Attachment B - Conflict of Interest Codes - Supporting Docs

Conflict of Interest Code:

Del Mar Union School District

COSD CLERK OF THE BOARD
2024 AUG 20 PM4:04

2024 Local Agency Biennial Notice

Name of Agency: Del Mar Union School District

Mailing Address: 11232 El Camino Real, San Diego, CA 92130

Contact Person: Megan Bennett Phone No. 858-755-9301

Email: mbennett@dmusd.org Alternate Email: hmcclurg@dmusd.org

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.

Holly McClurg
Signature of Chief Executive Officer

08/14/24
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**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

COSD CLERK OF THE BOARD
2024 AUG 20 PM4:04

LAW OFFICES OF
BEST BEST & KRIEGER LLP

CONFLICT OF INTEREST CODE FOR THE DEL MAR UNION SCHOOL DISTRICT

(Amended ~~July 27~~, ~~2022~~ August 14, 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 18730, and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Del Mar Union 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 to the Superintendent** 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 District Superintendent, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Executive 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

DEL MAR UNION SCHOOL DISTRICT

(Amended ~~July 27, 2022~~ August 14, 2024)

PART "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 Trustees

District Superintendent

Financial Consultants

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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
Assistant Principal	5
Assistant Superintendent, Business Services	1, 2
Assistant Superintendent, Human Resources	5
Assistant Superintendent, Instructional Services	5
Chief Technology Officer	5
~~Construction Project Manager~~ [Responsibilities taken over by Director, Maintenance, Operations & Facilities & Creation of an Maintenance, Operations & Facilities Supervisor]	~~5~~
Coordinator, Assessment, Data & Integrated Technology	5
Coordinator, Curriculum and Instruction	2, 3, 4
Director I, Special Education & Student Supports	5
Director, After School Program & Early Childhood Development Center	5
Director, Business Support Services	4
Director, Child Nutrition Services	5
~~Director, Curriculum & Instruction~~ [Positions replaced by hiring a 2nd Coordinator, Curriculum and Instruction]	~~5~~
Director, Fiscal Services	5
Director, Maintenance, Operations & Facilities	3, 5
District Program Specialist	5
Executive Director, Student Services	5

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DESIGNATED POSITIONS' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
General Counsel	1, 2
Maintenance & Operations Supervisor	5
Principal (ALL)	5
Consultants and New Positions[2]	

2 Individuals serving as a Consultant as 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 must file under the broadest disclosure set forth in this Code subject to the following limitation:

The District Superintendent 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 District 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. (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 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, including any leasehold, beneficial or ownership interest or option to acquire such interest in real 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.

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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)

COSD CLERK OF THE BOARD
2024 AUG 20 PM4:05

RESOLUTION NO. 2024-16

RESOLUTION OF THE BOARD OF TRUSTEES OF THE DEL MAR UNION SCHOOL DISTRICT AMENDING THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, 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 Del Mar Union School District (the "District") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Board of Trustees adopted a Conflict of Interest Code (the "Code") which was amended on July 27, 2022, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the District have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the District'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 District 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 Trustees of, the proposed amended Code was provided to each affected designated position and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Trustees on August 14, 2024, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Del Mar Union School District that the Board of Trustees does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Executive Assistant to the Superintendent and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED 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 after the Board of Supervisors approves the proposed amended Code as submitted.

APPROVED AND ADOPTED this 14th day of August, 2024.

President, Board of Trustees
Del Mar Union School District

ATTEST:

Secretary, Board of Trustees
Del Mar Union School District

Conflict of Interest Code:

Diego Plus Education Corporation

COSD CLERK OF THE BOARD
2024 AUG 14 PM12:42

2024 Local Agency Biennial Notice

Name of Agency: Diego Plus Education Corp.

Mailing Address: 177 Holston Dr., Lancaster, CA, 93535

Contact Person: Jeff Martineau Phone No. (661) 208-5185

Email: jmartineau@avlearning.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)* _____

☐ **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.

_____ 8-13-2024

Signature of Designated Officer *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@sdcounty.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

COSD CLERK OF THE BOARD
2024 AUG 14 PM12:42

DIEGO PLUS EDUCATION CORP.

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) which contains the terms of a standard conflict of interest 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 Exhibits, designating positions and establishing disclosure categories, shall constitute the conflict of interest code for **Diego Plus Education Corp.**

Members of the Governing Board and the Chief Executive Officer shall electronically file their Form 700 Statement of Economic Interests with the San Diego County Board of Supervisors. All other individuals holding designated positions shall file their Form 700 Statement of Economic Interests with **Diego Plus Education Corp.** All statements will be available for public inspection and reproduction (Government Code Section 81008).

* * * * *

The **Diego Plus Education Corp.** Board of Directors hereby adopts this Conflict of Interest Code.

Date: Jul 23, 2024

Ruth R Newell
Ruth R.Newell (Jul 23, 2024 17:10 PDT)
Ruth Newell, Board President

EXHIBIT A

DESIGNATED POSITIONS

Designated Position	Disclosure Category
Governing Board Member	1, 2
Chief Executive Officer	1, 2
Chief Financial Officer	1, 2
Chief Operating Officer	1, 2
Superintendent	1, 2
Area Superintendent	1, 3
Director	4
Principal	3
Assistant Principal	3
Consultants/New Positions	*

*Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure requirements in this code, subject to the following limitation:

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 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 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 the Form 700 Statement of Economic Interests. (Government Code Section 81008.)

EXHIBIT B

DISCLOSURE CATEGORIES

Category 1:

Designated positions assigned to this category must report:

Interests in real property located within the jurisdiction, within two miles of the boundaries of the jurisdiction, or within two miles of any land owned or used by **Diego Plus Education Corp.** Persons are not required to disclose property 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:

Designated positions assigned to this category must report:

Investments and business positions in business entities, and income (including loans, gifts and travel payments) received from sources, that manufacture, provide or sell services and/or supplies of a type utilized by **Diego Plus Education Corp.**

Category 3:

Designated positions assigned to this category must report:

Investments and business positions in business entities, and income (including loans, gifts and travel payments) received from sources, that manufacture, provide or sell services and/or supplies of a type utilized by the **Diego Plus Education Corp.** location(s) overseen by the designated position.

Category 4:

Designated positions assigned to this category must report:

Investments and business positions in business entities, and income (including loans, gifts and travel payments) received from sources, that manufacture, provide or sell services and/or supplies of a type utilized by **Diego Plus Education Corp.** and are associated with the job assignment of the designated position.

COSD CLERK OF THE BOARD
2024 AUG 14 PM 12:42

DIEGO PLUS EDUCATION CORP.

CONFLICT OF INTEREST CODE

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* * * * *

The **Diego Plus Education Corp.** Board of Directors hereby adopts this Conflict of Interest Code.

Date: ~~December 5, 2019~~

~~Carol Stanford, Board Secretary~~
Ruth Newell, Board President

EXHIBIT A

DESIGNATED POSITIONS

Designated Position	Disclosure Category
Governing Board Member	1, 2
Chief Executive Officer	1, 2
Chief Financial Officer	1, 2
Chief Operating Officer	1, 2
Superintendent	1, 2
Area Superintendent	1, 3
Director	4
Principal	3
Assistant Principal	3
Consultants/New Positions	*

*Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure requirements in this code, subject to the following limitation:

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EXHIBIT B

DISCLOSURE CATEGORIES

Category 1:

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Category 2:

Designated positions assigned to this category must report:

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Category 3:

Designated positions assigned to this category must report:

Investments and business positions in business entities, and income (including loans, gifts and travel payments) received from sources, that manufacture, provide or sell services and/or supplies of a type utilized by the **Diego Plus Education Corp.** location(s) overseen by the designated position.

Category 4:

Designated positions assigned to this category must report:

Investments and business positions in business entities, and income (including loans, gifts and travel payments) received from sources, that manufacture, provide or sell services and/or supplies of a type utilized by **Diego Plus Education Corp.** and are associated with the job assignment of the designated position.

APPROVED

COSD CLERK OF THE BOARD
2024 AUG 14 PM12:42

Diego Valley East Public Charter School

Minutes

Regular Board Meeting

Operated by Diego Plus Education Corporation, A California Non-Profit Public Benefit Corporation

Date and Time
Monday April 8, 2024 at 2:00 PM

Location
Meeting Location: 4348 54th Street, San Diego, CA 92115

Microsoft Teams meeting
Join on your computer, mobile app or room device
Click here to join the meeting

Or call in (audio only)
+1 657-207-0015,,9340627#
Phone Conference ID: 934 062 7#

MEETING LOGISITICS
The public is encouraged to participate in the meeting in person, or by dialing the conference line or clicking the weblink listed on the posted agenda. The public may submit written comments to the Board by emailing publiccomments@diegovalleyeast.org. The public may also provide comments during the "Public Comment" section of the meeting agenda.

REASONABLE ACCOMMODATION WILL BE PROVIDED FOR ANY INDIVIDUAL WITH A DISABILITY
Please see the "Accommodations" notice below.

Directors Present
Carol Stanford, Jacqueline Reynoso, Susan Alderson, Victoria Hancock

Directors Absent

Ruth Escarcega Newell

I. Opening Items

A. Call the Meeting to Order

Board Secretary Stanford read aloud the notices regarding meeting logistics and accommodations.
Carol Stanford called a meeting of the board of directors of Diego Valley East Public Charter School to order on Monday Apr 8, 2024 at 2:00 PM.

B. Roll Call and Establishment of Quorum

Board Secretary Stanford performed a board member roll call and a quorum was established.

Board Secretary Stanford then introduced Vanessa Mendoza, who performed a roll call of the learning center locations that joined the meeting via a two-way teleconference line.

C. Pledge of Allegiance

Board Member Hancock led the pledge of allegiance.

D. Staff Introductions

Jeff Brown, CEO
Jeri Vincent, Corporate Secretary
Shellie Hanes, Superintendent
Lindsay Reese, Area Superintendent
Jeff Martineau, V.P. of Charter Relations
Lisa Youngflesh, Principal
Joy Taylor, Director of Federal and State Programs
Bill Thompson, Legal Counsel
Guita Sharifi, CFO, LLAC

E. Approve Agenda for the April 8, 2024, Regular Public Meeting of the Board of Directors

Jacqueline Reynoso made a motion to approve Agenda for the April 8, 2024, Regular Public Meeting of the Board of Directors.
Victoria Hancock seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Victoria Hancock	Aye
Carol Stanford	Aye
Jacqueline Reynoso	Aye

Roll Call

Ruth Escarcega Newell	Absent
Susan Alderson	Aye

F. Approve Minutes of the February 26, 2024, Regular Public Meeting of the Board of Directors

Victoria Hancock made a motion to approve the minutes from Regular Board Meeting on 02-26-24.
Susan Alderson seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Victoria Hancock	Aye
Jacqueline Reynoso	Aye
Ruth Escarcega Newell	Absent
Carol Stanford	Aye
Susan Alderson	Aye

II. Consent Agenda

A. Consent Agenda Items

Board Secretary Stanford announced the following consent agenda items:

1. The revised Uniform Complaint Policy and Procedures
2. The revised Academic Integrity and Plagiarism Policy, an update to the school's 2024-2025 Parent-Student Handbook

Board Secretary Stanford then asked if any member would like to discuss any of the agenda items for action separately. Hearing none, Board Secretary Stanford asked for a motion to approve the consent agenda items.
Susan Alderson made a motion to approve the consent agenda items.
Victoria Hancock seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Victoria Hancock	Aye
Ruth Escarcega Newell	Absent
Jacqueline Reynoso	Aye
Susan Alderson	Aye
Carol Stanford	Aye

III. Public Comment

A. Public Comment

Board Secretary Stanford read the following announcement for members of the public:

At this time, members of the public may address the Board on any item within the subject matter jurisdiction of the Board, whether or not the item is on the agenda. The time allotted per presentation will not exceed three (3) minutes, unless a member of the public utilizes a translator, in which case the time allotted will not exceed six (6) minutes. In accordance with the Brown Act, no action may occur at this time, but it is the Board's prerogative to hold a brief discussion, provide information to the public, provide direction to staff, or schedule the matter for a future meeting.

Board Secretary Stanford asked if there were any members of the public who wished to offer public comment. There were no members of the public who offered public comment or submitted written comment.

IV. School Reports and Information

A. Principal Update

Principal Lisa Youngflesh greeted the board and shared the following highlights from recent school events:

- College field trip to San Diego City College
- Family Night, parent meetings, and awards
- CAASP Testing

Ms. Youngflesh then shared a video of Lindsay Reese being interviewed for her nomination for Remarkable Women. Ms. Reese then spoke about her work with Learn4Life.
Board Secretary Stanford thanked Ms. Youngflesh for her update and congratulated Ms. Reese.

B. Finance Update

Guita Sharifi directed the board to the Hanmi Bank Revolving Line of Credit (RLOC) financial update included in the board packet and reviewed the school's credit amount, including the current interest rate of 9.0%, which is unchanged from the previous RLOC update provided to the board. Ms. Sharifi then reviewed the expiration date, the current RLOC withdrawal amount, and the RLOC covenants ratios as of February 29, 2024.

Ms. Sharifi discussed the state budget and deferral plans for the 2024-2025 school year. She informed the board she will provide the board with additional details during the June board meeting, after the Governor's May revision is released.
Board Secretary Stanford thanked Ms. Sharifi for her update.

C. Legislative Update

On behalf of Bob Morales, Mr. Thompson provided the board with an update on legislative activities and ongoing efforts of the LLAC External Affairs division.
Board Secretary Stanford thanked Mr. Thompson for his update.

D. Area Superintendent Update

Ms. Reese discussed the school's learning period 8 data, including student demographics, enrollment, credit completion, and the current graduation rate. Ms. Reese informed the board of a glitch in the credit completion calculation in the report and provided the board with the correct information.
Board Member Reynoso commented on the increase in credit completion. Mr. Johnson shared with the board the various methods utilized to encourage students, including reassessments and re-engagement meetings.

E. Local Control and Accountability Plan Goals and Metrics

Joy Taylor greeted the board and directed them to the LCAP goals and metrics located in their board packet. Ms. Taylor reviewed the yearlong process to develop and finalize the LCAP goals and metrics and the engagement of school staff, parents, students, and community partners to provide feedback on the LCAP.

Ms. Taylor then reviewed each of the school's four goals and discussed a few highlights and areas of improvement.

- Goal 1: Increase academic progress – focus goal.
- Goal 2: Students will gain skills for college and career readiness – broad goal.
- Goal 3: Increase student retention rate – maintenance goal.
- Goal 4: Increase educational partner engagement – maintenance goal.

Ms. Taylor concluded her report and asked the board if they had any input or questions.
Board Secretary Stanford thanked Ms. Taylor for her presentation.

F. School Survey Report

Joy Taylor directed the board to the school survey report located in their board packet. Ms. Taylor explained the three survey sections and shared a few highlights.

- Student survey areas included: school climate, connectedness and engagement, social-emotional self-awareness, self-regulation, social awareness, relationship skills, decision making, future goals/college career, and civic engagement.
- Parent/guardian survey areas included: Safety & Connectedness, Time & Interaction, Communication & Engagement, Building Relationships, Building Relationships for Student Outcome, and Seeking Input for Decision Making.

- Staff survey areas included: School Climate, Culture & Vision/Mission, Academic Instruction, & Social Emotional Learning (SEL), Communication & Engagement, Leadership Perception, and Professional Development and Partnerships.

Ms. Taylor asked the board if they had any questions.
Board Secretary Stanford thanked Ms. Taylor and asked how many students participated in the survey. Ms. Stanford was informed more than 200 students took the survey.

G. CDE Notification of 2022-2023 Annual Determination Pursuant to the Individuals with Disabilities Education Act and Selection for 2023-2024 Special Education Monitoring Activities

Lindsay Reese directed the board to the letter located in their board packet and explained that in support of the implementation of IDEA, the California Department of Education (CDE) sends each school an annual determination letter indicating the school's status related to special education compliance.

Ms. Reese explained for monitoring purposes, all small LEAs participate in Cyclical Monitoring activities to gather data around the implementation of the IDEA and the provision of a free and appropriate education (FAPE) in the least restrictive environment (LRE). Ms. Reese reported that the school received a determination of Cycle A 2022, Compliance Only, Needs Assistance and the school will be required to complete different types of activities based on the needs of the LEA identified through the selection process. Ms. Reese then discussed how the CIM team will monitor and address these areas.

Finally, Ms. Reese asked the board if they had any input or questions.
Board Secretary Stanford thanked Ms. Reese for her report.

H. 2024-2025 Draft Board Meeting Dates

Board Secretary Stanford directed the board to the draft 2024-2025 regular board meeting calendar located in their board packet and requested the board to review the meeting dates, times, and meeting locations. She thanked the staff for providing the dates.

V. Action Items

A. The Board will be asked to approve the amended Conflict of Interest Code

Jeff Martineau directed the board to the amended Conflict of Interest (COI) Code, which includes the new position of Chief Operating Officer, as presented during the previous regular board meeting. Mr. Martineau then recommended the board approve the amended COI Code.
Board Secretary Stanford thanked Mr. Martineau and asked for a motion.
Jacqueline Reynoso made a motion to approve the amended Conflict of Interest Code.
Susan Alderson seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Carol Stanford	Aye
Jacqueline Reynoso	Aye
Ruth Escarcega Newell	Absent
Victoria Hancock	Aye
Susan Alderson	Aye

B. The Board will be asked to approve the Declaration of Need (DON) forms as a prerequisite to the issuance of an emergency permit and/or limited assignment permit for teachers at the School for the 2024-2025 School Year per California Code of Regulations §80026

Lindsay Reese reminded the board of the purpose of the annual Declaration of Need (DON) forms, which ensure the school's eligibility to apply for emergency and/or limited assignment permits for teachers. Ms. Reese explained the DON will allow qualified individuals to be authorized to serve in their teaching assignment while they are working towards completing the credential requirements for the educator's assignment. Ms. Reese then reviewed the estimated number of Emergency Permits such as Provisional Internship Permits (PIP), Short-Term Staff Permits (STSP), Emergency Cross-cultural, Language and Academic Development (CLAD) permits, and Variable Term Waivers that will be requested during the 2024-2025 school year.

Ms. Reese recommended the board approve the DON form for the school for the 2024-2025 school year.
Board Secretary Stanford thanked Ms. Reese and asked if there is still a teacher shortage.
Ms. Reese informed the board there does not seem to be at this time, especially as local school districts are laying teachers off.
Victoria Hancock made a motion to approve the Declaration of Need (DON) forms as a prerequisite to the issuance of an emergency permit and/or limited assignment permit for teachers at the School for the 2024-2025 School Year per California Code of Regulations §80026.
Susan Alderson seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Susan Alderson	Aye
Ruth Escarcega Newell	Absent
Victoria Hancock	Aye
Jacqueline Reynoso	Aye
Carol Stanford	Aye

VI. Additional Corporate Officers and Board Members' Observations and Comments

A. Observations and Comments

Jeff Brown thanked the board and Secretary Stanford for running the meeting. He commented on the importance of raising the bar and challenging students. Lastly, he praised the increase in credit completion.

VII. Closed Session

A. Adjourn open public Board meeting to go into closed session

1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Government Code section 54956.9(d)(1).)
Name of Case: Grossmont Union High School District vs. Julian Union School District
San Diego County Case Number: 37-2015-00033720-CU-WM-CTL

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code section 54957(b)(1).)
Title: Superintendent

3. CONFERENCE WITH LABOR NEGOTIATOR
(Government Code section 54957.6)
Agency designated representative: Steve Churchwell or Jenni Krengel
Unrepresented Employee: Area Superintendent
Jacqueline Reynoso made a motion to adjourn open public Board meeting to go into closed session.
Victoria Hancock seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Carol Stanford	Aye
Jacqueline Reynoso	Aye
Ruth Escarcega Newell	Absent
Susan Alderson	Aye
Victoria Hancock	Aye

B. Adjourn closed session and reconvene to open Board meeting

Susan Alderson made a motion to adjourn closed session and reconvene to open Board meeting.
Victoria Hancock seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Ruth Escarcega Newell	Absent
Victoria Hancock	Aye
Susan Alderson	Aye
Jacqueline Reynoso	Aye
Carol Stanford	Aye

C.

Report of action taken or recommendations made in closed session, if any

Board Secretary Stanford stated no action was taken in closed session for:

1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Government Code section 54956.9(d)(1).)
Name of Case: Grossmont Union High School District vs. Julian Union School District
San Diego County Case Number: 37-2015-00033720-CU-WM-CTL

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code section 54957(b)(1).)
Title: Superintendent

3. CONFERENCE WITH LABOR NEGOTIATOR
(Government Code section 54957.6)
Agency designated representative: Steve Churchwell or Jenni Krengel
Unrepresented Employee: Area Superintendent

VIII. Action Item

A. The Board will be asked to review and approve the salary range for Area Superintendent compensation

Following the board's opportunity to hear a presentation from Steve Churchwell, Bill Thompson recommended the area superintendent salary range be increased to $170,000-$198,750.

Board Secretary Stanford thanked Mr. Thompson and asked for a motion.
Jacqueline Reynoso made a motion to approve the salary range for Area Superintendent compensation.
Susan Alderson seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Ruth Escarcega Newell	Absent
Carol Stanford	Aye
Susan Alderson	Aye
Jacqueline Reynoso	Aye
Victoria Hancock	Aye

IX. Closing Items

A. Next Regular Board Meeting Date: June 3, 2024, 1:00pm

B. Adjourn Meeting

Victoria Hancock made a motion to adjourn the meeting.

Jacqueline Reynoso seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Victoria Hancock	Aye
Carol Stanford	Aye
Susan Alderson	Aye
Jacqueline Reynoso	Aye
Ruth Escarcega Newell	Absent

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 3:15 PM.

Respectfully Submitted,
Carol Stanford

Accommodations. All meetings of the Board of Directors are held in compliance with the Americans with Disabilities Act of 1990. Requests for disability-related modifications or accommodations, or translation services, in order to enable all individuals to participate in the Charter School's open and public meetings shall be made by contacting Soliman Villapando at (661) 272-1225 at least twenty four (24) hours before the scheduled meeting.

Non-Discrimination. The Charter School prohibits discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics of disability, gender, gender identity, gender expression, nationality, national origin, ancestry, race or ethnicity, color, religion, sex, sexual orientation, immigration status, potential or actual parental, family or marital status, age, or association with an individual who has any of the aforementioned characteristics, or any other basis protected by federal, state or local law.

Public Documents. To request documents provided to a majority of the governing board regarding an open session item on this agenda, please send an email request to publiccomments@diegovalleyeast.org. Documents are also available for public inspection at the Meeting Location noted on this agenda.

Conflict of Interest Code:

Encina Wastewater Authority

COSD CLERK OF THE BOARD
2024 AUG 30 AM8:56

2024 Local Agency Biennial Notice

Name of Agency: Encina Wastewater Authority

Mailing Address: 6200 Avenida Encinas, Carlsbad, CA 92011

Contact Person: Jennifer Basco Phone No. 442-320-7028

Email: jbasco@encinajpa.com Alternate Email: n/a

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.

Signature of Designated Officer — *Date* 8/29/2024

Scott McClelland, General Manager

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@sdcounty.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

LAW OFFICES OF
BEST BEST & KRIEGER LLP

CONFLICT OF INTEREST CODE

OF THE

ENCINA WASTEWATER AUTHORITY

COSD CLERK OF THE BOARD
2024 AUG 29 AM 10:46

LAW OFFICES OF
BEST BEST & KRIEGER LLP

CONFLICT OF INTEREST CODE OF THE ENCINA WASTEWATER AUTHORITY

(Amended ~~January 25, 2023~~ _____, 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) 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 Title 2, Section 18730 of the California Code of Regulations 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 **Encina Wastewater Authority.**

All officials and designated positions required to submit a statement of economic interests shall electronically file their annual statements of economic interests directly with the **Clerk of the Board of Supervisors of the County of San Diego**. The **Board Secretary/Executive Assistant** shall retain copies of statements filed by all 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

ENCINA WASTEWATER AUTHORITY

(Amended ~~January 25, 2023~~ _____, 2024)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Officials who manage public investments, as defined by 2 Cal. Code 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).]

It has been determined that the positions listed below are officials who manage public investments.[1] These positions are listed here for informational purposes only.

Board of Directors
Auditor
Treasurer
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

DESIGNATED POSITIONS' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Accounting Supervisor	5
Administrative Assistant I/II	5
Assistant General Manager	1, 2
Board Secretary/Executive Assistant	5
Cogeneration Specialist	5
Contract Administrator	5, 6
~~Capital Improvements Manager~~Engineering Services Manager	1, 2
Director of Environmental Compliance	5
Director of Finance	1, 2
Director of Operations	1, 2
Director of Technical Services	3, 5
Electrical and Instrumentation ~~Specialist~~Technician ~~(?)~~	5
Electrical and Instrumentation ~~Technician~~ Supervisor~~?~~	5
Field Services Superintendent ~~(?)~~	5
General Counsel	1, 2
General Manager	1, 2
Human Resources Analyst	5
Human Resources ~~Specialist~~~~Analyst~~Manager ~~Manager?~~	5
Information Systems Analyst	5
~~Systems Manager~~Information Systems Manager~~Specialist ?~~	5

~~Information Systems Specialist Technician~~	~~5~~
Laboratory Manager	4
Lead Mechanical Technician	5
Lead Operator	5
Maintenance Manager ~~Lead~~ [2]	3, 5
Mechanical Technician Supervisor ~~?~~	5
~~Chief Plan Operator~~Operations Manager	3, 5, 6
Operations ~~Trainer~~ Training and Quality Control Specialist	5
Procurement Specialist	5
Safety and Training Manager	5
Senior Construction Manager	3, 5
Shift Supervisor	5
Source Control Manager	5, 6

Consultants and New Positions[2]

[2] 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 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 Manger'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. "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 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, that 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.

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.

COSD CLERK OF THE BOARD
2024 AUG 29 AM10:45

RESOLUTION No. 2024-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ENCINA WASTEWATER AUTHORITY AMENDING THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, 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 that potentially affect all officers, employees and consultants of the Encina Wastewater Authority (the "Authority") 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") approved by the San Diego County Board of Supervisors on April 4, 2023, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the Authority have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Authority'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 Authority 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 to each affected designated position 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 January 24, 2024, at which all present were given an opportunity to be heard on the proposed amended Code.

IT IS HEREBY RESOLVED by the Board of Directors of the Encina Wastewater Authority (EWA) as follows:

Section 1. The Board of Directors hereby adopts the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the General Manager and available to the public for inspection and copying during regular business hours.

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

Passed and Adopted by the Board of Directors of the Encina Wastewater Authority this 24th day of January, 2024 by the following vote:

Representative	Agency	Vote
Chair Hernandez	Vallecitos Water District	Aye
Vice-Chair Roesink	Leucadia Wastewater District	Aye
Director Ehlers	City of Encinitas	Aye
Director Lyndes	City of Encinitas	Aye
Director Pennock	Vallecitos Water District	Aye
Director Saldana	Leucadia Wastewater District	Aye
Director Blackburn	City of Carlsbad	Aye
Director Luna	City of Carlsbad	Aye
Director Franklin	City of Vista	Aye
Director Franklin	Buena Sanitation District	Aye
Director Green	City of Vista	Aye
Director Green	Buena Sanitation District	Aye

Signed:

Jim Hernandez, Board Chair
Encina Wastewater Authority

Attest:

Jennifer Bosco, Board Secretary
Encina Wastewater Authority

COSD CLERK OF THE BOARD
2024 AUG 29 AM10:58

ENCINA WASTEWATER AUTHORITY

BOARD OF DIRECTORS

Item	:	**14**
Date	:	January 24, 2024
To	:	Honorable Chair and Board of Directors
From	:	Scott McClelland, General Manager
Issue	:	**AMENDMENT OF THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974 – BIENNIAL REVIEW AND ADOPTION**

STAFF RECOMMENDS THE BOARD OF DIRECTORS:

Adopt Resolution No. 2024-01 approving and adopting the amended Conflict of Interest Code pursuant to Political Reform Act of 1974.

BACKGROUND

The Political Reform Act of 1974, Government Code section 81000 *et seq.* (the "Act"), requires all public agencies to adopt and maintain a conflict of interest code establishing the rules for disclosure of financial interests by designated positions within the agency, including disclosure categories for the designated positions.

FIVE-YEAR BUSINESS PLAN REFERENCE

Strategic Initiative No. 8 requires EWA to provide meaningful transparency and engage key stakeholders.

DISCUSSION

Pursuant to Section 87306 of the Act, the Authority must: (1) amend its Code when necessitated by changed circumstances to formally adopt the Standard Code of the Fair Political Practices Commission, (2) include positions that must be designated, (3) establish disclosure categories for each position based on their official duties, and (4) declare officials who manage public investments. The proposed Code also revises the titles of existing positions and deletes titles of position that have been abolished and/or positions that no longer make or participate in making governmental decisions.

FISCAL IMPACT

There is no fiscal impact associated with this report.

THEREFORE, STAFF RECOMMENDS THE BOARD OF DIRECTORS:

Adopt Resolution No. 2024-01 approving and adopting the amended Conflict of Interest Code pursuant to Political Reform Act of 1974.

Attachment 1: Notice of Intention to Amend the Conflict of Interest Code of the Encina Wastewater Authority
Attachment 2: Redline version of Amended Conflict of Interest Code
Attachment 3: Clean version of Amended Conflict of Interest Code
Attachment 4: Resolution No. 2024-01 Amending the Conflict of Interest Code

Prepared by: Jennifer Basco, Executive Assistant
Reviewed by: Jennifer Sabine, Assistant General Manager
Approved by: Scott McClelland, General Manager

Ref: Admin.24-15748

COSD CLERK OF THE BOARD
2024 AUG 29 AM10:58

NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE OF THE ENCINA WASTEWATER AUTHORITY

NOTICE IS HEREBY GIVEN that the Board of Directors of the Encina Wastewater Authority (the "Authority") intends to amend the Authority's Conflict of Interest Code (the "Code") pursuant to Government Code Section 87306.

The Code designates those employees, members, officers, and consultants who make or participate in the making of decisions and are subject to the disclosure requirements of the Authority's Code. The Authority's proposed amendment is to formally adopt the Standard Code of the Fair Political Practices Commission, include positions that must be designated, establish disclosure categories which are assigned to each designated position based on their official duties, and declare officials who manage public investments, revise the titles of existing positions, and delete titles of position that have been abolished and/or positions that no longer make or participate in making governmental decisions.

The proposed amended Code will be considered by the Board of Directors on January 24, 2024, at 9 a.m. at 6200 Avenida Encinas, Carlsbad, California. Any interested person may be present and comment at the public meeting or may submit written comments concerning the proposed amendment.

Any interested person may be present and comment at the public meeting or may submit written comments concerning the proposed amendment. Any comments or inquiries should be directed to the attention of Jennifer Basco, Senior/Executive Assistant, Encina Wastewater Authority, 6200 Avenida Encinas, Carlsbad, CA 92011; (760) 438-3941. Written comments must be submitted no later than 8 a.m. on January 24, 2024.

The proposed amended Code may be reviewed at, and copies obtained from, the office of the Senior/Executive Assistant during regular business hours.

Conflict of Interest Code:

Grossmont-Cuyamaca Community College District

COSD CLERK OF THE BOARD
2024 AUG 14 PM1:15

2024 Local Agency Biennial Notice

Name of Agency: Grossmont-Cuyamaca Community College District

Mailing Address: 8800 Grossmont College Dr., El Cajon, CA 92020

Contact Person: Michael Williamson Phone No. 619-644-7570

Email: michael.williamson@gcccd.edu Alternate Email: gabriela.alvarez@gcccd.edu

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)* Conflict Code in AP 2712 was amended - see board agenda item for details and redlining.

☐ **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.

Signature of Designated Officer

August 14, 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**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

COSD CLERK OF THE BOARD
2024 AUG 14 PM1:16

CCLC Update #42 & #44 and Biennial Review
Gift limit updated and disclosure categories revised

AP 2712 Conflict of Interest Code ~~(Form 700 Filers)~~

Reference: ***Title 2, Section 18730; Government Code Sections 87103(e), 87200, 87300-87302, 89501, 89502 and 89503***

Date Issued: May 16, 2008 Updated: ~~April 19, 2022~~ August 13, 2024

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 the Appendix to Conflict of Interest Code referred to 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~~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 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 Regs. sections 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

Section 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.

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 economic 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 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.

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 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

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[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 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.

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.

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 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 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.

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[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.

(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 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.

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 his or her 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.

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~~460~~

(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~~460~~ 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. 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.

[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.

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 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 five hundred dollars ($500) at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

Section 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 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.

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.
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.

Section 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 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~~420~~ 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 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.

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 one thousand dollars ($1,000) or more.

Section 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.

Section 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 Government Code section 83114 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.

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 - 910145. 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.

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
   - Chancellor

- Vice Chancellor Business Services

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 disclosure for each disclosure category to which he or she is assigned.

Category 1: ~~All investments and business positions and sources of income from, business entities that do business with the District or own real property within the boundaries of the District, plan to do business or own real property within in the boundaries of the District within the next year, or have done business with or owned real property within the boundaries of the District within the past two (2) years.~~Designated positions assigned to this category must report:

a. Interests in real property within the boundaries of the District that are used by the District or are of the type that could be acquired by the 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: ~~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.~~ 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 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 of the District within the past two (2) years.~~ 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 ~~All~~ investments and business positions in~~,~~ and sources of income (including receipt of gifts, loans, and travel payments) if the ~~from,~~ business entity or source is of the type to receive grants or other funding from or through the District.~~ies 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.~~

Designated Positions, and the Disclosure Categories assigned to them, are listed in the attached Appendix.

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 Chancellor 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 Chancellor'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.

COSD CLERK OF THE BOARD
2024 AUG 14 PM 1:16

GROSSMONT-CUYAMACA
COMMUNITY COLLEGE DISTRICT

Agenda Item Details

Meeting	Aug 13, 2024 - Notice of Governing Board Regular Meeting
Category	8. Governance
Subject	8.1 Biennial Review of Board Policy 2712, Administrative Procedure 2712, and Appendix to AP 2712 Conflict of Interest Code
Access	Public
Type	Action
Recommended Action	Grant authority to the Chancellor to update Administrative Procedure 2712 as set forth in the redlined amendments in Attachment B, and direct the Chancellor to notify the County Board of Supervisors of the amendments.

Public Content

Background: Pursuant to the Political Reform Act, the District has adopted a Conflict of Interest Code. Government Code Section 87306.5 requires every local government agency to review its Conflict of Interest Code biennially, in even-numbered years, to determine if it is accurate or if it should be amended. Section 87306.5 also requires the District to file a statement with the County Board of Supervisors (the designated Code reviewing body) indicating that the District's Code has been reviewed and updated.

Summary of Issue: The Community College League of California has recommended updates to Administrative Procedure 2712 as reflected in **Attachment B**, including:

- Increased gift limit from $460 to $590
- Revisions to the disclosure categories
- Minor amendments to Government Code citations

In conjunction with its consideration of the updates above, the Board will also review Board Policy 2712 (**Attachment A**) and the Appendix to Administrative Procedure 2712 (**Attachment C**). There are no changes recommended to Board Policy 2712 or the Appendix to Administrative Procedure 2712.

Attachment A - BP 2712 Conflict of Interest Code.pdf (21 KB)

Attachment B - AP 2712 Conflict of Interest Code.pdf (200 KB)

Attachment C - Appendix to AP 2712 Conflict of Interest Code.pdf (206 KB)

Administrative Content

Executive Content

Motion & Voting

Grant authority to the Chancellor to update Administrative Procedure 2712 as set forth in the redlined amendments in Attachment B, and direct the Chancellor to notify the County Board of Supervisors of the amendments.

Motion by Brad Monroe - Voting, second by Elena Adams - Voting.
Final Resolution: Motion Carries
Yea: Debbie Justeson - Voting, Brad Monroe - Voting, Elena Adams - Voting, Julie Schorr - Voting, Desiree Klaar - Voting, Cesar Nuñez - Advisory Vote

CERTIFICATION OF AGENDA ITEM

We certify that this is a true and correct copy of an agenda item heard before the Governing Board of the Grossmont-Cuyamaca Community College District at its regular meeting held on August 13, 2024.

Lynn Ceresino Neault, Chancellor and Board Secretary — August 14, 2024 (Date)

Michael Williamson, Recording Secretary — August 14, 2024 (Date)

COSD CLERK OF THE BOARD
2024 AUG 14 PM1:17

Chavira, Alejandro

From: Michael Williamson <michael.williamson@gcccd.edu>
Sent: Wednesday, August 14, 2024 1:04 PM
To: County of San Diego, Form 700
Cc: Chavira, Alejandro
Subject: [External] Biennial Review of Conflict Code
Attachments: 2024 Local Agency Biennial Notice Form.pdf; Board Agenda Item - Certified Amendment to Conflict Code.pdf; AP 2712 Conflict of Interest Code Amended 08-13-24 Redlined.pdf; AP 2712 Conflict of Interest Code Amended 08-13-24 Clean.pdf

Follow Up Flag: Follow up
Flag Status: Completed

GROSSMONT-CUYAMACA
COMMUNITY COLLEGE DISTRICT

Clerk of the Board of Supervisors
(Conflict of Interest Code)
Attn: Alejandro Chavira
1600 Pacific highway, Room 402
San Diego, CA 92101

Re: Grossmont-Cuyamaca Community College District 2024 Conflict of Interest Updates

I respectfully request that the San Diego County Board of Supervisors approve the Conflict of Interest Code for the Grossmont-Cuyamaca Community College District as updated at its August 13, 2024, Governing Board Meeting.

Please note that there are no changes to the Appendix to the Code, as no position titles or categories have changed. There are, however, changes to the Code itself, AP 2712.

Forwarded with this letter are the following documents:

1. 2024 Local Agency Biennial Notice
2. Proof of Governing Board approval (certified agenda item with motion and voting)
3. A strike-out/redlined version of the changes, additions and deletions to the most recently approved Conflict of Interest Code, approved on August 13, 2024
4. A clean version of the most recently approved Conflict of Interest Code, approved on August 13, 2024

Please let me know if you have any questions.

Sincerely,

Michael Williamson
Executive Assistant to Chancellor/Governing Board Office
Grossmont-Cuyamaca Community College District

8800 Grossmont College Dr., El Cajon, CA 92020
Phone: (619) 644-7682
michael.williamson@gcccd.edu
Pronouns: He/Him/His


Transforming Lives Through Learning

Conflict of Interest Code:

Leucadia Wastewater District

COSD CLERK OF THE BOARD
2024 JUN 27 AM9:50

2024 Local Agency Biennial Notice

Name of Agency: Leucadia Wastewater District

Mailing Address: 1960 La Costa Avenue, Carlsbad, CA 92009

Contact Person: Tianne Baity Phone No. 760-753-0155 ext 3009

Email: tbaity@lwwd.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)* _____

■ **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.

_____ 6/16/2024
Signature of Designated Officer *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@sdcounty.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

COSD CLERK OF THE BOARD
2024 AUG 15 AM11:26

CONFLICT OF INTEREST CODE
OF THE
LEUCADIA WASTEWATER DISTRICT

Ref: 25-8816

The Political Reform Act of 1974 (Government Code Section 81000, et seq.) requires each state and local government agency to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission (FPPC) has adopted a regulation, 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 as an agency's code. After public notice and hearing, the regulation may be amended by the FPPC to conform to amendments in the Political Reform Act.

Therefore, the terms of Title 2, Division 6 of the California Code of Regulations Section 18730 and any future amendments to it duly adopted by the FPPC are hereby adopted and incorporated herein by reference. This regulation and the Appendix attached hereto designating officials and employees and establishing disclosure categories shall constitute the Conflict of Interest Code of the Leucadia Wastewater District.

Pursuant to Section 4 of the standard code, individuals holding designated positions shall file their statements of economic interests with the Leucadia Wastewater District, which will make the statements available for public inspection and reproduction (Gov. Code Sec 81008). All statements will be retained by the Leucadia Wastewater District for a period of seven (7) years.

Adopted by the Board of Directors of the Leucadia Wastewater District on the 14th day of August 2024.

_____
Chris Roesink, President

ATTEST:

_____
Paul J. Bushee, Secretary/Manager

APPENDIX A

AMENDED
CONFLICT OF INTEREST CODE
OF
LEUCADIA WASTEWATER DISTRICT

DESIGNATED POSITIONS

All District officials who manage the investment of public funds are included in and governed by this Conflict of Interest Code only with respect to its disqualification provisions. For purposes of disclosure, all District officials who manage the investment of public funds are governed by the statutory conflict of interest provisions of Article 2 of Chapter 7 of the Political Reform Act of 1974. (Government Code Section 87200, et seq.)

The persons holding positions listed below are "designated employees" who are subject to the provisions of this Code. Each such designated employee is required to disclose interests only in those categories set forth, which are identified by the numbers following his or her title.

Disclosure Categories

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property that 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 interest 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, 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 in, 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 or leased 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 used or administered by the Designated Employee's Department.

Designated Positions	Disclosure Categories
Director of Technical Services	6, 7
Field Services Superintendent	6, 7
Field Services Supervisor	6, 7
Administrative Services Supervisor	6, 7
~~Field Services Specialist~~ Project Coordinator	6, 7

Consultants*	Disclosure Categories
Construction Manager	1, 2, 4, 6, 7
Financial Consultants	1, 2, 4, 5, 6
Engineering Consultants	1, 2, 4, 6
Public Relations Consultants	1, 2, 6

The following positions are *not* covered by the code because they must file under Government Code Section 87200, and, therefore, are listed for informational purposes only:

Board of Directors
General Manager
Director of Finance and Administration
General Counsel, Attorney

An individual holding one of the above listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations.* Consultants shall not be 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. The determination as to whether a consultant shall be required to file a disclosure statement shall be made by the General Manager or his or her designee.

COSD CLERK OF THE BOARD
2024 AUG 15 AM11:26

RESOLUTION NO. 2418

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LEUCADIA WASTEWATER DISTRICT ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, Leucadia Wastewater District (LWD) Resolution No. 2027, approved on September 13, 1995, adopted the Fair Political Practices Commission's Standard Model Conflict of Interest Code; and

WHEREAS, LWD Resolution No. 2377, approved on August 17, 2022 last amended the Conflict of Interest Code; and

WHEREAS, LWD has completed a review of its Conflict of Interest Code and determined that changes are required to update the title of a certain designated position Pursuant to Section 2 of the Standard Code;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Leucadia Wastewater District does hereby rescind all previously adopted resolutions approving Leucadia Wastewater District Conflict of Interest Codes and re-adopts in their place and stead the Fair Political Practices Commission's Standard Model Conflict of Interest Code and Appendix "A" attached hereto.

PASSED AND ADOPTED by the Board of Directors at a meeting of the Leucadia Wastewater District held August 14, 2024 by the following vote:

AYES: Roesink, Saldana, Omsted, Sullivan, Pacilio

NOES: None.

ABSENT: None.

ABSTAIN: None.

Chris Roesink, President

ATTEST:

Paul J. Bushee, Secretary/Manager

(SEAL)

Conflict of Interest Code:

Rainbow Municipal Water District

COSD CLERK OF THE BOARD
2024 AUG 6 AM8:37

2024 Local Agency Biennial Notice

Name of Agency: Rainbow Municipal Water District

Mailing Address: 3707 Old Highway 395, Fallbrook, CA 92028

Contact Person: Terese Quintanar Phone No. 760-728-1178 x 129

Email: Tquintanar@rainbowmwd.ca.gov Alternate Email: tquintanar@rainbowmwd.ca.gov

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.

_____ 08/05/2024

Signature of Designated Officer *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@sdcounty.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

COSD CLERK OF THE BOARD
2024 AUG 6 PM2:01

Section 1.02.020
Conflict of Interest

1.02.020.01 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 Regs. Section 18730) that contains the terms of a standard conflict of interest code and may be incorporated by reference in any agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to confirm to amendments in the Political Reform Act.

1.02.020.02 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 Rainbow Municipal Water District.

1.02.020.03 Individuals holding designated and non-designated positions shall file their Statements of Economic Interest with Rainbow Municipal Water District, which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Upon receipt of the statements for the Board Members and General Manager, the Board Secretary shall make and retain copies and forward the originals of these statements to the County Board of Supervisors. Statements for all other designated employees shall be retained by Rainbow Municipal Water District.

Any public officials who manage public investments shall be considered non-designated positions under Government Code section 87200 and shall make the disclosures required by law. Originals of all Statements of Economic Interest filed by non-designated positions will be maintained at the District office.

Appendix A
Rainbow Municipal Water District Conflict of Interest Code

Preamble

Any person designated in Section I of this Appendix who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from Rainbow Municipal Water District's General Counsel. (Gov. Code § 83114; 2 CCR § 18730(b)(11).) A person who acts in good faith in reliance on an opinion issued to them by the FPPC shall not be subject to criminal or civil penalties for so acting, provided that all material facts are stated in the opinion request. (Gov. Code § 83114(a).)

Opinions rendered by General Counsel do not provide any statutory defense to an alleged violation of conflict of interest statutes or regulations. The prosecuting agency may, but is not required to, consider a requesting party's reliance on General Counsel's opinion as evidence of good faith. In addition, Rainbow Municipal Water District may consider whether such reliance should constitute a mitigating factor to any disciplinary action that Rainbow Municipal Water District may bring against the requesting party under Government Code section 91003.5.

Part I - Designated Positions

Designated Employees	Categories Disclosed
Members of the Board of Directors	All
General Manager	All
General Counsel	All
Engineering and Capital Improvement Program Manager	All
Operations Manager	All
Administrative Services Manager	All
Information Technology Manager	All
Construction/Maintenance Supervisor	All
Water Operations Supervisor	All
Wastewater Superintendent	All
Senior Engineer/Engineer/Associate Engineer	All
Senior Accountant	All
Accounting Supervisor	All
Purchasing & Inventory Control Specialist I/II	All
Purchasing & Facilities Lead	All

\\rmwd-b\Main\Administration\Group-Agenda Packet Items\1- 2024\7 July 2024\20240723 Board Meeting\11 A 3 Conflict of Interest 1.02.020 redline.docx\\Approved 8-3-05 by Ordinance No. 05-07\\Amended and Updated 7-21-06 by Resolution No. 06-10\\Approved 11-17-06 by Ordinance No. 06-09\\Amended and Updated 8-26-08 by Resolution No. 08-10\\Approved 10-28-08 by Ordinance No. 08-11\\Amended and Updated 06-26-12 by Ordinance No. 12-02\\Amended and Updated 4-23-13 by Ordinance No. 13-04\\Amended and Updated 4-22-14 by Ordinance No. 14-02\\Amended and Updated 8-26-14 by Ordinance No. 14-06\\Amended and Updated 2-24-15 by Ordinance No. 15-04\\Amended and Updated 1-26-16 by Ordinance No. 16-02\\Amended and Updated 3-22-16 by Ordinance No. 16-04\\Amended and Updated 1-23-18 by Ordinance No. 18-02\\Amended and Updated 3-27-18 by Ordinance No. 18-05\\Amended and Updated 5-22-18 by Ordinance No. 18-12\\Amended and Updated 8-28-18 by Ordinance No. 18-19\\Amended and Updated 12-4-18 by Ordinance No. 18-27\\Amended and Updated 6-25-19 by Ordinance No. 19-06\\Amended and Updated 9-24-19 by Ordinance No. 19-12\\Amended and Updated 1-28-20 by Ordinance No. 20-01\\Amended and Updated 6-23-20 by Ordinance No. 20-06\\Amended and Updated 12-8-20 by Ordinance No. 20-12\\Amended and Updated 10-26-21 by Ordinance No. 21-07\\Amended and Updated 2-22-22 by Ordinance No. 22-06\\Amended and Updated 7-26-22 by Ordinance No. 22-15\\Amended and Updated 10-25-22 by Ordinance No. 22-17\\Amended and Updated 7-25-23 by Ordinance No. 23-05

Senior Risk Management Officer/Safety and Risk Managem Officer/Safety and Risk Management Analyst	All
Senior Engineering Inspector	All
Cross Connection Control and Backflow Technician	All
Information Technology and Applications Analyst and Senior Information Technology and Applications Analyst	All
Information Systems Specialist I/II/III	All
Senior Project Manager/Project Manager	All
Administrative Analyst I/II/Management Analyst	All
Meter Services Supervisor	All
Customer Service Supervisor	All
Grant Specialist	All
Construction and Meters Supervisor	All
[1]Consultants	2

[1] With respect to consultants, the General Manager may determine in writing that a particular consultant, although a "designated employee," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the written disclosure requirements described in these categories. 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 General Manager's determination is a public record and shall be retained for public inspection by Rainbow Municipal Water District in the same manner as this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

Part II – Non-Designated Positions

Finance Manager	Pursuant to Applicable Laws
Standing District Committee Members	2
Auditor	2

Part III - Disclosure Categories

Category 1.

A designated employee or person in this category shall report all interests in real property, and investments in, and income from, business entities of the type to operate or provide any of the following:

Accounting or auditing services
Banks and savings and loans
Computer hardware or software, or computer services or consultants
Communications equipment or services
Insurance brokers and agencies
Insurance adjusting, claims auditing or administration, or underwriting services
Office equipment or supplies
Personnel and employment companies and services
Printing or reproduction services, publications, and distribution
Securities, investment or financial services companies
Title insurance and escrow
Construction supplies, service or equipment
Engineering and surveying services
Land development services

Category 2.

A designated employee in this category shall disclose all business positions in, investments in, and income from any business of the type to provide personnel, services, supplies, material, machinery, or equipment to Rainbow Municipal Water District and is associated with the job assignment or position of the designated employee or person.

Appendix B
Statement of Duties of Employees of and Consultants to Rainbow Municipal Water District

Members of the Board of Directors

The Board of Directors acts as the Rainbow Municipal Water District's governing body. Members of the Board of Directors formulate general policy and programs of Rainbow Municipal Water District, and each member of the Board of Directors is therefore designated.

General Manager

General Manager oversees the day-to-day operations of Rainbow Municipal Water District and participates in the formulation and implementation of the policies and programs of Rainbow Municipal Water District and is therefore designated.

General Counsel

General Counsel, currently hired on a contract basis, advises Rainbow Municipal Water District on its day-to-day activities, including its relationships with the independent contractors who serve in a staff capacity to Rainbow Municipal Water District, and compliance with applicable laws and regulations. General Counsel participates in the formulation and implementation of the policies and programs of Rainbow Municipal Water District and is therefore designated.

Finance Manager

An employee of the Rainbow Municipal Water District, the Finance Manager is Rainbow Municipal Water District's Chief Financial Officer and helps manage the finances of Rainbow Municipal Water District. The Finance Manager makes reports from time to time on the financial results of operations of Rainbow Municipal Water District and recommends fiscal policies to the Board of Directors. The Finance Manager "manages public investments" within the meaning of applicable regulations and is therefore not designated.

Engineering and Capital Improvement Program Manager

The Engineering and Capital Improvement Program Manager provides oversight of engineering services to Rainbow Municipal Water District, including implementation of capital replacement projects and participates in the formulation of Rainbow Municipal Water District's general policies and programs in the area of engineering and is therefore designated.

Operations Manager

The Operations Manager oversees the operation and maintenance of the water and wastewater lines and structures, participates in the formulation of Rainbow Municipal Water District's general policies and programs in the area of operations and maintenance and is therefore designated.

Administrative Services Manager

The Administrative Services Manager plans, directs and oversees the following programs and activities: human resources; risk management and safety; labor relations; public relations, community outreach, and educational programs and is therefore designated.

Information Technology Manager

The Information Technology Manager manages Rainbow Municipal Water District's information technology staff, services and systems, user support, specific applications support, hardware and software installation, troubleshooting and maintaining computer systems, telephony, and mobile services. This position also supervises the purchasing, inventorying, maintenance and the disposing of computing and communication devices, hardware and software and is therefore designated.

Construction/Maintenance Supervisor

The Construction/Maintenance Supervisor has supervisorial responsibilities to direct and oversee the Construction Division. This position coordinates and manages the installation, maintenance and repair of water mains, service lines, fire hydrants and other related appurtenances used in the District water distribution, treatment and storage facilities and is therefore designated.

Water Operations Supervisor

The Water Operations Supervisor has supervisorial responsibilities to direct and oversee the Water Operations Division. This position will coordinate and manage the installation, maintenance, repair and operation of District water distribution, treatment, pumping and storage facilities and is therefore designated.

Wastewater Superintendent

The Wastewater Superintendent has managerial responsibility to direct and oversee the Wastewater Division. This position coordinates and manages the repair, maintenance and operation of the wastewater pumping and collection system as well as may assist with installation, maintenance and repair of water distribution facilities and is therefore designated.

Senior Engineer/Engineer/Associate Engineer

The Senior Engineer, Engineer, and Associate Engineer position performs a variety of routine and semi-routine professional level civil engineering work in the research, design and construction of water and sewer capital improvement and construction projects as well as reviews development plans and is therefore designated.

Senior Accountant

The Senior Accountant performs highly complex and professional accounting and financial analysis to provide accurate and timely financial statements and reports to management, the Board, other government agencies, and the public and serves as a subject matter expert and is therefore designated.

Accounting Supervisor

The Accounting Supervisor is the first-level supervisor for designated staff within the Finance Department; performs highly complex and professional accounting and financial analysis to provide accurate and timely financial statements and reports to management, the Board, other government agencies, and serves as a subject matter expert and is therefore designated.

Purchasing & Inventory Control Specialist I/II

The Purchasing & Inventory Control Specialist I/II has responsibility for all functions associated with the warehouse including purchasing, receiving and inventory control and administration of the office cleaning contract as well as maintaining inventory of parts and supplies and is therefore designated.

Purchasing & Facilities Lead

The Purchasing & Facilities Lead has responsibility for all functions associated with purchasing, receiving, inventory control, maintaining inventory of parts and supplies, janitorial services, and building and grounds facilities maintenance contracts, and is therefore designated.

Senior Risk Management Officer/Safety and Risk Management Officer/Safety and Risk Management Analyst

The Senior Risk Management Officer, Safety and Risk Management Officer, and Risk Management Analyst positions have responsibility for the planning and administration of the District programs and services related to safety, security, emergency preparedness, environmental compliance functions, property and liability insurance and processing liability, worker's compensation, and property claims and is therefore designated.

Senior Engineering Inspector

The Senior Engineering Inspector performs highly specialized and complex public works construction inspection work. This position acts as the District's representative on the construction site for the expressed intent of enforcement of District construction standards and regulations and is therefore designated.

Cross-Connection Control and Backflow Technician

The Cross-Connection Control and Backflow Technician performs a variety of work in connection with implementing and enforcing the cross-connection control programs including the Backflow Prevention Program, inspects, tests, and repairs backflow devices, and creates and submits results, records, and related documentation and is therefore designated.

Information Technology and Applications Analyst /Senior IT and Applications Analyst

The Senior Information Technology and Applications Analyst/Senior Information and Applications Analyst position monitors, maintains, troubleshoots, and diagnoses hardware, software, database and network problems and identifies courses of action and is therefore designated.

Information Systems Specialist I/II/III

The Information Systems Specialist I/II/III provides technical assistance to end users of computer hardware, software, printers, and mobile devices and assists in configuring and administering Rainbow Municipal Water District's electronic records management system and is therefore designated.

Senior Project Manager/Project Manager

The Senior Project Manager and Project Manager position manages Capital Improvement Projects (CIP) and development projects related to the design and construction of water and wastewater distribution and collection systems. Manages projects from start to finish, from project planning to final inspection. Coordinates with District staff, contractors, and other agencies to deliver projects and is therefore designated.

Administrative Analyst I/II/Management Analyst

The Administrative Analyst I/II/Management Analyst series classification provides complex technical, analytical, administrative, and professional work within the assigned department. May coordinate with District staff, contractors, customers, developers, and other agencies to deliver projects, as well as may support public relations, community outreach, and educational programs and is therefore designated.

Meter Services Supervisor

The Meters Services Supervisor supervises and participates in work related to water services, oversees the cross-connection control and backflow testing programs, tests water services including pressure regulators, water meters, meter boxes, backflow devices and associated appurtenances, and responds to escalated customer service inquiries regarding customer water use and water service issues and is therefore designated.

Customer Service Supervisor

The Customer Service Supervisor oversees activities and staff in the Customer Service Department, handles complex and escalated customer service issues and educational programs and is therefore designated.

Grant Specialist

The Grant Specialist researches, develops, writes, and submits grant applications and proposals for the core purpose of acquiring grant funding from a variety of organizations and sources as well as manages funding agreements, completes required reporting and reimbursement invoicing to ensure funding requirements are met and is therefore designated.

Construction and Meters Supervisor

The Construction and Meters Supervisor directs and oversees the Construction and Meters Divisions. This position participates in work related to water services, oversees the cross-connection control and backflow testing programs, as well as coordinates and managers the installation, maintenance and repair of water mains, service lines, fire hydrants, and other related appurtenances used in the District water distribution, treatment and storage facilities and is therefore designated.

Auditor

Rainbow Municipal Water District has contracted with one or more accounting firms to handle financial audits of Rainbow Municipal Water District's finances and investments. These firms implement decisions of the Rainbow Municipal Water District's Board of Directors. Because these auditors' duties are restricted in the manner described herein, they do not participate in the formulation and implementation of the policies and programs of Rainbow Municipal Water District, and also do not "manage public investments" within the meaning of applicable regulations; therefore, the Auditor(s) shall be considered non-designated positions and will file Statements of Economic Interest forms with the District only for public review and information purposes.

Standing District Committee Members

A member or alternate committee member of a Rainbow Municipal Water District standing committee serves at the pleasure of the Board. These committees are advisory to the Board with regard to matters within their respective areas of responsibility. A committee has jurisdiction to consider and make a recommendation to other committees and to the Board regarding any item of business within the responsibility of the committee. Committee recommendations shall be communicated to the Board. A committee may consider other matters referred to it by the Board. Therefore, standing district committee members shall be considered non-designated positions and will file Statements of Economic Interest forms with the District only for public review and information purposes.

COSD CLERK OF THE BOARD
2024 AUG 6 AM8:38

ORDINANCE NO. 24-11

ORDINANCE OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 1.02.020 – CONFLICT OF INTEREST

WHEREAS, the Rainbow Municipal Water District has, from time to time, adopted various rules and regulations for the operation of the District; and

WHEREAS, certain of those rules and regulations require updating to reflect best practices, as well as changes in applicable laws; and

WHEREAS, the Board of Directors has determined that changes in the rules or regulations of the District shall occur solely by amendment to the Administrative Code;

NOW, THEREFORE,

BE IT ORDAINED by the Board of Directors of Rainbow Municipal Water District as follows:

1. The following rules and regulations of the District, collected are hereby adopted and shall be incorporated into the Administrative Code, consisting of:

Section 1.02.020: Conflict of Interest

2. The General Manager is hereby directed to update the Administrative Code to reflect the approval of these rules and regulations, and to assign or reassign the numbering of the Administrative Code as necessary to codify these rules and regulations as amended.

3. This ordinance shall take effect immediately upon its adoption on this 23rd day of July 2024.

AYES: Directors Hamilton, Mack, and Dale
NOES: None
ABSTAIN: None
ABSENT: Johnson, Townsend-Smith

C. H. Hamilton III
Hayden Hamilton, Board President

ATTEST:

Terese Quintanar, Board Secretary

COSD CLERK OF THE BOARD
2024 AUG 6 AM8:38

RAINBOW
MUNICIPAL WATER DISTRICT

3707 Old Highway 395, Fallbrook, CA 92028
760.728.1178 | RAINBOWMWD.CA.GOV

August 5, 2024

Clerk of the Board of Supervisors
ATTN: Biennial Review
1600 Pacific Highway, Room 402
San Diego, CA 92101

RE: Rainbow Municipal Water District's Conflict of Interest Code

To Whom It May Concern:

Please find enclosed a copy of the Rainbow Municipal Water District's amended Conflict of Interest Code approved by its Board of Directors on July 23, 2024 for Board of Supervisor approval and to file within your office.

If you require additional information or have any questions, please feel free to contact me at (760) 728-1178 Ext. 129. Thank you in advance for your assistance with this matter.

Sincerely,

Terese Quintanar
District Secretary

Enclosure

Conflict of Interest Code:

San Diego Community Power

COSD CLERK OF THE BOARD
2024 AUG 12 PM12:38

2024 Local Agency Biennial Notice

Name of Agency: San Diego Community Power

Mailing Address: PO BOX 12716 San Diego, CA 92112

Contact Person: Maricela Hernandez Phone No. 619.732.0035

Email: mhernandez@sdcommunitypower.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)* _____

☐ **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.

Maricela Hernandez Digitally signed by Maricela Hernandez Date: 2024.08.12 11:51:04 -07'00' — 08/12/2024

Signature of Designated Officer — *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@sdcounty.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

CONFLICT OF INTEREST CODE

OF

SAN DIEGO COMMUNITY POWER

COSD CLERK OF THE BOARD
2024 AUG 23 PM2:48

CONFLICT OF INTEREST CODE
OF
SAN DIEGO COMMUNITY POWER

(~~Adopted August 25, 2022~~ ~~Amended~~Adopted August 22~~———~~, 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 regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the ~~conflict~~ Conflict of ~~interest~~ Interest ~~code~~ Code of **San Diego Community Power (Community Power).**

All officials and designated positions required to ~~submit~~ file a ~~statement~~ Statement of ~~economic~~ Economic ~~interests~~ Interests shall file their statements with the Clerk of the Board ~~Secretary~~ as ~~SD~~Community Power's Filing Officer, unless the official is required to file their statements directly with the Clerk of the Board of Supervisors of the County of San Diego. The Clerk of the Board ~~Secretary~~ shall ~~make and~~ retain a copy of all statements filed ~~by the Board of Directors and Executive Officer, and forward the originals of such statements to~~ with the Clerk of the Board of Supervisors of the County of San Diego. The ~~Executive Officer~~Clerk of the Board 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

SAN DIEGO COMMUNITY POWER

(~~Adopted August 25, 2022~~ ~~Amended~~Adopted August 22~~———~~, 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 ~~CP's~~ Community Power 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[1]. These positions are listed here for informational purposes only.

Board of Directors

Chief Executive Officer~~/Interim Executive Officer~~

Chief Financial Officer/Deputy Chief Executive Officer

General Counsel

~~Treasurer/Chief Financial Officer~~

Chief Operating Officer

Chief Commercial Officer

Investment 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

DESIGNATED POSITIONS' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Account Services Analyst	5
Chief Operating Officer	4
Clerk of the Board	5
Data and Systems Analyst	5
Director/Manager of Procurement/Power Services	4
Director/Manager of Marketing & Communications	5
Director/Manager of External Affairs	5
Director of Data Analytics and Account Services	4
Director of Programs	4
Director of Regulatory & Legislative Affairs	4
Executive Assistant to CEO/Assistant Board Clerk	5
Finance Manager	4
General Counsel	1, 2
Portfolio Manager	4
Power Contracts Manager	5
Power Settlements Manager	5
Programs Manager	5
Senior Portfolio Manager	4

Department	Previous Designated Position	New Designated Position	Disclosure Categories
Clerk of the Board	Executive Assistant to CEO/Assistant Clerk of the Board	Assistant Clerk of the Board	5
	Clerk of the Board	Clerk of the Board	5
Data Analytics and Customer Operations	Account Services Analyst	Account Services Analyst	5
	Account Services Analyst	Account Services Manager	5
	Data and Systems Analyst	Data Analytics Manager	5
		Data/EDI Engineer	5
		Data Engineer	5
		Data Scientist	5
		Director of Data Analytics and IT	1
		IT Manager	5
		IT Systems Engineer	5
		Key Account Services Manager	5
		Rates Analyst	5
	Director of Data Analytics and Account Services	Senior Director of Data Analytics and Customer Operations	1
		Senior Key Account Analyst	5
		Senior Rates and Strategy Manager	5
		Senior Cyber Security and Compliance Analyst	5
Finance	Finance Manager	Director of Finance	1
		Financial Analyst	5
		Procurement Manager	5
		Projects and Programs Finance Manager	5
		Risk Manager	5
		Senior Financial Analyst	5
Human Resources		Director of People	1
		Human Resources Coordinator	5
		Human Resources Manager	5
		Human Resources Assistant	5
Legal		Legal Counsel	1

Operations	Executive Assistant to CEO/Assistant Clerk of the Board	Assistant Clerk of the Board	5
	Clerk of the Board	Clerk of the Board	5
		Executive Assistant	5
		Office Manager/Administrative Assistant	5
		Senior Executive Assistant	5
Power Services		Compliance Analyst	5
		Contract Management Associate	5
		Director of Portfolio Management	5
	Power Contracts Manager	Director of Power Contracts	5
		Origination Manager	5
	Portfolio Manager	Portfolio Manager	5
		Portfolio Analyst	5
		Senior Load Forecast Analyst	5
		Senior Local Development Manager	5
	Senior Portfolio Manager	Senior Manager of Origination	5
		Senior Quantitative Energy Analyst	5
		Senior Settlements Analyst	5
		Senior Settlements Manager	5
	Senior Portfolio Manager	Senior Portfolio Manager	5
Programs	Director of Programs	Director of Programs	1
	Program Manager	Program Manager	5
		Senior Program Associate	5
	Program Manager	Senior Program Manager	
		Programs Operations and Proposal Manager	5
Public Affairs		Community Engagement Associate	5
		Digital Media Coordinator	5
	Director/Manager of External Affairs	Director of Public Affairs	1
		Local Government Affairs Manager	5
		Marketing Manager	5
		Programs Marketing Manager	5
		Public Outreach	5

		Coordinator	
	Director/Manager of Marketing & Communications	Senior Marketing & Communications Manager	5
		Senior Community Engagement Manager	5
		Senior Manager Strategic Partnerships	5
		Strategic Initiatives Manager	5
Regulatory Affairs	Director of Regulatory & Legislative Affairs	Director of Regulatory & Legislative Affairs	1
		Regulatory Manager	5
		Senior Legislative Manager	5
		Senior Policy Manager	5
		Senior Regulatory Manager	5

Consultants and New Positions[2]

DESIGNATED MEMBERS OF BOARDS, COMMITTEES & COMMISSIONS:	DISCLOSURE CATEGORIES
Community Advisory Committee	1, 2

[2] 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 set forth in this Code subject to the following limitation:

The Chief Executive Officer ~~/ Interim 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 a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The Chief Executive Officer ~~/ Interim 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.)

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~~the designated position 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 **Community Power**.

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 boundaries of ~~SDCP~~COMMUNITY POWER, 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 ~~SDCP~~COMMUNITY POWER.

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 ~~SDCP~~COMMUNITY POWER.

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.

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[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)

COSD CLERK OF THE BOARD
2024 AUG 23 PM2:48

RESOLUTION NO. 2024-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF SAN DIEGO COMMUNITY POWER ADOPTING A REVISED CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, 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 that potentially affect all officers, employees, and consultants of the San Diego Community Power ("SDCP") Governing Board (the "Governing Board"), and requires all public agencies to adopt and promulgate a conflict of interest 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 SDCP being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, the Board of Directors has previously adopted a Conflict of Interest Code on April 23, 2020, amended such Code on August 25, 2022, and now desires to amend said Code; and

WHEREAS, notice of the time and place of a public meeting, and of consideration by the Board of Directors, of the proposed Conflict of Interest Code was provided to each designated position, and publicly posted for review at the offices of SD Community Power; and

WHEREAS, a public meeting was held upon the proposed Conflict of Interest Code at a regular meeting of the Board of Directors on August 22, 2024, at which all present were given an opportunity to be heard on the proposed Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of San Diego Community Power that the Board of Directors does hereby adopt the proposed Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Clerk of the Board, and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED that the said Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Code shall become effective 30 days after the Board of Supervisors approves the proposed Conflict of Interest Code as submitted.

APPROVED AND ADOPTED this 22nd day of August 2024.

AYES: **CHAIR LACAVA, DIRECTORS AGUIRRE, MCCANN, PARENT, YAMANE AND ALTERNATE KRANZ**
NOES:
ABSENT: **VICE CHAIR LAWSON-REMER**
ABSTAIN:

Joe LaCava Chair, Board of Directors
San Diego Community Power

ATTEST:

Maricela Hernandez, MMC, CPMC
Clerk of the Board of Directors
San Diego Community Power

APPROVE AS TO FORM:

Veera Tyagi, General Counsel
San Diego Community Power

Conflict of Interest Code:

San Diego County Law Library

COSD CLERK OF THE BOARD
2024 JUL 9 AM10:38

2024 Local Agency Biennial Notice

Name of Agency: San Diego County Public Law Library

Mailing Address: 1105 Front Street, San Diego, CA 92101

Contact Person: David Whelan Phone No. 6196856567

Email: dwhelan@sdlawlibrary.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)* Reword code to align with County model code

☐ **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.

7699eaa3-2d20-4d4a-9b93-5bbb77bb2d30 Digitally signed by 7699eaa3-2d20-4d4a-9b93-5bbb77bb2d30 DN: CN=7699eaa3-2d20-4d4a-9b93-5bbb77bb2d30 Reason: I am the author of this document Location: Date: 2024.07.09 09:58:06 -07'00' Foxit PDF Reader Version: 2024.2.2

Signature of Designated Officer

7/9/2024

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@sdcounty.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

COSD CLERK OF THE BOARD
2024 JUN 27 PM2:32

~~Resolution~~
San Diego County Public Law Library

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, ~~which~~) that contains the terms of a standard conflict of interest code. ~~It~~, which can be incorporated by reference ~~and~~in an agency's code. After public notice and hearing, the standard code 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 California Code of Regulations Section 18730 and any ~~amendment~~amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and, ~~along with~~ the attached ~~"Exhibit A" in which members and employees are designated and~~Appendix, designating positions and establishing disclosure categories ~~are set forth,~~ shall constitute the conflict of interest code of the **San Diego County Public Law Library** ~~Board of Trustee.~~

~~Pursuant to Section 4 of the standard code,~~

Individuals holding designated ~~employees~~positions shall file their statements of economic interests with the ~~agency. Upon receipt of the statements of the designated employees, the agency shall make and retain a copy and forward the original of these statements to the~~ **San Diego County Clerk of the Board of Supervisors,** ~~County of San Diego~~

~~The adoption of this resolution replaces the previously adopted Conflict of Interest~~which will make the statements available for public inspection and reproduction (Gov. Code ~~of~~Sec. 81008).

Adopted at the ~~San Diego County~~ Law Library Board of Trustees

~~Passed on March 20, 2024, at a regular~~ *meeting, ~~in San Diego, by unanimous vote~~ on April 17, 2024.*

~~On Behalf of the Board of Trustees~~

~~David Whelan, Director~~

~~Exhibit "A"~~

~~As amended on February 29, 2024~~

Appendix

Designated Positions		~~Reportable Economic Interest Category Number~~ Disclosure Categories
A.	~~Each~~ Member of the Board of Trustees of the Law Library ~~Trustees~~	~~Categories 7, 8~~ Form 700 A-1, A-2, C, D, E
B.	Director of Libraries	~~Categories 7,8~~ Form 700 A-1, A-2, C, D, E
C.	Assistant Director of Legal Information Management	~~Categories 7,8~~ Form 700 A-1, A-2, C, D, E
D.	Assistant Director of User Experience	~~Categories 7,8~~ Form 700 A-1, A-2, C, D, E
E.	Chief Information Officer	~~Categories 7,8~~ Form 700 A-1, A-2, C, D, E
F.	Business and HR Manager	~~Categories 7,8~~ Form 700 A-1, A-2, C, D, E

Deleted Cells

~~**Category 7. Reportable Investments for Law Library**~~
~~(See Government Code Section 82034)~~

~~A designated employer in this category shall disclose only investments in any business entity, which within the last two years has contracted with or in the future foreseeable may contract with the Board of Law Library Trustees to provide services, supplies, materials, machinery or equipment to the San Diego County Public Law Library.~~

~~**Category 8. Reportable Investments for the Law Library Trustees**~~
~~(See Government Code Section 82030)~~

~~A designated employee in this category shall disclose only that reportable income which is derived from a source which within the last two years has contracted with or in the future foreseeable may contract with the Board of Law Library Trustees to provide services, supplies, materials, machinery or equipment to the San Diego County Public Law Library.~~

COSD CLERK OF THE BOARD
2024 JUN 27 PM2:33

SAN DIEGO LAW LIBRARY
Law Made Public

Law Library Board of Trustees
Minutes of the Meeting
April 17, 2024

The Law Library Board of Trustees held a regular meeting, pursuant to notice thereof, on **April 17, 2024.**

Present: Kimberly Howatt, President; Judge Rachel Cano, Secretary; Carla DiMare, Treasurer; Judge Euketa Oliver, Judge Lisa Rodriguez, Mara Elliott, Judge David Berry

Absent: Lorena Slomanson, Vice President; Judge David Gill

Also Present: Gina Catalano, Laurel Moran, Zion Solomon, David Whelan.

- *Please note that the following minutes are written according to the agenda item order and did not necessarily happen chronologically.*

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1) **Call to Order**

President Kimberly Howatt called the meeting to order at 12:17pm

2) **Brown Act Exceptions During Public Health Crisis: Teleconferencing [California Emergency Services Act. (Gov. Code §§ 52953(e)(1), (e)(4).)]**

The Board had a discussion on allowance of virtual participation for trustees who are physically unable to attend in-person meetings.

3) **Opportunity for Public Comment**

There was nobody present for Public Comment.

4) **Minutes of Previous Meetings**

Mara Elliott moved to pass the minutes of the previous meeting with the correction on the spelling of her name. Judge Cano seconded the motion. All others were in favor and the motion passed.

5) **Financials**

David Whelan gave the financial report, stating that the library continues to be in good shape, with filing fees over the anticipated amount for February. David answered questions from the Board about the library's revenue and the current state of other libraries throughout California.

6) **Conflicts of Interest Resolution**

Ms. Howatt gave an overview of the updated resolution to the board which included the appendix's provisions, a copy of the standing code, and the previous year's Conflict of Interest Resolution.

The board moved "to adopt the proposed Conflict of Interest code with the addition of categories D and E, disclosure categories for each of the positions", all members were in favor and the motion passed.

7) **Privacy Statement**

David shared the purpose of the Privacy Statement and relayed information from the County to the board. The board discussed the implications of the language in the policy. The board elected to conduct some research and revisit the policy at next month's meeting.

8) Other Reports

A. **Foundation Liaison Report**

Judge Rachel Cano gave the Foundation Liaison Report, sharing that the Foundation is looking to host the annual Witkin Dinner at Tom Hams on either the third or fourth Thursday of October. Additionally, the Foundation is looking for additional board members, fundraisers, and volunteers as well as potential nominees for the awards ceremony.

B. **Law Library Leadership Report**

David Whelan shared updates about the development of City Heights branch of the Law Library at the public library. He also spoke about the Open House, which will occur Wednesday, May 8th from 3-5pm.

9) Adjournment

The meeting was adjourned at 12:58pm.

COSD CLERK OF THE BOARD
2024 JUN 27 PM2:32

SAN DIEGO LAW LIBRARY
Law Made Public

BOARD OF TRUSTEES

EXECUTIVE OFFICERS

PRESIDENT
Kimberly D. Howatt
California American Water

VICE PRESIDENT
Lorena Slomanson
Legal Aid Society of San Diego

TREASURER
Carla DiMare
Law Office of Carla DiMare, APC

SECRETARY
Judge Rachel Cano
San Diego Superior Court

ASSISTANT SECRETARY
TO THE BOARD
David Whelan
Director

MEMBERS

Judge David Berry
San Diego Superior Court

Mara W. Elliott
Office of the San Diego
City Attorney

Judge David M. Gill
San Diego Superior Court

Judge Euketa Oliver
San Diego Superior Court

Judge Lisa Rodriguez
San Diego Superior Court

Alejandro Chavira
Board Assistant
Clerk of the Board of Supervisors, Disclosure Services Unit
1600 Pacific Highway, Room 402
San Diego, CA 92101

Re: Revision of Law Library Board of Trustees Conflict of Interest Code

Mr. Chavira,

Thank you for your guidance on how to proceed. 2024 was the two-year revision point for the San Diego County Public Law Library's Conflict of Interest Code. During a discussion at the Board of Trustees' meeting, there was an interest in bringing our code and disclosure categories more in line with what County departments were doing. In particular, it was felt that updating to Form 700-based categories would make it clearer what the disclosure obligations were. We used the current County Counsel model Code, with minor changes.

I am attaching:

- the revised Conflict of Interest Code
- a redlined version of the 2024 Code with the 2022 Code
- minutes from the April 2024 Board of Trustees' meeting adopting the Code.

Please let me know if you require anything additional from me.

Best,

David P. Whelan

David P. Whelan
Director

1105 Front Street San Diego, CA 92101
Tel. 619-531-3900 www.SanDiegoLawLibrary.org

Library Renovations Donated in Memory of Edgar B. Hervey

Conflict of Interest Code:

San Ysidro School District

COSD CLERK OF THE BOARD
2024 AUG 20 PM3:29

2024 Local Agency Biennial Notice

Name of Agency: San Ysidro School District

Mailing Address: 4350 Otay Mesa Rd., San Ysidro, CA 92173

Contact Person: Miguel Ortega Phone No. 619-428-4476

Email: miguel.ortega@sysdschool.sorg Alternate Email: cristina.inzunza@sysdschools.org

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.

Gina Potter 7-9-24

Signature of Chief Executive Officer *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**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

LAW OFFICES OF
BEST BEST & KRIEGER LLP

COSD CLERK OF THE BOARD
2024 AUG 20 PM3:29

CONFLICT OF INTEREST CODE

OF THE

SAN YSIDRO SCHOOL DISTRICT

CONFLICT OF INTEREST CODE OF THE SAN YSIDRO SCHOOL DISTRICT

(Amended ~~November 9, 2023~~ August 8, 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 **San Ysidro School District (the "District").**

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Senior Executive Secretary** as the District's filing officer. The **Senior Executive Secretary** shall make and retain a copy of all statements filed by Members of the Governing Board and the Superintendent, and forward the originals of such statements to the Clerk of the Board of Supervisors. The **Senior Executive Secretary** shall retain the originals 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

SAN YSIDRO SCHOOL DISTRICT

(Amended ~~November 9, 2023~~ August 8, 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 investments[1]:

Members of the Governing Board

Chief Business Official

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

DESIGNATED POSITIONS' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Assistant Principals (ALL)	5
Assistant Superintendent, Educational Leadership & Pupil Services	4
Assistant Superintendent of Administrative Leadership, School Support and Safety	3, 4 ,6
Child Nutrition Services Production Coordinator	5
Coordinator of Pupil Services	5, 6
Coordinator of Student Services	5, 6
Coordinator, Federal and State Programs and Language Acquisition	5
~~Coordinator, Human Resources & Credentialing~~	~~5~~
Director of Early Childhood Education	5
Director of Child Nutrition Services	5
Director of Educational Services	5
Director of Education Technology	5
Director of Special Education	5
Director of Human Resources	5
Financial Services Analyst	1, 2
General Counsel	1, 2
Director Maintenance, Operations, Transportation and Facilities	2, 3, 5
Principals (ALL)	5
~~Program Specialist~~	~~5~~
Superintendent of Schools	1, 2

Consultant and New Positions[2]

[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 make or participate in making decisions must file under the broadest disclosure requirements set forth in this Code subject to the following limitation:

The Superintendent 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 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. (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 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 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, 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.

Category 6: All investments and business positions in business entities and source 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 District.

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[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)

COSD CLERK OF THE BOARD
2024 AUG 20 PM3:29

RESOLUTION NO. 24/25-0011

RESOLUTION OF THE GOVERNING BOARD OF THE SAN YSIDRO SCHOOL DISTRICT AMENDING THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, 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 San Ysidro School District (the "District") and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Governing Board adopted a Conflict of Interest Code (the "Code") which was amended on November 9, 2023, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the District have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the District'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 District 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 Governing Board of, the proposed amended Code was provided each affected designated employee and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Governing Board on August 8, 2024, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the San Ysidro School District that the Governing Board does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Senior Executive Secretary to the Superintendent and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED 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.

APPROVED, SIGNED AND ADOPTED this 8th day of August, 2024.

Irene Lopez
President, Governing Board
San Ysidro School District

ATTEST:

Gina A. Potts
Secretary, Governing Board
San Ysidro School District

61657.00003\42452147.1

Conflict of Interest Code:

Santee School District

COSD CLERK OF THE BOARD
2024 JUL 10 PM1:30

2024 Local Agency Biennial Notice

Name of Agency: Santee School District

Mailing Address: 9625 Cuyamaca, Santee, CA 92071

Contact Person: Lisa Arreola Phone No. (619) 258-2304

Email: lisa.arreola@santeesd.net Alternate Email: info@santeesd.net

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)* Bylaw updated to reflect SB 1439

☐ **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.

Lisa Arreola Digitally signed by Lisa Arreola Date: 2024.07.10 13:17:51 -07'00' 07/10/2024

Signature of Designated Officer *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@sdcounty.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

COSD CLERK OF THE BOARD
2024 JUL 10 PM1:28

CONFLICT OF INTEREST

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 his/her 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 his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her 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)

~~**Incompatible Activities**~~

~~Members of the Governing Board 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.~~

Conflict of Interest ~~Code~~ under the Political Reform Act

~~Board members and designated employees of the district shall adhere to the financial disclosure requirements of the district's conflict of interest code adopted pursuant to the provisions of Government Code 87300. The district's conflict of interest code shall comprise of the terms of California Code of Regulations, Title 2, Section 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.~~

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 his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has 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 Board member, designated employee, or other person in a designated position, his/her immediate family, or any financial interest described in 2 CCR 18700. (Government Code 87100, 87101, 87103; 2 CCR 18700-18707)

A Board member, designated employee, or other person in a designated position makes a governmental decision when he/she, acting within the authority of his/her office or position, authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before a district official for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.

However, a Board member shall participate in the making of a contract in which he/she has a financial interest if his/her participation is required by the rule of necessity or legally required participation pursuant to Government Code 87101 and 2 CCR 18705.

~~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.~~

CONFLICT OF INTEREST

~~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 shall be submitted to the code reviewing body within 90 days.~~

~~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.~~

~~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.~~

~~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.~~

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. Recuse himself/herself from discussing and voting on the matter, or otherwise acting 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. He/she 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 must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

CONFLICT OF INTEREST

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she 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 he/she has 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)

In addition, a Board member shall not be considered to be financially interested in a contract in which his/her interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for his/her actual and necessary expenses incurred in the performance of his/her official duties, in the employment of his/her 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.

~~**Financial Interest**~~

~~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~~

~~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:~~

~~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~~

CONFLICT OF INTEREST

~~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 office holding 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 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~~

~~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.~~

~~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~~

CONFLICT OF INTEREST

~~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.~~

~~A Board member may enter into a contract if the rule of necessity or legally required participation applies as defined in Government Code 87101.~~

~~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.~~

~~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.~~

Common Law Doctrine Against Conflict of Interest

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

Incompatible Offices and Activities

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/~~Honoraria~~

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730. ~~This amount is adjusted on odd-numbered years by the FPPC.~~ 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)

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

CONFLICT OF INTEREST

Gifts of travel and related lodging and subsistence shall be subject to the current ~~prevailing~~ gift limitation except when: ~~as described in~~ (Government Code 89506) ~~A gift of travel does not include travel provided by the district for Board members and designated employees.~~

~~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~~

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. 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~~

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~~, in accordance with law.~~ (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

CONFLICT OF INTEREST

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

APPENDIX
DESIGNATED POSITIONS/DISCLOSURE CATEGORIES

1. Persons occupying the following positions are designated employees in Category 1:

   Governing Board Members
   Superintendent of Schools
   Assistant/Associate Superintendents
   Director of Fiscal Services

   Designated persons in this category must report:

   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. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

   b. Investments or business positions in or income from sources which:

      (1) Are engaged in the acquisition or disposal of real property within the district

      (2) 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

      (3) Manufacture or sell supplies, books, machinery or equipment of the type used by the district

2. Persons occupying the following positions are designated employees in Category 2:

   Director
   Principal

   Designated persons in this category must report investments or business positions in or income from sources which:

   a. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs, or

b. 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. 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)

   a. Approve a rate, rule or regulation

   b. Adopt or enforce a law

   c. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement

   d. Authorize the district to enter into, modify or renew a contract that requires district approval

   e. Grant district approval to a contract or contract specifications which require district approval and in which the district is a party

   f. Grant district approval to a plan, design, report, study or similar item

   g. 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)

CONFLICT OF INTEREST

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: February 17, 2009
Bylaw amended: August 7, 2012
Bylaw reviewed: 12/5/09, 7/20/10, 8/5/14, 07/05/16; 06/05/18; 06/16/20

SANTEE SCHOOL DISTRICT
Santee, California

COSD CLERK OF THE BOARD
2024 JUL 10 PM1:29

Santee School District

SCHOOLS:
Cajon Park
Carlton Hills
Carlton Oaks
Chet F. Harritt STEAM
Hill Creek
Pepper Drive
PRIDE Academy
at Prospect Avenue
Rio Seco
Sycamore Canyon
Alternative
Success Program

EXCERPT OF MINUTES
OF THE REGULAR MEETING OF THE
SANTEE SCHOOL DISTRICT BOARD OF EDUCATION

The Santee School District Board of Education met in a regularly scheduled meeting on **July 2, 2024** at 6:00 p.m., at the Douglas E. Giles Educational Resource Center, 9619 Cuyamaca Street, in Santee, California, and virtually for the public.

F. BOARD POLICIES AND BYLAWS

1.1. Second Reading: Revised Board Bylaw (BB)/Board Policies (BP)/Administrative Regulation (AR):

- BB 9270 – Conflict of Interest (Biennial Review)

Motion:	*Fox*	**Burns**	*Aye*	**El-Hajj**	*Aye*
Second	*Levens-Craig*	**Ryan**	*Aye*	**Fox**	*Aye*
Vote:	*5-0*	**Levens-Craig**	*Aye*		

I certify the above to be a true and correct copy of the excerpt as indicated.

Lisa Arreola, Executive Assistant
to the Board of Education and Superintendent

COSD CLERK OF THE BOARD
2024 JUL 10 PM1:28

Board Policies and Bylaws Item G.1.1.
Prepared by Dr. Kristin Baranski
June 21, 2022

Second Readings: New/Revised Board Bylaw (BB)/ Board Policy (BP)/Administrative Regulation (AR)

- BB 9270 – Conflict of Interest – Biennial Review
- New BP/AR 4119.2 – Professional Adult to Student Boundaries

BACKGROUND:

The attached revised Board Policies were updated to conform with California School Board Association's (CSBA) language. These were presented for a first reading at the June 7, 2022 meeting.

BB 9270 – Conflict of Interest (Biennial Review)
Government Code Section 87306.5 requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or if there is a need for it to be amended. BB 9270 was last reviewed and approved by the Board on June 16, 2020. To comply with the law and begin the biennial rotation once again, BB 9270 is being submitted for your review.

BP/AR 4119.2 – Professional Adult to Student Boundaries
New policy addresses the avoidance of unlawful and inappropriate interactions between staff and students, an employee's responsibility to report another employee's violation of this policy, disciplinary consequences for staff, referral to law enforcement when appropriate, and examples of conduct that are inappropriate or can create the appearance of impropriety.

RECOMMENDATIONS:

New/Revised BP 9270 – Conflict of Interest, and BP/AR 4119.2 – Professional Adult to Student Boundaries, are being presented for a second reading and adoption.

FISCAL IMPACT:

There is no fiscal impact to the district by revising this board policy.

Motion: _____ Second: _____ Vote: _____ Agenda Item G.1.1.

Conflict of Interest Code:

South Bay Irrigation District

COSD CLERK OF THE BOARD
2024 AUG 29 AM8:17

2024 Local Agency Biennial Notice

Name of Agency: South Bay Water

Mailing Address: 505 Garrett Avenue, Chula Vista, CA 91910

Contact Person: Ligia Hoffman Phone No. 619-409-6703

Email: lhoffman@sweetwater.org Alternate Email: boardsecretary@sweetwater.org

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)* District name change

☐ **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.

Carlos Lint
Signature of Chief Executive Officer

August 27, 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**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

CONFLICT OF INTEREST CODE

FOR THE

SOUTH BAY ~~IRRIGATION DISTRICT~~ WATER

BBK – June 2012

COSD CLERK OF THE BOARD
2024 AUG 29 AM8:17

CONFLICT OF INTEREST CODE FOR THE SOUTH BAY ~~IRRIGATION DISTRICT~~ WATER

(Amended July 2, 2012)

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 it 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 **South Bay** ~~Irrigation District~~ Water (the "**District**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Board Secretary** as the District's Filing Officer. The **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 **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.)

BBK – June 2012

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

SOUTH BAY ~~IRRIGATION DISTRICT~~ WATER

(Amended July 2, 2012)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

All 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 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

Treasurer

Deputy Treasurer

General Manager

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

DESIGNATED POSITIONS' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Controller	5
General Counsel	1, 2
Assistant General Manager	2, 4
Consultant and New Positions[2]	

---

2 Individuals providing services as a Consultant defined in Regulation 18701, 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.)

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 he or she is assigned.

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.

COSD CLERK OF THE BOARD
2024 AUG 29 AM8:17

RESOLUTION NO. 659

RESOLUTION OF THE BOARD OF DIRECTORS OF SOUTH BAY IRRIGATION DISTRICT CHANGING THE DISTRICT'S NAME TO SOUTH BAY WATER

WHEREAS, *South Bay Irrigation District is a California irrigation district established and operating pursuant to the Irrigation District Law, Water Code § 20500 et seq.; and*

WHEREAS, *Water Code section 20980 provides that whenever the board of directors of an irrigation district so determines, it may change the name of the district by adoption of a resolution recorded in its minutes; and*

WHEREAS, *the Board of Directors of the South Bay Irrigation District desires to change the name of the District to "South Bay Water."*

NOW, THEREFORE, BE IT RESOLVED, *by the Board of Directors of South Bay Irrigation District as follows:*

Section 1. That the Board of Directors of the South Bay Irrigation District hereby changes the name of the District to "South Bay Water."

Section 2. That pursuant to Water Code section 20981, the Secretary of the Board is directed to record a certified copy of this resolution in the office of the recorder for the County of San Diego and to send a certified copy of this resolution to the California Department of Water Resources.

Section 3. That the General Manager, Secretary, and Legal Counsel, are hereby directed to take any and all appropriate steps to effectuate the district name change as may be required by law and District operations.

PASSED AND ADOPTED *at a regular meeting of the Board of Directors of South Bay Irrigation District held on the 9th day of April, 2024, by the following vote:*

AYES:	*Directors Castaneda, Delgado, and Martinez-Perez*
NOES:	*Director Calderon-Scott*
ABSENT:	*Director Martinez*
ABSTAIN.	*None*

Manny Delgado, President

ATTEST:

Ligia Hoffman, Board Secretary

Conflict of Interest Code:

South Bay Union School District

COSD CLERK OF THE BOARD
2024 JUL 26 PM2:28

2024 Local Agency Biennial Notice

Name of Agency: South Bay Union School District

Mailing Address: 601 Elm Avenue, Imperial Beach, CA 91932

Contact Person: Amy Cooper Phone No. 619-628-1605

Email: acooper@sbusd.org Alternate Email: superintendent@sbusd.org

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.

_____ July 26, 2024

Signature of Designated Officer *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@sdcounty.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

COSD CLERK OF THE BOARD
2024 JUL 26 PM2:25

Resolution 20-010
Appendix

CONFLICT OF INTEREST

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.

Designated Positions

Designated Position Disclosure Category

Governing Board Members - 1
District Superintendent - 1
Assistant Superintendent - 1
~~Executive Director - 1~~
Director - 2
Director II - 2
Assistant Director - 2
Principal - 2
Assistant Principal - 2
~~Supervisor - 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 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 18701)

COSD CLERK OF THE BOARD
2024 JUL 26 PM2:25

SOUTH BAY UNION SCHOOL DISTRICT
Imperial Beach, California

RESOLUTION 24-002
Conflict of Interest Code (Board Bylaw 9270)

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Governing Board of the South Bay Union 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 district's 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 South Bay Union 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 South Bay Union School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS 25th day of July 2024 at a meeting, by the following vote:

AYES: 4 NOES: 0 ABSENT: 1

Attest:

Jose Espinoza
Secretary, Board of Trustees

July 26, 2024
Date

Conflict of Interest Code:

Vista Fire Protection District

COSD CLERK OF THE BOARD
2024 JUL 23 AM10:52

2024 Local Agency Biennial Notice

Name of Agency: Vista Fire Protection District

Mailing Address: 450 S. Melrose Dr., Vista, CA 92081-6664

Contact Person: Karlena Rannals Phone No. 760.688.7588

Email: krannals@vistafpd.org Alternate Email: vfpd.manager@gmail.com

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.

Karlena Rannals Digitally signed by Karlena Rannals Date: 2024.07.23 10:34:40 -07'00' July 23, 2024

Signature of Designated Officer *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@sdcounty.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

COSD CLERK OF THE BOARD
2024 AUG 15 AM10:46

VISTA FIRE PROTECTION DISTRICT
Resolution 2024-05
EXHIBIT B

CONFLICT OF INTEREST CODE FOR THE VISTA 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 Vista Fire Protection District (District).

Individuals holding designated positions shall file their statements of economic interest 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 Members of the Board of Directors and Board Clerk, the District shall make and retain copies and forward the originals to the Clerk of the Board of Supervisors. All other statements will be retained by the District.

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

VISTA FIRE PROTECTION DISTRICT
Resolution 2024-05
APPENDIX A

DESIGNATED POSITIONS

Titles	Assigned Disclosure Category
Directors	1
Candidate for Board of Directors	1
Administrative Manager	1
Board Clerk/Secretary	1

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
Fire Chief	1

VISTA FIRE PROTECTION DISTRICT
Resolution 2024-05
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 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)

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 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

COSD CLERK OF THE BOARD
2024 AUG 15 AM 10:45

RESOLUTION No. 2024-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VISTA FIRE PROTECTION DISTRICT AMENDING THE FAIR POLITICAL PRACTICES COMMISSION'S STANDARD CONFLICT OF INTEREST CODE AND CANDIDATE DISCLOSURE STATEMENT and REPEALING BOARD ACTION ON AUGUST 18, 2022

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 Vista Fire Protection District approved an "Agency Conflict of Interest Code" as required by California Government Code on August 18, 2022; 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 Vista Fire Protection District does RESOLVE as follows:

1. The Code approved by Board action on August 18, 2022 is hereby repealed.

2. The Conflict-of-Interest Code for the Vista Fire Protection District is hereby amended to read as follows:

CONFLICT OF INTEREST CODE FOR THE VISTA 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 Vista Fire Protection District (District).

Individuals holding designated positions shall file their Statements of Economic Interests (Form 700s) with the County of San Diego Clerk of the Board of Supervisors.

3. The Conflict-of-Interest Code for the Vista 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 Vista Fire Protection District on August 14, 2024 by the following vote:

AYES:	Elliott, Fougner, Gomez, Miller, Ploetz
NOES:	None
ABSENT:	None
ABSTAIN:	None

JAMES F. ELLIOTT
President

Karlena Rannals
Clerk, Board of Directors

Conflict of Interest Code:

Vista Irrigation District

COSD CLERK OF THE BOARD
2024 AUG 22 AM 11:24

2024 Local Agency Biennial Notice

Name of Agency: Vista Irrigation District

Mailing Address: 1391 Engineer Street, Vista, CA 92081

Contact Person: Ramae Ogilvie Phone No. 760-597-3161

Email: rogilvie@vidwater.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)* _____

☐ **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.

Ramae Ogilvie
Signature of Designated Officer

8/21/24
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@sdcounty.ca.gov

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.



CONFLICT OF INTEREST CODE

(Amended ~~October 4, 2023~~ August 21, 2024)

Vista Irrigation District
1391 Engineer Street
Vista, California 92081
(760) 597-3100

COSD CLERK OF THE BOARD
2024 AUG 26 PM 1:49

CONFLICT OF INTEREST CODE
OF THE
VISTA IRRIGATION DISTRICT

(Amended ~~October 4, 2023~~ August 21, 2024)

The Political Reform Act of 1974 (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission (FPPC) has adopted a regulation (2 Cal. Code of Regs. Sec. 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing, the regulation may be amended by the FPPC 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 FPPC are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Vista Irrigation District.

All officials required to submit a statement of economic interests shall file their statements with the Secretary of the Vista Irrigation District as the District's Filing Officer. The Filing Officer shall make and retain a copy of all statements filed by members of the Board of Directors, Treasurer, Assistant Treasurer and the General Manager and forward the originals of these statements to the Clerk of the San Diego County Board of Supervisors. The Vista Irrigation District shall retain statements for all other designated employees. The Filing Officer will make all retained statements available for public inspection and reproduction (Gov. Code Section 81008).

Adopted by the Board of Directors of the Vista Irrigation District on the ~~4th~~ 21st day of ~~October 2023~~August 2024.

~~Lisa R. Soto~~Ramae Ogilvie, Secretary
Board of Directors
VISTA IRRIGATION DISTRICT

CONFLICT OF INTEREST CODE
OF
VISTA IRRIGATION DISTRICT
(Amended ~~October 4, 2023~~August 21, 2024)

APPENDIX

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 disclosure requirements of the Act (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 other District officials who manage public investments:

Member of Board of Directors
General Manager
Director of Administration
Treasurer
Assistant Treasurer
Financial Consultants

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

The Treasurer, Assistant Treasurer, and all District officials who manage the investment of public funds are included in and governed by this Conflict of Interest Code only with respect to its disqualification provisions. For purposes of disclosure, the Treasurer, Assistant Treasurer, and all District officials who manage the investment of public funds are governed by the statutory conflict of interest provisions of Article 2 of Chapter 7 of the Political Reform Act of 1974 (Government Code Section 87200, et seq.)

The persons holding positions listed below are "designated employees" who are subject to the provisions of this Code. Each such designated employee is required to disclose interests only in those categories set forth, which are identified by the numbers following his or her title.

Disclosure Categories

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property that 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 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 years.

Category 2: All interest 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 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 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 of 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 Designated Employee's Department or by the District.

Designated Positions (Staff)	Disclosure Categories
Administrative Assistant	6
Construction Supervisor	6
Customer Service Supervisor	6
Director of Engineering	1, 2, 3, 4, 5, 6
Director of Water Resources	1, 2, 4, 6
Engineering Inspector	2, 3, 4, 6
Engineering Services Manager	2, 3, 4, 6
Engineering Project Manager	1, 2, 4, 6
Executive Assistant	6
Facilities Supervisor	6
Finance Supervisor	1, 2, 5, 6
Director of Operations and Field Services	1, 2, 4, 6
General Counsel, Special Counsel, Attorney	1, 2, 3, 4, 5, 6
Human Resources Manager	1, 2, 5, 6
Information Technology Supervisor	1, 2, 5, 6
Inventory Control Clerk	6
Management Analyst	1, 2, 6
Purchasing Agent	6
Safety/Risk Administrator	6
Senior Equipment Mechanic	6
System Controls Supervisor	6
Water Distribution Supervisor	6
Water Resources Assistant	6
Water Resources Manager	1, 2, 4, 6
Water Resources Supervisor	6

Designated Positions (Consultants)*	Disclosure Categories
Appraisers	1, 2, 4, 6
Real Estate Brokers	1, 2, 4, 6

*Consultants shall be included in the list of Designated Positions and shall disclose pursuant to the disclosure categories listed. If not listed, consultants shall disclose pursuant to the broadest disclosure category in this code, subject to the following limitation:

The General Manager 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 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.

COSD CLERK OF THE BOARD
2024 AUG 26 PM1:50

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Ramae Ogilvie, Secretary of the Board of Directors of Vista Irrigation District do hereby certify that I have compared the attached copy of Resolution No. 2024-28 with the original resolution passed and adopted by the referenced Board of Directors at a regular meeting thereof, on the date and by the vote therein stated. The original resolution is now on file in the Official Resolution Book of the District, and this copy contains a full, true and correct transcript therefrom.

Witness my hand and the seal of the Vista Irrigation District.

Dated: April 22, 2024

Ramae Ogilvie, Secretary
Board of Directors
VISTA IRRIGATION DISTRICT

COSD CLERK OF THE BOARD
2024 AUG 26 PM1:50

RESOLUTION NO. 2024-28

RESOLUTION OF THE BOARD OF DIRECTORS OF
VISTA IRRIGATION DISTRICT
ADOPTING AN AMENDED CONFLICT OF INTEREST CODE

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 Vista Irrigation District and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Board of Directors of the Vista Irrigation District adopted a Conflict of Interest Code (the "Code") which was amended on October 4, 2023, in compliance with Government Code Section 81000, et seq.; and

WHEREAS, subsequent changed circumstances with the Vista Irrigation District have made it advisable and necessary, pursuant to Sections 87306 and 87307 of the Act, to amend and update the District'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 would result in the Vista Irrigation District being restrained or prevented from acting in cases where provisions of the act may have been violated; and

WHEREAS, a public meeting was held on the proposed amended Conflict of Interest Code at the regular meeting of the Board of Directors on August 21, 2024, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Vista Irrigation District that the Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, attached hereto. A copy of the revised code is attached hereto and shall be filed with the District Secretary and available for inspection to the public.

BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said amended Code shall become effective 30 days after the Board of Supervisors approves the amended Code as submitted.

BE IT FINALLY RESOLVED that Resolution No. 2023-25 adopting the Amended Conflict of Interest Code on October 4, 2023 is rescinded effective upon the date that adoption of said amended Code becomes effective.

PASSED AND ADOPTED this 21st day of August 2024, by the following roll call vote:

AYES: Directors Miller, Sanchez, MacKenzie and Vásquez
NOES:
ABSTAIN:
ABSENT: Director Kuchinsky

Richard L. Vásquez President

ATTEST:

Ramae Ogilvie, Secretary
Board of Directors
VISTA IRRIGATION DISTRICT

COSD CLERK OF THE BOARD
2024 AUG 26 PM 1:48

CONFLICT OF INTEREST CODE
OF THE
VISTA IRRIGATION DISTRICT
COUNTY OF SAN DIEGO
(Amended August 21, 2024)

The agency designated above hereby submits the following Conflict of Interest Code to the Board of Supervisors of the County of San Diego.

Dated: August 21, 2024

Ramae Ogilvie, Secretary
Board of Directors
VISTA IRRIGATION DISTRICT

Ramae Ogilvie

Received on behalf of the Board of Supervisors of the County of San Diego.

Dated: _____

ANDREW POTTER
Clerk of the Board of Supervisors

_____

The following Conflict of Interest Code, having been submitted by the agency designated above, was approved by order of the Code Reviewing Body on _____.

Other action, if any:

ANDREW POTTER
Clerk of the Board of Supervisors

_____

COSD CLERK OF THE BOARD
2024 AUG 26 PM1:49

CONFLICT OF INTEREST CODE
OF THE
VISTA IRRIGATION DISTRICT
COUNTY OF SAN DIEGO
(Amended ~~October 4, 2023~~ August 21, 2024)

The agency designated above hereby submits the following Conflict of Interest Code to the Board of Supervisors of the County of San Diego.

Dated: ~~October 4, 2023~~August 21, 2024

~~Lisa R. Soto~~Ramae Ogilvie, Secretary
Board of Directors
VISTA IRRIGATION DISTRICT

_____

Received on behalf of the Board of Supervisors of the County of San Diego.

Dated: _____

ANDREW POTTER
Clerk of the Board of Supervisors

_____

The following Conflict of Interest Code, having been submitted by the agency designated above, was approved by order of the Code Reviewing Body on _____.

Other action, if any:

ANDREW POTTER
Clerk of the Board of Supervisors

_____

COSD CLERK OF THE BOARD
2024 AUG 26 PM 1:50

VISTA IRRIGATION DISTRICT

1391 Engineer Street • Vista, California 92081-8840
Phone: (760) 597-3100 • Fax: (760) 598-8757
www.vidwater.org

Board of Directors

Richard L. Vásquez, *President, Division 2*
Marty Miller, *Division 1*
Peter Kuchinsky II, *Division 3*
Patrick H. Sanchez, *Division 4*
Jo MacKenzie, *Division 5*

Administrative Staff

Brett L. Hodgkiss
General Manager
Ramae A. Ogilvie
Board Secretary
Elizabeth A. Mitchell
General Counsel

August 22, 2024

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

Re: 2024 Conflict of Interest Code Amendment

Via: Certified Mail 7016 2070 0001 0860 0624

Dear Mr. Potter:

At its Board meeting on August 21, 2024, the Vista Irrigation District Board of Directors approved Resolution No. 2024-28, adopting an amended Conflict of Interest Code (Code). A certified copy of Resolution No. 2024-28 is enclosed.

A strike-out version showing the changes that have been made is enclosed, as is a final version of the newly adopted Code. We request that the amended Code be placed on the agenda for approval. If you have any questions, please feel free to contact me at (760) 597-3161.

Best regards,

Ramae Ogilvie

Ramae Ogilvie
Secretary of the Board

Enclosures: Resolution 2024-28
Final version of the revised Code
Redline/Strike-out version of revised Code

Conflict of Interest Code:

Water Conservation Garden Authority

COSD CLERK OF THE BOARD
2024 AUG 26 AM 11:01

2024 Local Agency Biennial Notice

Name of Agency: Water Conservation Garden Authority

Mailing Address: 12122 Cuyamaca College Drive West

Contact Person: Lauren Magnuson Phone No. (828)719-6869

Email: Lauren@thegarden.org Alternate Email: Lauren@thegarden.org

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.

Lauren Magnuson
Signature of Chief Executive Officer

8/8/24
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**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

COSD CLERK OF THE BOARD
2024 AUG 26 AM8:28

CONFLICT OF INTEREST CODE OF THE WATER CONSERVATION GARDEN AUTHORITY

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 § 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 **Water Conservation Garden Authority** (the "**Authority**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Board Secretary** as the Authority's Filing Officer. The **Board Secretary** shall make and retain a copy of all statements filed by Members of the Board of Directors and their Alternates, and the Executive Director, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Board Secretary** shall retain the originals of the statements of all other designated positions and make all retained statements available for public inspection and reproduction (Gov. Code, § 81008.)

~~The geographical jurisdiction of the Authority is the County of San Diego.~~

Water Conservation Garden Authority-2024

APPENDIX A

DESIGNATED POSITIONS

DESIGNATED POSITION	DISCLOSURE CATEGORY
Executive Director~~*~~	1, 2, 3, 4, 5
~~Director of Operations and Programs*~~ Manager of Operations and Maintenance (Position reclassified to narrower disclosure category based on job responsibilities)	~~1, 2, 3, 4,~~ 5

~~* These positions are staffed by the Friends of the Water Conservation Garden, a 501(c)(3) public benefit corporation, which has entered into an operating agreement with the Authority.~~

~~**MEMBERS OF BOARDS, COMMITTEES & COMMISSIONS**~~ Note: members of board listed in officials that manage public investments., there are no additional committees or commissions.

MEMBER POSITION	DISCLOSURE CATEGORY
Consultants and New Positions[1]	1, 2, 3, 4, 5

The Executive Director 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 Regulations 18219 and 18734.). 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.

[1] Individuals providing services as a Consultant defined in Regulation 18700.3 or in a new position created since this Code was last approved that make or participate in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

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OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority Officials who manage public investments are NOT covered by this Code because they must file under Government Code Section 87200 *et seq*. and, therefore, are listed for informational purposes only.

1. Members of the Board of Directors and Alternates
2. Executive Director
3. Treasurer
4. Investment Consultants

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 their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code section 87200.

APPENDIX 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~~ the designated is assigned.

"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.

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)

Disclosure Category 1:
Designated positions in this category must disclose 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.

Disclosure Category 2:
Designated positions in this category must disclose 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.

Disclosure Category 3:
Designated positions in this category must disclose 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.

Disclosure Category 4:
Designated positions in this category must disclose 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.

Disclosure Category 5:

Designated positions in this category must disclose 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.

COSD CLERK OF THE BOARD
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RESOLUTION NO. 24-03

RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER CONSERVATION GARDEN AUTHORITY ADOPTING AN AMENDED CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, 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 Water Conservation Garden Authority (the "Authority") 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") in compliance with Government Code Section 81000, et seq., updated July 28, 2020; and

WHEREAS, subsequent changed circumstances within the Authority have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Authority'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 Authority 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 Conflict of Interest Code was provided each affected designated position and publicly posted for review at the offices of the Authority; and

WHEREAS, a public meeting was held upon the proposed amended Appendix of the Code at a special meeting of the Board of Directors on August 6, 2024, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Water Conservation Garden Authority that the Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Board Secretary and shall be available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said amended Code shall become effective immediately after the Board of Supervisors approves the proposed Code as submitted.

APPROVED AND ADOPTED this 6th day of August 2024.

President, Board of Directors
Water Conservation Garden Authority

ATTEST:

Board Secretary
Water Conservation Garden Authority

8-6-2024