to the Design-Build project while employed or engaged in any capacity by the District has an actual or apparent conflict of interest within the meaning of this Board Policy precluding the Design-Build Entity from contracting with the District for the Design-Build project.

CONFLICT OF INTEREST (continued)

**APPENDIX A
DESIGNATED POSITIONS/DISCLOSURE CATEGORIES**

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
Accountant	1, 3
Accounting Assistant	1, 3
Accounting Technician	1, 3
Accounting Manager	1, 3
ASB Accounting Technician	1, 3
Assistant Principals	1, 3
Assistant Principals Student Activities	1, 3
Assistant Superintendent of Facilities and Operations	1, 2, 3, 4
Assistant Superintendent of Leadership Development and Innovation	1, 2, 3, 4
Assistant Superintendent of Teaching and Learning	1, 2, 3, 4
Associated Student Body Advisors	1, 3
Benefits Supervisor	1, 3
Board of Trustees Members	1, 2, 3, 4
Budget Analyst	1, 3
Budget Position Control Analyst	1, 3
Buyer	1, 3
Carpentry Shop Supervisor	1, 3
Chief Compliance Officer	1, 3
Assistant Superintendent of Educational Equity and Support Services	1, 2, 3, 4
Chief Financial Officer	1, 2, 3, 4
Assistant Superintendent of Human Resources	1, 2, 3, 4
Clerk of the Board/Executive Assistant to the Board	1, 3
Coordinator of Athletics	1, 3
Coordinator of Student Welfare and Attendance	1, 3
Consultants ¹	1, 3
Database and Systems Supervisor	1, 3
Debt Finance Manager	1, 3
Director of Adult Education	1, 3
Director of Alternative Education	1, 3
Director of Career Technical Education	1, 3
Director of Educational Technology and Support Services	1, 3
Director of Fiscal Services	1, 3
Director of Nutrition Services	1, 3
Director of Grants and Communications	1, 3
Contracts Manager	1, 3

CONFLICT OF INTEREST (continued)

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
Digital Security and Privacy Coordinator	1, 3
Director of College and Career Readiness	1, 3
Director of Human Resources	1, 3
Director of Information Technology and Enterprise Architecture	1, 3
Director of Planning & Construction	1, 3
Director of Professional Growth	1, 3
Director of Risk Management	1, 3
Director of Special Services	1, 3
Director of State and Federal Programs	1, 3
Director of Student Support Services	1, 3
Director of Teaching and Learning	1, 3
Director of Transportation	1, 3
Director of College and Career Readiness/Visual and Performing Arts	1, 3
District Committee Members ²	1, 2, 3, 4
District Superintendent	1, 2, 3, 4
Energy Conservation Manager	1, 3
Electrical Shop Supervisor	1, 3
Electronics Shop Supervisor	1, 3
Environmental and Safety Supervisor	1, 3
Executive Director of Curriculum and Instruction	1, 3
Facilities Accounting Supervisor	1, 3
Facilities Specialist	1, 3
Family Community Services Program Coordinator	1, 3
Fleet Maintenance Supervisor	1, 3
Food Service Area Supervisor	1, 3
Food Services Manager	1, 3
Food Service Supervisor	1, 3
Gardener Grounds Supervisor	1, 3
General Counsel	1, 2, 3, 4
Grants and Communications Manager	1, 3
Human Resources Operations Manager	1, 3
Human Resources Supervisor	1, 3
HVAC and Refrigeration Shop Supervisor	1, 3
Info Tech Support Supervisor	1, 3
Information Systems Supervisor	1, 3
Internal Auditor	1, 3
Internal Audits Manager	1, 3

CONFLICT OF INTEREST (continued)

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
Maintenance Manager	1, 3
Maintenance Planner/Coordinator	1, 3
Maintenance Shop Supervisor	1, 3
Office Supervisor	1, 3
Paint Shop Supervisor	1, 3
Paralegal	1, 3
Payroll Manager	1, 3
Performing Arts Facility Manager	1, 3
Planning Project Manager	1, 3
Planning Specialist	1, 3
Plant Operations Supervisor	1, 3
Plumbing/Heavy Equipment Supervisor	1, 3
Principals	1, 3
Program Manager	1, 3
Project Coordinator	1, 3
Project Specialist	1, 3
Psychologist	1, 3
Purchasing Manager	1, 3
School Improvement Officer	1, 3
Security Coordinator and Advisor	1, 3
Security Manager	1, 3
Senior Accounting Technician	1, 3
Senior Buyer	1, 3
STEAM Coordinator	1, 3
Storekeeper	1, 3
Student Health Services Manager	1, 3
Student Support Services Manager	1, 3
Supervisor - Attendance/Student Welfare	1, 3
Technology Training Manager	1, 3
Telecommunications Supervisor	1, 3
Transition Services Supervisor	1, 3
Transportation Supervisor	1, 3
Warehouse Supervisor - Food Services	1, 3

¹ The Superintendent, or his/her designated officials, may determine in writing that a particular consultant, 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 determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Superintendent (or his/her designated officials) determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

² Disclosure of economic interest shall be required of a District Committee Member only if the member serves as a district committee with decision-making authority, as defined in the Code of Regulations, Title 2, Section 18701.

CONFLICT OF INTEREST (continued)

**APPENDIX B
DEFINITIONS OF DISCLOSURE CATEGORIES**

Disclosure Category	Definition
1*	Personnel who makes decisions and/or are involved in the decision making process must report investments and/or business positions worth more than \$2,000 in business entities which have contracted with the district within the past two years or which may foreseeably in the future contract with the district to provide services, supplies, materials, machinery, or equipment.
2*	Personnel who make decisions and/or are involved in the decision making process must report interests and/or business positions worth more than \$2,000 in real property which may foreseeably in the future be developed as residential property or may be considered by the district for any school use.
3*	Personnel who make decisions and/or are involved in the decision making process must report income of \$500 or more or gifts aggregating \$50 or more from sources which have contracted with the district within the past two years or which may foreseeably in the future contract with the district to provide services, supplies materials, machinery, or equipment.
4*	Personnel who make decisions and/or are involved in the decision making process must report interests and/or business positions worth more than \$2,000 in real property including business entities or trusts in which ownership interest is 10% or greater.

* Ownership of interests include those of the designated employee, his/her spouse, dependent child, business entity controlled by the designated employee (including his/her spouse, dependent child).

Legal Reference: (see next page)

CONFLICT OF INTEREST (continued)

Legal Reference:

EDUCATION CODE

- 1006 *Qualifications for holding office*
- 35107 *School district employees*
- 35230-35240 *Corrupt practices*
- 35233 *Prohibitions applicable to members of governing boards*
- 35239 *Compensation for board members in districts under 70 ADA*

GOVERNMENT CODE

- 1090-1098 *Prohibitions applicable to specified officers*
- 1125-1129 *Incompatible activities*
- 81000-91015 *Political Reform Act of 1974, especially:*
- 82011 *Code reviewing body*
- 82019 *Definition of designated employee*
- 82028 *Definition of gifts*
- 82030 *Definition of income*
- 87100-87103.6 *General prohibitions*
- 87200-87210 *Disclosure*
- 87300-87313 *Conflict of interest code*
- 87500 *Statements of economic interests*
- 89501-89503 *Honoraria and gifts*
- 91000-91014 *Enforcement*

CODE OF REGULATIONS, TITLE 2

- 18110-18997 *Regulations of the Fair Political Practices Commission, especially:*
- 18702.5 *Public identification of a conflict of interest for Section 87200 filers*

COURT DECISIONS

- Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th. 655*
- Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511*

ATTORNEY GENERAL OPINIONS

- 86 *Ops. Cal. Atty. Gen. 138(2003)*
- 85 *Ops. Cal. Atty. Gen. 60 (2002)*
- 82 *Ops. Cal. Atty. Gen. 83 (1999)*
- 81 *Ops. Cal. Atty. Gen. 327 (1998)*
- 80 *Ops. Cal. Atty. Gen. 320 (1997)*
- 69 *Ops. Cal. Atty. Gen. 255 (1986)*
- 68 *Ops. Cal. Atty. Gen. 171 (1985)*
- 65 *Ops. Cal. Atty. Gen. 606 (1982)*

Management Resources:

WEB SITES

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Bylaw

adopted: November 17, 2008
revised: July 26, 2010
revised: May 23, 2016
revised: July 22, 2019
revised: April 19, 2021
revised: June 26, 2023

SWEETWATER UNION HIGH SCHOOL DISTRICT

Chula Vista, California

Bylaws of the Board

BB 9270(a)

CONFLICT OF INTEREST

Incompatible Activities

Board of Trustees members shall not engage in any employment or activity which is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the district. (Government Code 1126)

Conflict of Interest Code

The district's conflict of interest code shall be comprised of the terms of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with a district attachment specifying designated positions and the specific types of disclosure statements required for each position.

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code in even-numbered years. If no change in the code is required, the district shall submit by October 1 a written statement to that effect to the code reviewing body. If a change in the code is necessitated by changed circumstances, the district shall submit an amended code to the code reviewing body. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated by changed circumstances, such as the creation of new designated positions, amendments or revisions, the changed code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing conflict of interest codes, the district shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

If a Board member or designated employee determines that he/she has a financial interest in a decision, as described in Government Code 87103, this determination shall be disclosed. The member shall be disqualified from voting unless his/her participation is legally required. (2 CCR 18700)

Statements of economic interests submitted to the district by designated employees in accordance with the conflict of interest code shall be available for public inspection and reproduction. (Government Code 81008)

In accordance with 2 CFR 200.318(c), appropriate disciplinary action will be applied for violation of the conflict of interest code by officers, employees, or agents of the district.

Financial Interest

CONFLICT OF INTEREST (continued)

Board members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members or designated employees. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract if his/her interest includes, but is not limited to, any of the following: (Government Code 1091.5)

1. That of an officer who is being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty
2. That of a recipient of public services generally provided by the public body or Board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the Board
3. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091
4. That of a spouse of an officer or employee of the district if his/her spouse's employment or officeholding (in the same classification or position) has existed for at least one year prior to his/her election or appointment.
5. That of a nonsalaried member of a nonprofit corporation, provided that such interest is disclosed to the Board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records
6. That of a noncompensated officer of a nonprofit, tax-exempt corporation which, as one of its primary purposes, supports the functions of the nonprofit Board or to which the school Board has a legal obligation to give particular consideration, and provided further that such interest is noted in its official records
7. That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that such interest is disclosed to the Board at the time of consideration of the contract, and provided further that such interest is noted in its official records

CONFLICT OF INTEREST (continued)

8. That of an attorney of the contracting party or that of an owner, officer, employee or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm or real estate firm

In addition, a Board member or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his/her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor. (Government Code 1091.5)

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. Remote interests are specified in Government Code 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

The Board may enter into a contract otherwise prohibited under Government Code section 1090 if permitted by law to acquire an essential supply or service or where a public officer must participate to carry out essential duties, as established by case law.

Even if there is no prohibited or remote interest, a Board member shall abstain from voting on personnel matters that uniquely affect a relative of the Board member. A Board member may vote, however, on collective bargaining agreements and personnel matters that affect a class of employees to which the relative belongs. "Relative" means an adult who is related to the person by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes the individual's parents, grandparents and great-grandparents, children, grandchildren and great-grandchildren, brothers, sisters, aunts and uncles, nieces and nephews, and the similar family of the individual's spouse unless the individual is widowed or divorced.

Conflict of Interest from Campaign Contributions

To avoid improper influence over the Board's decision-making involving the issuance of a license, permit, or other entitlements for use, including a contract, district officers,

CONFLICT OF INTEREST (continued)

which includes Board members or agency heads, shall comply with Government Code 84308, including the following: (Government Code 84308)

1. A district officer is prohibited from accepting, soliciting, or directing a contribution of more than \$250 from any party or participant to a proceeding involving a license, permit, or other entitlement for use, including a contract, or from that person's agent, while the proceeding is pending before the Board and for 12 months following the date a final decision is rendered in the proceeding, if the Board member knows or has reason to know that the party or participant has a financial interest in the Board's decision.

2. Any district officer who received a contribution of more than \$250 from a party or participant in the preceding 12 months shall disclose that fact on the record of the proceeding prior to the Board rendering a decision in the proceeding. If the district officer willfully or knowingly received the contribution and knows or has reason to know that the participant has a financial interest in the Board's decision, the district officer shall not make, participate in making, or in any way attempt to use the official position to influence the Board's decision.

3. A district officer who receives a contribution that would otherwise require disqualification as described in Item #2 above may participate in the proceeding if the contribution is returned within 30 days from the time the district officer knows or should have known about the contribution and the proceeding.

4. A district officer who unknowingly accepts, solicits, or directs a contribution of more than \$250 during the 12 months after the date of the Board's final decision on the proceeding may cure the violation by returning the contribution, or the portion exceeding \$250, within 14 days of accepting, soliciting, or directing the contribution, provided the district officer did not knowingly or willfully accept, solicit, or direct the prohibited contribution. The district officer shall maintain records of curing the violation.

The provisions in Government Code 84308 as specified above do not apply to labor contracts, competitively bid contracts, and personal employment contracts. (Government Code 84308)

Disqualification for Board Members Who Manage Public Investments

A Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential

CONFLICT OF INTEREST (continued)

conflict of interest and immediately prior to the consideration of the matter, do all of the following:

1. Publicly identify the financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required. (Government Code 87105)
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. This Board member shall not be counted toward achieving a quorum while the item is discussed. (Government Code 87105; 2 CCR 18702.5)
3. Leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters. (Government Code 87105)

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during the consent calendar. (2 CCR 18702.5)

(cf. 3430 - Investing)

The Board member may speak on the issue during the time that the general public speaks on the issue. The Board member shall recuse himself/herself from voting on the matter and leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public. (Government Code 87105; 2 CCR 18702.5)

If the Board's decision is made during closed session, the public identification may be made orally during the open session before the Board goes into closed session and shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. The Board member shall not be present when the decision is considered in closed session or knowingly obtain or review a recording or any other non-public information regarding the Board's decision. (2 CCR 18702.5)

Gifts

A gift is any payment or other benefit provided to an official that confers a personal benefit for which the official does not provide goods or services of equal or greater value. Gifts include meals and entertainment, valued at fair market rates. Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

CONFLICT OF INTEREST (continued)

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000) or more;

Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2,000) or more;

Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating the adjusted annual gift limit set forth in Section 18940.2 of Title 2 of the California Code of Regulations, received by, or promised to, the designated employee within 12 months prior to the time when the decision is made.

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the prevailing gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

CONFLICT OF INTEREST (continued)

The term *honorarium* does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

Design-Build Projects

The District's guidelines for a standard organizational conflict-of-interest policy, consistent with applicable law, regarding Design-Build projects are as follows: (Education Code 17250.20(b))

1. Any professional services provider or other consultant retained by the District to provide services related to a Design-Build project may have an actual or apparent conflict of interest within the meaning of this Board Policy. If such professional services provider or other consultant does have an actual or apparent conflict of interest within the meaning of this Board Policy, that professional services provider or consultant is precluded from participating as part of the design-build entity with which the District contracts for a Design-Build project. This prohibition applies, without limitation, to the architect(s), engineer(s), or other professional firms retained to develop the Design-Build project's:
 - a. design character;
 - b. basic scope and needs;
 - c. preliminary plans;
 - d. specifications; or
 - e. estimated cost.
2. The prohibition in paragraph 1 also applies to the District's Program Manager and Construction Manager, or other professional service provider or consultant, if it provides services in connection with a Design-Build project sufficient to cause a conflict of interest.
3. Any individual who participates in providing the services referenced in paragraphs 1 or 2, and who has a conflict of interest as understood within this Board Policy, is precluded from participating as part of the Design-Build Entity with which the District contracts for the Design-Build project, even if the employer would not otherwise be precluded from participation.

CONFLICT OF INTEREST (continued)

4. Any Design-Build Entity member that employs a former District employee or Board member who engaged in any of the planning, arrangements, or any part of the decision-making process related to the Design-Build project while employed or engaged in any capacity by the District has an actual or apparent conflict of interest within the meaning of this Board Policy precluding the Design-Build Entity from contracting with the District for the Design-Build project.

CONFLICT OF INTEREST (continued)

**APPENDIX A
DESIGNATED POSITIONS/DISCLOSURE CATEGORIES**

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
Accountant	1, 3
Accounting Assistant	1, 3
Accounting Technician	1, 3
Accounting Manager	1, 3
ASB Accounting Technician	1, 3
Assistant Principals	1, 3
Assistant Principals Student Activities	1, 3
Assistant Superintendent of Facilities and Operations	1, 2, 3, 4
Assistant Superintendent of Leadership Development and Systems Innovation	1, 2, 3, 4
Assistant Superintendent of Teaching and Learning	1, 2, 3, 4
Associated Student Body Advisors	1, 3
Benefits Supervisor	1, 3
Board of Trustees Members	1, 2, 3, 4
Budget Analyst	1, 3
Budget Position Control Analyst	1, 3
Buyer	1, 3
Carpentry Shop Supervisor	1, 3
Chief Compliance Officer	1, 3
Chief Assistant Superintendent of Educational Equity and Support Services	1, 2, 3, 4
Chief Financial Officer	1, 2, 3, 4
Chief Assistant Superintendent of Human Resources Officer	1, 2, 3, 4
Chief of System Improvement and Innovation	1, 2, 3, 4
Clerk of the Board/Executive Assistant to the Board	1, 3
Coordinator of Athletics	1, 3
Coordinator of Student Welfare and Attendance	1, 3
Consultants ¹	1, 3
Database and Systems Supervisor	1, 3
Debt Finance Manager	1, 3
Director of Adult Education	1, 3
Director of Alternative Education	1, 3
Director of Career Technical Education	1, 3
Director of Educational Technology and Support Services	1, 3
Director of Fiscal Services	1, 3
Director of Nutrition Services	1, 3
Director of Grants and Communications	1, 3
Contracts Manager	1, 3

CONFLICT OF INTEREST (continued)

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
Digital Security and Privacy Coordinator	1, 3
Director of Career Technical Education	1, 3
Director of College and Career Readiness	1, 3
Director of Human Resources	1, 3
Director of Information Technology and Enterprise Architecture	1, 3
Director of Planning & Construction	1, 3
Director of Professional Growth	1, 3
Director of Risk Management	1, 3
Director of Special Services	1, 3
Director of State and Federal Programs	1, 3
Director of Student Support Services	1, 3
Director of Teaching and Learning	1, 3
Director of Transportation	1, 3
Director of College and Career Readiness/Visual and Performing Arts	1, 3
District Committee Members ²	1, 2, 3, 4
District Superintendent	1, 2, 3, 4
Energy Conservation Manager	1, 3
Electrical Shop Supervisor	1, 3
Electronics Shop Supervisor	1, 3
Environmental and Safety Supervisor	1, 3
Executive Director of Curriculum and Instruction	1, 3
Facilities Accounting Supervisor	1, 3
Facilities Specialist	1, 3
Family Community Services Program Coordinator	1, 3
Fleet Maintenance Supervisor	1, 3
Food Service Area Supervisor	1, 3
Food Services Manager	1, 3
Food Service Supervisor	1, 3
Gardener Grounds Supervisor	1, 3
General Counsel	1, 2, 3, 4
Grants and Communications Manager	1, 3
Human Resources Operations Manager	1, 3
Human Resources Supervisor	1, 3
HVAC and Refrigeration Shop Supervisor	1, 3
Info Tech Support Supervisor	1, 3
Information Systems Supervisor	1, 3
Internal Auditor	1, 3
Internal Audits Manager	1, 3

CONFLICT OF INTEREST (continued)

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
Maintenance Manager	1, 3
Maintenance Planner/Coordinator	1, 3
Maintenance Shop Supervisor	1, 3
Office Supervisor	1, 3
Paint Shop Supervisor	1, 3
Paralegal	1, 3
Payroll Manager	1, 3
Performing Arts Facility Manager	1, 3
Planning Project Manager	1, 3
Planning Specialist	1, 3
Plant Operations Supervisor	1, 3
Plumbing/Heavy Equipment Supervisor	1, 3
Principals	1, 3
Program Manager	1, 3
Project Coordinator	1, 3
Project Specialist	1, 3
Psychologist	1, 3
Purchasing Manager	1, 3
School Improvement Officer	1, 3
Security Coordinator and Advisor	1, 3
Security Manager	1, 3
Senior Accounting Technician	1, 3
Senior Buyer	1, 3
STEAM Coordinator	1, 3
Storekeeper	1, 3
Student Health Services Manager	1, 3
Student Support Services Manager	1, 3
Supervisor - Attendance/Student Welfare	1, 3
Technology Training Manager	1, 3
Telecommunications Supervisor	1, 3
Transition Services Supervisor	1, 3
Transportation Supervisor	1, 3
Warehouse Supervisor - Food Services	1, 3

¹ The Superintendent, or his/her designated officials, may determine in writing that a particular consultant, 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 determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Superintendent (or his/her designated officials) determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

² Disclosure of economic interest shall be required of a District Committee Member only if the member serves as a district committee with decision-making authority, as defined in the Code of Regulations, Title 2, Section 18701.

CONFLICT OF INTEREST (continued)**APPENDIX B
DEFINITIONS OF DISCLOSURE CATEGORIES**

Disclosure Category	Definition
1*	Personnel who makes decisions and/or are involved in the decision making process must report investments and/or business positions worth more than \$2,000 in business entities which have contracted with the district within the past two years or which may foreseeably in the future contract with the district to provide services, supplies, materials, machinery, or equipment.
2*	Personnel who make decisions and/or are involved in the decision making process must report interests and/or business positions worth more than \$2,000 in real property which may foreseeably in the future be developed as residential property or may be considered by the district for any school use.
3*	Personnel who make decisions and/or are involved in the decision making process must report income of \$500 or more or gifts aggregating \$50 or more from sources which have contracted with the district within the past two years or which may foreseeably in the future contract with the district to provide services, supplies materials, machinery, or equipment.
4*	Personnel who make decisions and/or are involved in the decision making process must report interests and/or business positions worth more than \$2,000 in real property including business entities or trusts in which ownership interest is 10% or greater.

* Ownership of interests include those of the designated employee, his/her spouse, dependent child, business entity controlled by the designated employee (including his/her spouse, dependent child).

Legal Reference: (see next page)

CONFLICT OF INTEREST (continued)

Legal Reference:

EDUCATION CODE

1006 *Qualifications for holding office*
35107 *School district employees*
35230-35240 *Corrupt practices*
35233 *Prohibitions applicable to members of governing boards*
35239 *Compensation for board members in districts under 70 ADA*

GOVERNMENT CODE

1090-1098 *Prohibitions applicable to specified officers*
1125-1129 *Incompatible activities*
81000-91015 *Political Reform Act of 1974, especially:*
82011 *Code reviewing body*
82019 *Definition of designated employee*
82028 *Definition of gifts*
82030 *Definition of income*
87100-87103.6 *General prohibitions*
87200-87210 *Disclosure*
87300-87313 *Conflict of interest code*
87500 *Statements of economic interests*
89501-89503 *Honoraria and gifts*
91000-91014 *Enforcement*

CODE OF REGULATIONS, TITLE 2

18110-18997 *Regulations of the Fair Political Practices Commission, especially:*
18702.5 *Public identification of a conflict of interest for Section 87200 filers*

COURT DECISIONS

Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th. 655
Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

ATTORNEY GENERAL OPINIONS

86 *Ops.Cal.Atty.Gen.* 138(2003)
85 *Ops.Cal.Atty.Gen.* 60 (2002)
82 *Ops.Cal.Atty.Gen.* 83 (1999)
81 *Ops.Cal.Atty.Gen.* 327 (1998)
80 *Ops.Cal.Atty.Gen.* 320 (1997)
69 *Ops.Cal.Atty.Gen.* 255 (1986)
68 *Ops.Cal.Atty.Gen.* 171 (1985)
65 *Ops.Cal.Atty.Gen.* 606 (1982)

Management Resources:

WEB SITES

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Bylaw

adopted: November 17, 2008

revised: July 26, 2010

revised: May 23, 2016

revised: July 22, 2019

revised: April 19, 2021

revised: June 26, 2023

SWEETWATER UNION HIGH SCHOOL DISTRICT

Chula Vista, California

Conflict of Interest Code:

Tri-City Healthcare District



Tri-City Medical Center

September 26, 2024

Clerk of the Board of Supervisors
San Diego County
1600 Pacific Highway, Room 402
San Diego, California 92101

Re: Tri-City Healthcare District - Amendment of Conflict of Interest Code

Dear Clerk of the Board:

Enclosed for review and approval by the San Diego County Board of Supervisors is the amended Conflict of Interest Code of Tri-City Healthcare District (the "District"). The Conflict of Interest Code was amended on August 29, 2024 by a motion at the Regular Board of Director's Meeting (attached). This amendment was done to accurately reflect the District's current organizational structure.

I would appreciate it if you would please notify me when this matter will be submitted to the Board of Supervisors for approval and send me a copy of the resolution or minute order approving the amended Conflict of Interest Code.

If you have any questions regarding the enclosed documents or this matter please don't hesitate to contact me.

Sincerely,

Teri L. Donnellan
Executive Assistant

Enclosures

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
TRI-CITY HEALTHCARE DISTRICT

AUGUST 29, 2024

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by California Code of Regulations, title 2, section 18700.3, subdivision (b), are not subject to the District's Code, but are subject to the disclosure requirements of the Act. (Gov. Code § 87200 *et seq.*) These positions are listed here for informational purposes only, and are required to file a statement of economic interest with the Executive Secretary to the Board of the District. Upon receipt of Statements of Economic Interests from Members of the Board of Directors and the President/Chief Executive Officer, the Executive Secretary shall make and retain a copy and forward the original to the County of San Diego Clerk of the Board of Supervisors.

It has been determined that the positions listed below are officials who manage public investments¹:

- Members of the Board of Directors
- President/Chief Executive Officer

DESIGNATED POSITIONS
GOVERNED BY THE CONFLICT OF INTEREST CODE

Designated employees listed below and the Chief Financial Officer¹ shall file Statements of Economic Interests with the Executive Secretary who will retain the originals and make the statements available for public inspection and copying.

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE</u> <u>CATEGORIES ASSIGNED</u>
Chief Compliance Officer	All
Director of Facilities	5
Chief Information Officer	All

¹ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by Government Code section 87200.

Director of Materials Management	5
Chief Operating Officer	All
Facilities Manager	6
General Counsel	All
Board Counsel	All
Purchasing Manager	5
Purchasing Clerk	5
Vice President of Human Resources	6
Chief Nurse Executive	5
Chief Medical Officer	5
Director of Total Rewards and HRIS	5
Senior Director of Nursing	5, 6
Directors and Senior Directors (ALL others not specified)	6
President of Foundation	All
Consultant ²	

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, including gifts, loans and travel payments, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

² Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Chief Executive Officer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are 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 duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer'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.

Category 1: All investments and business positions in business entities, and sources of income that are located in, do business in or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

Category 7: All financial interests in investment advisors and managers; financial services providers, actuaries, and those providing fiduciary services (including record-keeping) to retirement plans.

Regulations of the Fair Political Practices Commission,

Title 2, Division 6, California Code of Regulations

§ 18730 Provisions of Conflict of Interest Codes

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations, §§ 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.⁽¹⁾

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.⁽²⁾

(5) Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become

entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure. When an investment or an interest in real property⁽³⁾ is required to be reported,⁽⁴⁾ the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;

4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) **Personal Income Disclosure.** When personal income is required to be reported,⁽⁵⁾ the statement shall contain:

1. The name and address of each source of income aggregating \$520 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) **Business Entity Income Disclosure.** When income of a business entity, including income of a sole proprietorship, is required to be reported,⁽⁶⁾ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) **Business Position Disclosure.** When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) **Acquisition or Disposal During Reporting Period.** In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period

covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Prohibition on Receipt of Honoraria

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Prohibition on Receipt of Gifts in Excess of \$590.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$590 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency

has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed \$590 at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$520 or more, except when the loan is in writing and clearly states the terms of the loan,

including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
 - a. The date the loan was made.
 - b. The date the last payment of \$100 or more was made on the loan.
 - c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business

considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$590 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$590 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or,

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

(1) Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code Section 81004.

(2) See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

(3) For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

(4) Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

(5) A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

(6) Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, including gifts, loans and travel payments, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income that are located in, do business in or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

Category 7: All financial interests in investment advisors and managers; financial services providers, actuaries, and those providing fiduciary services (including record-keeping) to retirement plans.

Conflict of Interest Code:

Vallecitos Water District

COSD CLERK OF THE BOARD
2024 NOV 22 PM 1:44

**CONFLICT OF INTEREST CODE
OF THE
VALLECITOS WATER DISTRICT**

CONFLICT OF INTEREST CODE OF THE VALLECITOS WATER DISTRICT (Amended November 20, 2024)

1. Standard Code of FPPC

The Political Reform Act of 1974 (Gov. Code, § 81000, et seq.) requires each state and local government agency to adopt and promulgate a conflict of interest codes. 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 that can be incorporated by reference as a district's code. After public notice and hearing, Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

2. Adoption of Standard Code of FPPC

Therefore, the terms of 2 Cal. Code of Regs. Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference. This regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the **Vallecitos Water District (the "District")**. This code shall take effect when approved by the San Diego County Board of Supervisors and shall thereupon supersede all prior codes adopted by the Vallecitos Water District.

3. Filing of Statements of Economic Interests

All officials and designated positions required to submit a statement of economic interests shall file their statements with the General Manager as the District's Filing Officer. The Filing Officer shall make and retain a copy of all statements filed by the General Manager and Members of the Board of Directors, and forward the originals of such statements to the Clerk of the Board of Supervisors. The Filing Officer shall retain the original statements of all other officials and designated positions and will make this Code and all retained statements available for public inspection and reproduction during regular business hours (Gov. Code § 81008).

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
VALLECITOS WATER DISTRICT
(Amended November 20, 2024)

PART “A”

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Officials who manage public investments as defined by 2 Cal. Code of Regs. §18700.3(b), are NOT subject to the District's Conflict of Interest Code but must file disclosure statements under Government Code section 87200 et seq. [Regs., §18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Board of Directors

General Manager

Assistant General Manager

Treasurer/Director of Administrative Services

Financial Consultants

¹ Individuals 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 § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Asset Management Supervisor	5
Assistant Operations and Maintenance Manager	4
Capital Facilities Assistant Engineer	5
Capital Facilities Engineer	2, 3, 5
Capital Facilities Senior Engineer	2, 3, 5
Chief Financial Officer	1, 2
Chief Technology Officer	5
Computerized Maintenance Management System Planner (CMMS Planner) 5	
Construction Inspection Supervisor	2, 3, 5
Construction Inspector II	2, 3, 5
Construction Supervisor	2, 3, 5
Development Services Senior Engineer	2, 3, 5
District Engineer	2, 3, 5
Engineering Technician III	2, 3, 5
Finance Supervisor	5
General Counsel	1, 2
Human Resource Analyst	5
Human Resources and Risk Manager	5, 6
Maintenance Services Supervisor	5
Mechanical/Electrical Supervisor	5

Operations & Maintenance Contract Coordinator	4
Operations & Maintenance Manager	4
Principal Financial Analyst	5
Public Information Conservation Supervisor	5
Senior Purchasing Specialist	4
Wastewater Collection Systems Supervisor	5
Wastewater Treatment Plant Supervisor	5
Water System Supervisor	5

Consultants and New Positions²

² Individuals serving as a consultant as defined in FPPC Reg 18700.3 or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The General Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). 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.)

PART “B”

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which the designated is assigned.³ “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the District.

Category 1: All investments and business positions in business entities, and sources of income located in, that do business in or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District, including any leasehold, beneficial or ownership interest or option to acquire property.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction, or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in, and sources of income from business entities, including gifts, loans and travel payments, that provide services, products, supplies, materials, machinery, vehicles or equipment of the type purchased or leased by the District.

Category 5: All investments and business positions in, and sources of income from business entities, including gifts, loans and travel payments, that provide services, products, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position’s department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, if such entities or sources have filed claims against the agency in the past 2 years, or have a claim pending before the District.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

Conflict of Interest Code:

**Valley Center Municipal Water
District**

VALLEY CENTER MUNICIPAL WATER DISTRICT

CONFLICT OF INTEREST CODE

(Amended October 7, 2024)

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 has adopted a regulation (2 Cal. Code of Regs. § 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 Section 18730 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 incorporation page, regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Valley Center Municipal Water District (the "District").

All officials and designated positions shall file their statements of economic interests with the Executive Assistant/Board Secretary as the District's Filing Officer/Official. The Executive Assistant/Board Secretary shall make and retain a copy of all statements filed by Members of the Board of Directors and the General Manager, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The Executive Assistant/Board Secretary shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

VALLEY CENTER MUNICIPAL WATER DISTRICT

(Amended October 7, 2024)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3(b), are NOT subject to the District's Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. §18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments: ¹

Members of the Board of Directors

General Manager

Director of Finance and Administration

Financial Consultant

¹ Individuals 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 § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrative Supervisor	4
Construction Inspector Supervisor	2, 3, 5
Construction/Maintenance Supervisor	5
Director of Information Technology	5
Director of Operations/Facilities	2, 3, 4
District Engineer/Deputy General Manager	2, 3, 4
Engineering Services Supervisor	2, 3, 4
Environmental & Regulatory Compliance Manager/Deputy Director of Operations & Facilities	2, 3, 4
Executive Assistant/Secretary	4
General Counsel	1, 2
Human Resources Analyst	5
Information Technology Specialist	5
Manager of Accounting/Deputy Director of Finance and Administration	1, 2
Meter Services Supervisor	5
Project Manager	3, 5
Pump & Motors Supervisor	5
Safety & Regulatory Compliance Officer	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

SCADA/IT Administrator	5
Senior Engineer	2, 3, 5
Senior GIS Analyst	5
Senior Information Technology Specialist	5
Senior Project and Compliance Manager	5
Wastewater Systems Supervisor	5
Water Systems Supervisor	5

Consultants and New Position²

² Individuals serving as a consultant as defined in FPPC Reg 18700.3(a) or in a new position created since the Code was last approved, which makes or participates in the making of decisions as described in Regulation 18734, must file under the broadest disclosure category in this Code subject to the following limitation:

The General Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to designate a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. 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.

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which the designated is assigned.³ "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the Agency.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District, including any leasehold, beneficial or ownership interest or option to acquire property.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

Conflict of Interest Code:

Vista Unified School District

CONFLICT OF INTEREST CODE
OF THE
VISTA UNIFIED SCHOOL DISTRICT

CONFLICT OF INTEREST CODE
OF THE
VISTA UNIFIED SCHOOL DISTRICT

(Amended October 3, 2024)

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 has adopted a regulation (2 Cal. Code of Regs. § 18730) which 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 Section 18730 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 incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Vista Unified School District** (the "**District**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Executive Assistant** as the District's Filing Officer. The **Executive Assistant** shall make and retain a copy of all statements filed by Members of the Board of Trustees and the Superintendent, and forward the originals of such statements to the Clerk of the Board of Supervisors. The **Executive Assistant** shall retain the originals of the statements of all other designated positions and make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008).

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

VISTA UNIFIED SCHOOL DISTRICT

(Amended October 3, 2024)

PART “A”

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to the District’s Code, but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Board of Trustees

Superintendent

Investment Consultants

¹ Individuals 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 § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant Superintendent, Business Services	1, 2
Assistant Superintendent, Educational Excellence & Innovation	5
Assistant Superintendent, Human Relations	5
Budget Analyst	5
Chief Operations Officer	2, 3, 5
Coordinator, Career Technical Education	5
Coordinator, Central Kitchen	5
Coordinator, Compliance & Accountability	5
Coordinator, Elementary	5
Coordinator, Human Relations	5
Coordinator, Measurement & Monitoring	5
Coordinator, Secondary	5
Coordinator, Special Education	5
Coordinator, Student Support Services	5
Director, Child Nutrition Services	5
Director, Dual Language Immersion	5
Director, Human Relations - Classified	5
Director, Human Relations – Certificated	5
Director, Information Technology	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Director, Multi-Tiered System of Supports	5
Director, Purchasing	5
Director, Risk Management	5
Director, School Transformation	5
Director, Special Education	5
Director, Transportation	5
Executive Director, Educational Excellence & Innovation PK-12	5
Executive Director, Fiscal Services	4
Executive Director, Student Support Services	5
Facilities Project Coordinator	2, 3, 5
Fiscal Services Manager	5
General Counsel	1, 2
Manager, Child Nutrition Services	5
Manager, Grounds	5
Manager, Maintenance	5
Manager, Operations	5
Network Analyst	5
Principals	5
School Age Child Care Program Manager	5
School Age Child Care Program Supervisor	5
Senior Buyer	2, 4

Supervisor, Child Nutrition Services	5
Supervisor, Human Relations	5
Supervisor, Special Education	5

PART B

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.³ "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the District.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in or own real property within the jurisdiction of the District.

Category 2: All Interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)