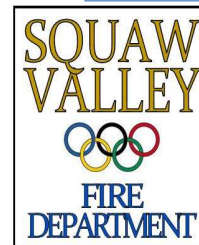




SQUAW VALLEY PUBLIC SERVICE DISTRICT



CONFLICT OF INTEREST CODE

DATE: September 29, 2020
TO: District Board Members
FROM: Jessica Asher, Board Secretary
SUBJECT: Conflict of Interest Code Review

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 reviewed the code in 2014 and added one position: Finance and Administration Manager. In 2016, the District reviewed the code and added two positions: District Engineer and Operations Superintendent. In 2018 the code was updated to identify the Filing Officer as the Placer County Clerk Recorder.

For the most current Fair Political Practices Commission information, refer to the fact sheets and FAQs on their website at www.fppc.ca.gov.

DISCUSSION: Staff reviewed the Conflict of Interest Code with Placer County Counsel and determined that an update was required to add Disclosure Category 3, interests in real property, to Appendix B of the Code. In addition, staff as proposed ministerial changes to minimize repetition and clarify the District's filing officer (Placer County Elections Office).

ALTERNATIVES: 1. Adopt Resolution 2020-18
2. Do not adopt Resolution 2020-18

FISCAL/RESOURCE IMPACTS: None

RECOMMENDATION: Adopt Resolution 2020-18 amending the District's Conflict of Interest Code.

ATTACHMENTS: Resolution 2020-18
2020 SVPSD Draft Conflict-of-Interest Code (Clean)
2020 SVPSD Draft Conflict-of-Interest Code (Red-lined)

DATE PREPARED: September 15, 2020

RESOLUTION 2020-18

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SQUAW VALLEY PUBLIC SERVICE DISTRICT
ADOPTING AN AMENDED 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 adequate or, alternatively, if the Code must be amended; and,

WHEREAS, the Board of Directors has reviewed the District's current Conflict of Interest Code and determined that amendments are required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Squaw Valley Public Service District hereby adopts the Code and Appendices attached hereto as the District Conflict of Interest Code, which shall supersede all prior versions of said Code.

PASSED AND ADOPTED this 29th day of September, 2020 by the Board of Directors at a regular meeting, duly called and held, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Dale Cox, Board President

ATTEST:

Jessica Asher, Board Secretary

Squaw Valley Public Service District

POLICY HANDBOOK

POLICY TITLE: Conflict of Interest
POLICY NUMBER: 1020

1020.1 The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. §18730), which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. §18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendices, in which members of the Board of Directors and employees are designated, and in which disclosure categories are set forth, constitute the Conflict of Interest Code of the Squaw Valley Public Service District.

1020.2 Individuals holding designated positions shall file their statements of economic interests with the District's Filing Officer, the Placer County Elections Office, which will make the statements available for public inspection and reproduction. (Government Code Section 81008.) All statements will be retained by the Placer County Elections Office.

CONFLICT OF INTEREST CODE FOR THE SQUAW VALLEY PUBLIC SERVICE DISTRICT

APPENDIX A

Designated Positions:

Disclosure Categories:

Operations Manager	1, 2, 3
Fire Chief	1, 2, 3
District Legal Counsel	1, 2, 3
District Engineer	1, 2, 3
Operations Superintendent	1, 2, 3
Consultants/New Positions*	1, 2, 3

*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.
3. All interests in real property located within two miles of the District's service area, sources of income, including gifts, loans, and travel payments, derived from, or investments and business positions in business entities that engage in land development, construction, or the acquisition, sale, lease or rental of real property, including, but not limited to, real estate firms, title companies, escrow companies, appraisal services, survey firms, engineering services and consulting firms.

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

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Squaw Valley Public Service District

POLICY HANDBOOK

POLICY TITLE: Conflict of Interest
POLICY NUMBER: 1020

1020.1 The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict -of -interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. §18730), which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. §18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached ~~Appendix A (see Exhibit A); Appendices, in~~ which members of the Board of Directors and employees are designated, and in which disclosure categories are set forth, constitute the Conflict of Interest Code of the Squaw Valley Public Service District. ~~(copy of which is attached as Exhibit A).~~

~~**1020.2** — Designated employees shall file Statements of Economic Interests with the Clerk of the County of Placer.~~

1020.2 Individuals holding designated positions shall file their statements of economic interests with the ~~District~~District's Filing Officer, the Placer County Elections Office, which will make the statements available for public inspection and reproduction. (Government Code Section 81008.) All statements will be retained by the ~~District. Placer County Elections Office.~~

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>
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General Manager or Acting General Manager	1,2
Operations Manager	1, 2, <u>3</u>
Fire Chief	1, 2, <u>3</u>
District Legal Counsel	1, 2, <u>3</u>
Finance and Administration Manager	1,2
District Engineer	1, 2, <u>3</u>
Operations Superintendent	1, 2, <u>3</u>
Consultants/New Positions*	<u>1, 2, 3</u>

*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:

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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:

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

APPENDIX B

DISCLOSURE CATEGORIES

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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.

3. All interests in real property located within two miles of the District's service area, sources of income, including gifts, loans, and travel payments, derived from, or investments and business positions in business entities that engage in land development, construction, or the acquisition, sale, lease or rental of real property, including, but not limited to, real estate firms, title companies, escrow companies, appraisal services, survey firms, engineering services and consulting firms.

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

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