

**From:** Moreno, Michelle [Michelle.Moreno@cob.sbcounty.gov]  
**Sent:** Monday, June 13, 2016 3:36 PM  
**Subject:** 2016 Biennial Notice for Conflict of Interest Codes  
**Attachments:** 2016 Local Agency Biennial Notice Instructions.pdf; 2016 Local Agency Biennial Notice.pdf

**Importance:** High

**Follow Up Flag:** Responses due no later than October 3, 2016  
**Due By:** Monday, September 19, 2016 8:00 AM  
**Flag Status:** Flagged

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. In October of each even-numbered year, each agency must submit to the County Board of Supervisors a notice indicating whether or not an amendment is necessary. To assist you in making that determination, please review the attached "Biennial Notice Instructions for Local Agencies" document. **The attached "2016 Local Agency Biennial Notice" form must be returned to the Board of Supervisors, via the Clerk of the Board, no later than October 3, 2016.** The completed forms may be returned via email to [Michelle.Moreno@cob.sbcounty.gov](mailto:Michelle.Moreno@cob.sbcounty.gov) or sent via US mail to the address provided on the notice.

If amendments to an agency's conflict of interest code are necessary, the amended code must be forwarded to the Board of Supervisors for approval within **90 days** of filing the biennial notice. For example, if your agency files its notice on October 3, 2016, indicating that an amendment is necessary, the amendment is due to the Board of Supervisors by January 1, 2017. An agency's amended code is **not effective** until it has been approved by the Board of Supervisors. Our County Counsel has advised that amended code information must include either of the following:

- A copy of the resolution adopted by your governing body showing that these Conflict of Interest Code changes were approved, **or**
- A copy of the minutes from the board meeting where the Conflict of Interest changes were discussed and approved

The Fair Political Practices Commission (FPPC) offers free training on how to amend a conflict of interest code. Schedules and information about seminars and webinars are available at [www.fppc.ca.gov](http://www.fppc.ca.gov).

If you have any questions, please feel free to contact me at (909) 387-4265.

**Michelle Moreno**  
Board Services Supervisor  
**Clerk of the Board of Supervisors**  
Phone: 909-387-4265



*Our job is to create a county in which those who reside and invest can prosper and achieve well-being.*  
[www.SBCounty.gov](http://www.SBCounty.gov)

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FAIR POLITICAL PRACTICES COMMISSION

## 2016 Conflict of Interest Code Biennial Notice Instructions for Local Agencies

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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).

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.

**July 1, 2016:** The code reviewing body must notify agencies and special districts within its jurisdiction to review their conflict of interest codes.

**October 3, 2016:** The biennial notice must be filed with the agency's code reviewing body.

We prepared a 2016 Local Agency Biennial Notice form for local agencies to use. **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 you are still not sure if you should amend your agency's conflict of interest code, please contact the FPPC.

### **Attend a Workshop or Webinar**

Schedules and information about seminars and webinars are available at [www.fppc.ca.gov](http://www.fppc.ca.gov).

## 2016 Local Agency Biennial Notice

Name of Agency: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone No. \_\_\_\_\_

Email: \_\_\_\_\_ 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.)

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**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 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 3, 2016**, or by the date specified by your agency, if earlier, to: Clerk of the Board of Supervisors - See address below

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.  
Clerk of the Board of Supervisors  
385 North Arrowhead Avenue, 2nd Floor  
San Bernardino, CA 92415-0130  
Attention: Michelle Moreno**

## 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.)