

AUG 21 2012

### 2012 Local Agency Biennial Notice

Name of Agency: El Dorado Hills CSJ

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**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code requires disclosure by agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict-of-interest code and has determined that (Check one box):

**An amendment is required. The following amendments are necessary:**  
(Mark all that apply.)

- Include new positions.
- Revise disclosure categories.
- Revise the titles of existing positions.
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.

Other (describe) changed District's Filing Officer from Assistant General Manager to General Manager

**No amendment is required.**

**The code is currently under review by the code reviewing body.**

#### Verification

*The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.*

Sandi Kukkola  
Signature of Chief Executive Office

8/17/2012  
Date

Complete this notice regardless of how recently your code was approved or amended.  
Please return this notice no later than **August 31, 2012** to:

El Dorado County Registrar of Voters – P.O. Box 678001, Placerville, CA 95667

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC**

**Policy Title: Conflict of Interest**

AUG 21 2012

**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 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 June 25, 1980.

Amended: July 30, 1998, August 12, 2004, August 10, 2006, November 8, 2007; August 12, 2010; Reviewed July 15, 2008

## **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
- General Manager
- Assistant General Manager
- Director of Administration
- Director of Parks
- Director of Recreation
- Director of Finance
- CC&R Enforcement Officer
- Park Supervisors
- Recreation Supervisors
- Information Systems Manager
- Construction Inspector/Manager
- Human Resource Manager

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.

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 9<sup>th</sup> day of August, 2012.

Aye Votes: Gertsch, Lowery, Mattock

No Votes: -

Absent: Rogozinski, Vandegrift

## **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.