



Memo

To: Board of Directors
From: Alan E. Clanin
Date: June 9, 2020
Subject: 2020 Biennial Notice for Conflict of Interest Codes

The Political Reform Act requires every government agency to review its conflict of interest code biennially. In October of even-numbered years, each agency must submit to the County Board of Supervisors a notice indicating whether or not an amendment is necessary. Attorney Van Blarcom has reviewed the Code and does not recommend any changes at this time.

The Districts current Conflict of Interest Code is attached for your review.

2020 Conflict of Interest Code Biennial Notice Instructions for Local Agencies

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. A conflict of interest code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Statement of Economic Interests (Form 700).

By **July 1, 2020**: The code reviewing body must notify agencies and special districts within its jurisdiction to review their conflict of interest codes.

By **October 1, 2020**: The biennial notice must be filed with the agency's code reviewing body.

The FPPC has prepared a 2020 Local Agency Biennial Notice form for local agencies to complete or send to agencies within its jurisdiction to complete before submitting to the code reviewing body. The City Council is the code reviewing body for city agencies. The County Board of Supervisors is the code reviewing body for county agencies and any other local government agency whose jurisdiction is determined to be solely within the county (e.g., school districts, including certain charter schools). The FPPC is the code reviewing body for any agency with jurisdiction in **more than one county** and will contact them.

The Local Agency Biennial Notice is not forwarded to the FPPC.

If amendments to an agency's conflict of interest code are necessary, the amended code must be forwarded to the code reviewing body for approval within 90 days. An agency's amended code is not effective until it has been approved by the code reviewing body.

If you answer yes, to any of the questions below, your agency's code probably needs to be amended.

- Is the current code more than five years old?
- Have there been any substantial changes to the agency's organizational structure since the last code was approved?
- Have any positions been eliminated or re-named since the last code was approved?
- Have any new positions been added since the last code was approved?
- Have there been any substantial changes in duties or responsibilities for any positions since the last code was approved?

If you have any questions or are still not sure if you should amend your agency's conflict of interest code, please contact the FPPC. Additional information including an online webinar regarding how to amend a conflict of interest code is available on [FPPC's website](#).

CHAPTER FIVE

5 CONFLICT OF INTEREST

5.1 General Requirements.

The terms of California Code of Regulations, Title 2, section 18730, and any amendments thereto duly adopted by the Fair Political Practices Commission, are incorporated by reference into the Conflict of Interest Code for Crestline Village Water District.

(Res. 88, March 19, 1974; amended by Res. 118, February 15, 1977; amended by Res. 118a, February 15, 1977; amended by Res. 191, April 19, 1981; amended by Res. 275, September 24, 1992; amended by Res. 303, November 19, 1996.)

5.2 Designated Positions for Disclosure Purposes.

5.2.1 General and Special Counsel.

The persons occupying the following positions are “Designated Employees” and must disclose the financial interests defined in Categories 1, 2 and 3 as set forth in Section 5.3:

- (1) General Counsel
- (2) Special Counsel

(Res. 88, March 19, 1974; amended by Res. 118, February 15, 1977; amended by Res. 118a, February 15, 1977; amended by Res.191, April 19, 1981; amended by Res. 275, September 24, 1992; amended by Res. 303, November 19, 1996.)

5.2.2 Other Positions.

The persons occupying the following positions are “Designated Employees” and must disclose the financial interests defined in Categories 2 and 3 as set forth in Section 5.3:

- (1) District Engineer
- (2) District Auditor
- (3) Consultants

(Res. 88, March 19, 1974; amended by Res. 118, February 15, 1977; amended by Res. 118a, February 15, 1977; amended by Res.191, April 19, 1981; amended by Res. 275, September 24, 1992; amended by Res. 303, November 19, 1996.)

5.3 Financial Interests That Must Be Reported.

5.3.1 Category 1.

Interests in real property, other than a principle residence located within the jurisdiction, if the interest in real property may foreseeably be affected materially by any decision made or participated in by the Designated Employee by virtue of his or her position.

(Res. 88, March 19, 1974; amended by Res. 118, February 15, 1977; amended by Res. 118a, February 15, 1977; amended by Res.191, April 19, 1981; amended by Res. 275, September 24, 1992; amended by Res. 303, November 19, 1996.)

5.3.2 Category 2.

Investments in or income from business entities or individuals which are of the type which within the previous two years have provided services, equipment, materials, vehicles or supplies to the District.

(Res. 88, March 19, 1974; amended by Res. 118, February 15, 1977; amended by Res. 118a, February 15, 1977; amended by Res.191, April 19, 1981; amended by Res. 275, September 24, 1992; amended by Res. 303, November 19, 1996.)

5.3.3 Category 3.

Business positions, including any position as a director, officer, partner, trustee, employee or any such management position, held in a business entity of the type identified in Category 2.

(Res. 88, March 19, 1974; amended by Res. 118, February 15, 1977; amended by Res. 118a, February 15, 1977; amended by Res.191, April 19, 1981; amended by Res. 275, September 24, 1992; amended by Res. 303, November 19, 1996.)

5.3.4 Consultants.

The General Manager of the District may determine in writing that a particular consultant, although a "Designated Employee," is hired to perform a range of duties that are limited in scope and thus is not required to comply with the disclosure requirements described in this Chapter. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. These written determinations shall remain on file in the same manner and location as the District's Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of the District's Conflict of Interest Code.

(Res. 88, March 19, 1974; amended by Res. 118, February 15, 1977; amended by Res. 118a, February 15, 1977; amended by Res.191, April 19, 1981; amended by

Res. 275, September 24, 1992; amended by Res. 303, November 19, 1996.)

5.4 Filing of Statements of Economic Interest.

Designated Employees shall file their statements with the Secretary of the Board of Directors of the District who will retain the statements and make them available for public inspection and reproduction pursuant to Government Code section 81008.

(Res. 303, November 19, 1996.)

5.5 Opinions of the General Counsel.

Any Designated Employee who is unsure of any right or obligation arising under the District's Conflict of Interest Code may request an opinion from the District's General Counsel.

(Res. 303, November 19, 1996.)

5.6 Officials Who Manage Public Investments.

It has been determined that the persons in the positions listed below manage public investments and will file a statement of economic interests (Form 721) pursuant to Government Code section 87200.

- (1) Members of the Board of Directors
- (2) General Manager
- (3) Secretary of the Board
- (4) Office Manager

(Res. 303, November 19, 1996.)

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