

Attachment C—Conflict of Interest Code, Redline Copy

~~Conflict Of Interest Code~~ CONFLICT OF INTEREST CODE

~~For The Cachuma Operation and Maintenance Board~~ FOR THE CACHUMA OPERATION AND MAINTENANCE BOARD

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, 2 Cal. Code of Regulations ("CCR"), which contains the terms of a standard conflict of interest code. Section 18730 can be incorporated by reference and may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. The Conflict of Interest Code of the Cachuma Operation and Maintenance Board is comprised on the terms of 2 Cal. Code of Regs. Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, the attached Appendix A (designated officials and employees), and the attached Appendix B (disclosure categories).

New paragraph language for e-file option suggested by County and necessary to insert into Code:

Designated employees may file their statements online using eDisclosure, which will submit the Form 700 to the Santa Barbara County Clerk, Recorder and Assessor. Statements will be made available for public inspection and reproduction (Govt. Code Section 81008). Cachuma Operation and Maintenance Board's filing official can provide give you with access.

Original paper file Paragraph

Designated employees who file using a paper Form 700 shall file statements of economic interests with the Cachuma Operation and Maintenance Board. Upon receipt of the statements of the members of the Board of Directors and the General Manager, the Cachuma Operation and Maintenance Board shall make and retain a copy and forward the original of these statements to the Elections Division of the Santa Barbara County Clerk, Recorder and Assessor. Statements for all other designated employees will be retained by the Cachuma Operation & Maintenance Board.

County Suggestion for paper file Paragraph:

Designated employees who file using a paper Form 700 shall file with the Code Agency. Upon receipt of the Statement filed by the designated employee, a copy shall be retained with the Code Agency and the original shall be forwarded to the County Clerk, Recorder and Assessor.

Suggested revision to original paper file Paragraph:

Designated employees, who file using a paper Form 700, shall file statements of economic interests with the Cachuma Operation & Maintenance Board. Upon receipt of the statements of the members of the Board of Directors and the General Manager, the Cachuma Operation & Maintenance Board shall make and retain a copy and forward the original of these statements to the Elections Division of the Santa Barbara County Clerk Recorder. Statements for all other designated employees will be retained by the Cachuma Operation & Maintenance Board.

Adopted this _____ Day of _____, 1992~~1992~~
~~Adopted this _____ Day of _____, 1992~~

Signature

Janet L. Gingras, M.B.A.
General Manager / Secretary
Cachuma Operation & Maintenance Board

Signature

_____, Chair
Print Name
Santa Barbara County Board of Supervisors

ATTEST:

ATTEST:

Board of Supervisors

, Clerk

By

Deputy Clerk-Recorder

Clerk

Board of Supervisors

By

Deputy Clerk-Recorder

APPENDIX A

CACHUMA OPERATION & MAINTENANCE BOARD (COMB)
DESIGNATED POSITIONS

Persons occupying the following designated positions must disclose financial interests in those categories described in Appendix B which are listed opposite the respective designated positions.

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Directors / Alternates	<u>1-5</u>
General Manager	<u>1-5</u>
Consultant*	<u>1-5</u>

*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 disclosure requirements. The General Manger determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

APPENDIX B

CATEGORIES OF DISCLOSURE

CATEGORY 1

Interests in real property which are located in whole or in part within the jurisdiction of the Cachuma Operation & Maintenance Board, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property, if the fair market value 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 Cachuma Operation & Maintenance Board.

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 Cachuma Operation & Maintenance Board; 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 the Cachuma Operation & Maintenance Board 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 Cachuma Operation & Maintenance Board; 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 Cachuma Operation & Maintenance Board or if the duties of the designated employee's position make it reasonably foreseeable that he or she might engage in such activity.

CATEGORY 5

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 are subject to the regulation or supervision of the Cachuma Operation & Maintenance Board; and
- b) The designated employee's duties involve the supervision or regulation (including, but not limited to, the issuance or granting or franchises, building permits or other use or business permits or any other land use control or regulation) of that type of business entity or source of income.