



Policy Series 3000 – Operations



POLICY TITLE: CONFLICT OF INTEREST
POLICY NUMBER: 3010

The Political Reform Act (California Government Code Section 81000, et seq.) requires all public agencies in the State of California to adopt and promulgate a conflict of interest codes. The Fair Political Practices Commission (FPPC) has adopted regulations (Title 2, Division 6, California Code of Regulations, Section 18730) containing terms of a conflict of interest code and may be amended by the FPPC after public notice and hearings to conform to amendments to the Political Reform Act. The terms of Section 18730 and any amendments duly adopted by the FPPC are hereby incorporated by reference. This regulation and the attached Appendices (Appendix A and B) designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the El Dorado Hills Community Services District ("the District"). This conflict of interest code supersedes all prior codes, which are hereby rescinded.

All Designated Positions are required to submit a statement of economic interests and shall file their statements with the General Manager as the District's Filing Officer. The Filing Officer shall make and retain a copy of all statements filed by the Board of Directors and General Manager and forward the originals of these statements to the El Dorado County Board of Supervisors. The Filing Officer shall retain the originals of the Statements of all other Designated Employees. The Filing Officer will make all retained statements available for public inspection and reproduction. (Gov. Code § 81008)

Source: Approved: 09/25/1980

Amended: 07/30/1998, 08/12/2004, 08/10/2006, 11/08/2007, 08/12/2010, 08/11/2016, 03/08/2018

Reviewed: 07/15/2008, 08/09/2012

Revised: 3/8/2018, 08/13/2020



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APPENDIX A POLICY NO: 3010 EL DORADO HILLS COMMUNITY SERVICES DISTRICT CONFLICT OF INTEREST CODE

Because of the nature of the powers and duties conferred on the District, the policies adopted by the District Board, and the terms of support services and consultant agreements approved by the District Board, the following positions within the District may involve the making or participation in the making of decisions for the District which may foreseeably have a material effect on financial interest of the holders of the positions. Most of the positions listed are of long-term duration, although some are limited-term positions, but all are listed because of their scope of authority or work involves either making final decisions for the District that have financial consequences or developing and/or exercising such level of expertise and ongoing relationship with those who make such decisions that the decision-makers can reasonably be expected to routinely trust and rely upon their advice.

For Purposes of filing Statements of Economic Interests as required by this Code, the “Designated Positions” of the District shall be those persons who actually occupy or carry out the function of the following positions; whether as elected or appointed officers, compensated employees, or contracted consultants:

Designated Positions:

- Board of Directors
- Design Review Committee Members
- CC&R Citizens Advisory Committee Members
- General Manager
- Director of Administration and Finance
- Director of Parks and Planning
- Director of Recreation
- Parks Superintendent
- Parks Supervisors
- Recreation Supervisors
- Information Systems Manager
- Human Resources Manager
- Controller

The disclosure category for the designated positions is: All interests in real property in the district, and all investments, business positions and income (including gifts, loans and travel payments) from sources that provide goods, equipment, vehicles, machinery or services of the type utilized by the CSD.



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Consultants are those persons defined in Title 2, California Code of Regulations, §18701(a)(2) who contract with the district to provide services. The General Manager may determine in writing that a particular consultant, although occupying a designated position, is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirement described in their code. Such determination shall include the description of the consultant's duties and, based upon that description, a statement of 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. The definition of consultant is in 2 CCR §18701(a)(2):

"Consultant" means an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
 - (i) Approve a rate, rule, or regulation;
 - (ii) Adopt or enforce a law;
 - (iii) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
 - (v) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study, or similar item;
 - (vii) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

- (B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in regulation 18702.2 or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code under Government Code section 87302.

The above local conflict of interest code was adopted by the Board of Directors of the El Dorado Hills Community Services District at a regular meeting of the board held on the 8th day of March, 2018.

Aye Votes: *Mattock, Paulsen, Priest, Vandegrift*
No Votes: *-*
Absent: *Lowery*



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APPENDIX B POLICY NO: 3010 EL DORADO HILLS COMMUNITY SERVICES DISTRICT CONFLICT OF INTEREST CODE

Disclosure Categories

The decisions that the Designated Positions may make or participate in making for the District may involve exercising or directly influencing the exercise of any of the powers conferred on the District under the laws that the District was formed and/or operates. Except as otherwise determined by the General Manager for specified contract consultants pursuant to Appendix A, the decision of the Designated Positions in the routine course of their work for the District may have the potential impact at a level commonly recognized as “material” by the Political Reform Act of 1974, as amended, and the regulations adopted by the Fair Political Practices Commission (“FPPC”) to implement that Act, any or all of those types of financial interests listed in all of the Disclosure Schedules of the Statement of Economic Interests Form approved by the FPPC.

For the foregoing reasons, all of the Designated Positions under this Conflict of Interest Code, other than specified contract consultants whose disclosure responsibilities or exemption therefrom shall be determined in writing by the General Manager on a case-by-case basis as described in Appendix A, shall comply with the broadest possible Disclosure Category applicable under the then-current Statement Form and Schedules, disclosing all sources of income, interests in real property, and investments and business positions in business entities as required by the FPPC in its instructions to the Statement of Economic Interests Form approved by the FPPC, as it may be amended from time to time.