

Attachment C—Conflict of Interest Code, Redline Copy

RESOLUTION NO. 1661

CONFLICT OF INTEREST CODE FOR THE
MONTECITO WATER DISTRICT

The Political Reform Act, Government Code Sections 81,000 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 Sections 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendment to the Political Reform Act after public notice and hearings. The terms of 2 California Code of Regulations Sections 18730, and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and along with the attached Appendixes "A" and "B" in which officials and employees are designated and disclosure categories are set forth, constitutes the Conflict of Interest Code of the Montecito Water District.

Pursuant to Section 4 of the standard Code, designated employees shall file statements of economic interest with the agency. Upon receipt of the statement filed by directors and the general manager, a copy shall be retained and the original shall be forwarded to the Elections Division of the Santa Barbara County Clerk Recorder. Statements for all other designated employees will be retained by the District.

The Resolution was thereupon declared carried and adopted this 18th day of July, 1991.

AYES: ~~Campell, Muller, Puddicombe, Valentine, Yawitz~~

NOES: ~~None~~

ABSENT: ~~None~~

Approved

Carol L. Valentine, President

ATTEST:

C Charles Evans, Secretary

**CONFLICT OF INTEREST CODE
FOR THE MONTECITO WATER DISTRICT**

The Political Reform Act, Government Code section 81000 et seq., requires 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) which contains the terms of a standard Conflict of Interest Code, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings.

The terms of California Code of Regulations, Title 2, Section 18730, and any amendment to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Conflict of Interest Code for the Montecito Water District, and along with the attached Appendix A (which designates positions requiring disclosure) and Appendix B (which sets forth disclosure categories for each designated position) constitute the Conflict of Interest Code of the Montecito Water District.

Designated filers may file their statements online using eDisclosure, which will submit the Form 700 to the County Clerk, Recorder and Assessor. Statements will be made available for public inspection and reproduction (Government Code §81008). Designated filers who file using a paper Form 700 shall file with the Montecito Water District. Upon receipt of the Statement filed by the designated filer, a copy shall be retained by Montecito Water District and the original shall be forwarded to the County Clerk, Recorder, and Assessor.

IN PREPARING THE FORM 700, DESIGNATED FILERS NEED ONLY DISCLOSE THOSE FINANCIAL INTERESTS FALLING WITHIN THE DISCLOSURE CATEGORIES DESIGNATED FOR THAT FILER'S POSITION AS STATED IN EXHIBITS A AND B.

Adopted this ____ day of August, 2020

Floyd Wicks, President
Board of Directors

I HEREBY CERTIFY that this Conflict of Interest Code was adopted at a meeting of the Board of Directors of Montecito held on August ____, 2020

ATTEST:

Nicholas Turner, Secretary
Board of Directors

APPENDIX A

Persons occupying the following positions are designated ~~employees~~filers and must disclose financial interests in those categories described in Appendix B which are listed opposite their respective designated positions:

<u>Designated Positions</u>	<u>Disclosure Categories</u>
1. Director	1, 2, 3, 4
2. General Manager	1, 2, 3, 4
3. General Counsel	1, 2, 3, 4
4. Consultant*	
5. <u>Engineering Manager/Assist. General Manager</u>	1, 2, 3, 4
6. Business Manager	1, 2, 3, 4

~~*Consultants shall be included in the list of designated employees 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, 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 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 the disclosure requirements. The General Manager determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.~~

* The disclosure, if any, required of a consultant (California Code of Regulations, Title 2, Section 18700.3) will be determined on a case - by - case basis by the General Manager or designee of same. The determination of whether a consultant has disclosure requirements will be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the consultant's duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.

APPENDIX B

CATEGORIES OF DISCLOSURE

CATEGORY 1

Interests in real property which is located in whole or in part within the jurisdiction of the Montecito Water District, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property, if the fair market values of the interest is \$1,000 or more.

CATEGORY 2

Business positions or investments in or income from persons or business entities engaged in the appraisal, acquisition, or disposal of, real property within the jurisdiction of the Montecito Water District.

CATEGORY 3

Business positions or investments in and income from any source or sources of income, if:

- a) The business entities or the source or sources of income are of the type which, within the previous two years, have provided or contracted to provide, or in the future with reasonable foreseeability might provide or contract to provide services, supplies, materials, machinery or equipment to or for the use of the District; and
- b) Within the previous two years, the designated employee has made, participated in making, or in any way has attempted to use his or her official position to influence, the governmental decision to obtain or procure services, supplies, materials, machinery or equipment of the same or similar type as those so provided or contracted to be provided the District or if the duties of the designated employee's position make it reasonably foreseeable that he or she might engage in such activity.

CATEGORY 4

Business positions or investments in business entities and income from any source or sources of income, if:

- a) The business entities or the source or sources of income are of the type which, within the previous two years, have furnished or contracted to furnish, or in the future with reasonable foreseeability might furnish or contract to furnish services, supplies, materials, machinery or equipment as a subcontractor in any contract with the District to provide services, supplies, materials, machinery or equipment to or for the use of the District; and
- b) Within the previous two years, the designated employee has made, participated in making, or in any way has attempted to use his or her official position to influence, the governmental decision to obtain or procure services, supplies, materials, machinery, or equipment of the same or a similar type as those so provided or contracted to be provided to the District or if the duties of the designated employee's position make it reasonably foreseeable that he or she might engage in such activity.