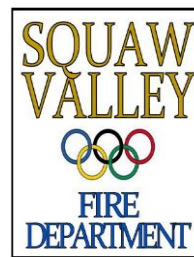




## SQUAW VALLEY PUBLIC SERVICE DISTRICT



### Biennial Review of the District's Conflict-of-Interest Code

**DATE:** July 26, 2016  
**TO:** District Board Members  
**FROM:** Kathryn Obayashi-Bartsch, Secretary to the Board  
**SUBJECT:** Conflict-of-Interest Code Changes

**BACKGROUND:** The Political Reform Act (Government Code 81000, et seq.) requires local government agencies to adopt a Conflict-of-Interest code. All local governmental agencies are required to conduct a review every two years. The Fair Political Practices Commission is continually updating regulations and rules that pertain to gifts and travel payments, making it difficult for small agencies to keep the code up to date without dedicated legal resources. In 2012, the Board adopted revisions based on the Fair Political Practices Commission's (FPPC) recommendations to the existing code using a simplified format and incorporating changes by reference. The District last reviewed the code in 2014 and added one position: Finance and Administration Manager.

For the most current Fair Political Practices Commission information, refer to the fact sheets and FAQs on their website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

**DISCUSSION:** The only substantive code changes for 2016 include the addition of two new positions: District Engineer and Operations Superintendent. Additions to the code are in underline text. In accordance with Title 2, Division 6 of the California Code of Regulations (18701 Public Official, Definitions), these positions should be included due to the positions' duties.

The District Engineer position is responsible for directing and coordinating the planning, design, inspection, control, integration and completion of District-wide capital projects and operations programs for water and wastewater systems, facility improvements, and environmental projects, by performing the required duties personally or as a team leader.

The Operations Superintendent position is responsible for the procurement and contracting of services and supplies in support of the District-wide capital projects and operations programs for water and wastewater systems, facility improvements, and environmental projects. As such, it is prudent for the District's code to include these positions to the list of positions which must file an annual Form 700 (Disclosure of Financial Interests).

**ALTERNATIVES:** 1. Adopt Resolution 2016-17  
2. Do not adopt Resolution 2016-17

**FISCAL/RESOURCE IMPACTS:** None

**RECOMMENDATION:** Adopt the attached resolution amending the District's Conflict-of-Interest Code and authorize the Secretary to the Board to forward the necessary documents to Placer County Counsel.

**ATTACHMENTS:** Resolution 2016-17 and Squaw Valley Public Service District's Draft Conflict-of-Interest Code 2016

**DATE PREPARED:** July 6, 2016

**RESOLUTION 2016-17**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
SQUAW VALLEY PUBLIC SERVICE DISTRICT  
DETERMINING ADEQUACY OF CONFLICT-OF-INTEREST CODE**

**WHEREAS**, the Squaw Valley Public Service District Board of Directors is required to review its Conflict-of-Interest Code every two years to determine if it is accurate or, alternatively, that the code must be amended; and,

**WHEREAS**, the current Conflict-of-Interest Code, attached hereto has been amended, as stated in Government Code 81000 et seq. and 2 CA Code of Regulations Section 18730; and

**WHEREAS**, the Board is required to provide a notice of its determination of the adequacy of the Conflict-of-Interest Code to the District's code reviewing body, the Placer County Board of Supervisors.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Squaw Valley Public Service District:

1. The Conflict-of-Interest Code has been amended as stated in Government Code 81000 et seq. and 2 CA Code of Regulations Section 18730.

PASSED AND ADOPTED this 28<sup>th</sup> day of July, 2016 by the Board of Directors at its regular monthly meeting, duly called and held, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

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Dale Cox, Board President

ATTEST:

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Kathryn Obayashi-Bartsch, Secretary to the Board

## CONFLICT-OF-INTEREST CODE FOR THE SQUAW VALLEY PUBLIC SERVICE DISTRICT

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 (Section 18730 of Title 2, Division 6 of the California Code of Regulations) that contains the terms of a standard Conflict-of-Interest Code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of Section 18730 of Title 2, Division 6 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 and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the Conflict-of-Interest Code of the **Squaw Valley Public Service District (District)**.

Individuals holding designated positions shall file their statements of economic interests with the **District**, which will make the statements available for public inspection and reproduction. (Government Code Section 81008.) All statements will be retained by the **District**.

# CONFLICT-OF-INTEREST CODE FOR THE SQUAW VALLEY PUBLIC SERVICE DISTRICT

## APPENDIX A

<u>Designated Positions:</u>	<u>Disclosure Categories:</u>
General Manager or Acting General Manager	1,2
Operations Manager	1,2
Fire Chief	1,2
District Legal Counsel	1,2
Finance and Administration Manager	1,2
<u>District Engineer</u>	<u>1,2</u>
<u>Operations Superintendent</u>	<u>1,2</u>

### Consultants/New Positions\*

\*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation: The General Manager may determine in writing that a particular consultant/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/new position'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. (Government Code Section 81008.)

### Officials Who Manage Public Investments

It has been determined that the positions listed below manage public investments and will file a statement of economic interests pursuant to Government Code Section 87200. These positions are listed for informational purposes only:

Board of Directors

General Manager or Acting General Manager

Finance and Administration Manager

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 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.

## **CONFLICT-OF-INTEREST CODE FOR THE SQUAW VALLEY PUBLIC SERVICE DISTRICT**

### **APPENDIX B**

#### **DISCLOSURE CATEGORIES**

1. Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that provide services, supplies, materials, machinery, or equipment of the type utilized by the District.
2. All investments, and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a non-profit organization, if the source is of the type to receive financial or other technical assistance from the District.

This is the last page of the Conflict-of-Interest Code for the Squaw Valley Public Services District.

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