

Marinwood Community Services District

RESOLUTION NO. 2016-06

**RESOLUTION OF THE BOARD OF DIRECTORS OF
MARINWOOD COMMUNITY SERVICES DISTRICT
ADOPTING A CONFLICT OF INTEREST CODE**

The Board of Directors of Marinwood Community Services District hereby finds and resolves as follows:

Section 1. The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes.

Section 2. 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.

[The most current version of 2 Cal. Code of Regs. §18730 is available on the website of the Fair Political Practices Commission (<http://www.fppc.ca.gov/content/dam/fppc/NS-Documents/LegalDiv/Regulations/Index/Chapter7/Article2/18730.pdf>)]

Section 3. 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, along with the attached Appendix A in which members of the Board of Directors and employees are designated, and in Appendix B in which disclosure categories are set forth, constitute the conflict of interest code of Marinwood Community Services District.

Section 4. Designated employees, except those in Category 1 (elected officials), shall file their Statements of Economic Interests with the District Manager of Marinwood Community Services District, who will make the statements available for public inspection and reproduction (Government Code Section 81800). Statements of designated employees will be retained by the District. Elected and appointed directors of Marinwood Community Services District will file their Statements of Economic Interests with the Elections Department as required by Government Code Section 87302.3.

Resolved this 13th day of September, 2016 by the following vote:

Yes: Kleinman-Green, Naylor, Shea, Perry

No:

Absent: Kai

SIGNED:

By: 

Leah Kleinman-Green,
President, Board of Directors

Date: September 13, 2016

ATTEST:

By: 

Carolyn Sullivan, Board Secretary

Date: September 13, 2016

APPENDIX A

PART I – DESIGNATED OFFICERS AND EMPLOYEES

The requirements of this policy apply to the following officers and employees:

Board Members
District Manager
Department Heads
Attorneys (except County Counsel)
Consultants

PART II - DISCLOSURE CATEGORIES

1. Investments and business positions in any business entity and sources of income listed in Appendix B are disclosable if:
 - a. The business entity or business position in which the investment is held or which is the source of income is of the type which, within the last two years, has contracted with the District; or,
 - b. The business entity or business position in which the investment is held or which is the source of income is of the type which, within the last two years, has contracted to furnish supplies or services as subcontractors in any contract with the District.
2. With respect to designated positions, investments or business positions in any business entity or sources of income which are (1) private companies providing services similar to those provided by the district or (2) entities or persons engaged in real estate development or owners of real estate, and interests in real property are disclosable if held, regardless of any contractual relationship with the District at any time.
3. Consultants shall disclose all sources of income, interests in real property and investments and business positions in business entities.

The District Manager of the District 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. Such determination shall be a public record and shall be retained for public inspection in the same manner and locations as this conflict of interest code.

PART III - APPLICABLE FPPC FORM

In accordance with Government Code §87200, certain District officers are required to disclose - upon assuming and leaving office, and annually while in office - their investments, income, and interests in real property by way of FPPC Form 700.

APPENDIX B

All interests in real property - excluding one's primary residence - as well as investments and business positions in business entities and income from sources which provide facilities, services, supplies, or equipment of the type utilized by the District, including but not limited to:

- Pipe, valves, fittings, etc.
- Pumps, motors, etc.
- Meters and other water measurement equipment
- Water treatment equipment, supplies and services
- Construction and building materials
- Construction contractors
- Architectural services
- Engineering services, including hydrology and geotechnical services
- Safety equipment and facilities
- Fire and emergency response equipment
- Recreational, pool and playground equipment
- Recreational and educational program services
- Hardware tools and supplies
- Motor vehicles, heavy equipment, special vehicles and parts and services thereto
- Petroleum products
- Janitorial supplies and services
- Communications equipment and services
- Electrical equipment, including pumping equipment
- Computer hardware and software
- Pesticides and herbicides
- Custom landscape and farming services such as weed abatement, etc.
- Printing, reproduction, record keeping, etc.
- Office equipment
- Accounting services
- Legal services
- Real estate agents/brokers and investment firms
- Title companies
- Public utilities
- Insurance companies