

**RESOLUTION NO. 2016-355**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
AMENDING ITS CONFLICT OF INTEREST CODE**

**WHEREAS**, Government Code Section 87300 requires the District to “adopt and promulgate” a conflict of interest code according to the provisions of Article 3 of Chapter 7 of Title 9 of the Government Code which designates where Form 700 disclosure statements are filed and retained; and

**WHEREAS**, the Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act; and

**WHEREAS**, 2 California Code of Regulations Section 18730, a current copy of which is attached hereto as **Appendix “A,”** provides the rules for disqualification procedures, reporting financial interests, and references the current gift limit, must be referenced in the conflict of interest code; and

**WHEREAS**, each conflict of interest code must list all agency positions that involve the making or participation in making of decisions that “may foreseeably have a material effect on any financial interest;” and

**WHEREAS**, each conflict of interest code must be regularly—at least every other year—updated to reflect the current structure of the agency and properly identify all officials and employees who should be filing a Form 700;

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference; and

**SECTION 2.** This regulation and the attached **Appendix “B,”** designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the South San Luis Obispo County Sanitation District (“District”); and

**SECTION 3.** Individuals holding designated positions shall file their statements of economic interests with the District, which will make the statements available for public inspection and reproduction (Gov. Code Sec. 81008). Upon receipt of the statements for the Members of the Board, Alternates, and the District Administrator, the District shall make


and retain copies and forward the originals to the County of San Luis Obispo. All other statements will be retained by the District.

**PASSED AND ADOPTED** at a regular meeting of the South San Luis Obispo County Sanitation District held August 17, 2016.

  
Board Chair *John P. Skantz*

ATTEST:

  
DISTRICT SECRETARY

APPROVED AS TO FORM:  
BY:   
DISTRICT COUNSEL

CONTENTS:  
BY:   
DISTRICT ADMINISTRATOR

## APPENDIX "B"

### SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT 2016 CONFLICT OF INTEREST CODE APPENDIX OF DESIGNATED OFFICERS & EMPLOYEES WITH DISCLOSURE CATEGORIES

#### I. DESIGNATED POSITIONS

The persons occupying the positions listed below are hereby considered designated officers and employees and are deemed to make, or participate in the making of, decisions, which may have a material effect on a financial interest.

DESIGNATED POSITION	ASSIGNED DISCLOSURE CATEGORIES
District Legal Counsel	1,2,3
District Engineer	1,2,3
Plant Superintendent	1,2,3
Consultants, contractors and Contract Employees that are identified by contract.	1,2,3

#### II. OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Disclosure is required of the following positions and shall be provided as stated in Government Code section 87200 et seq.

DESIGNATED POSITION
Members of the Board of Directors
District Administrator

#### III. DISCLOSURE CATEGORIES

Category 1: All persons in this disclosure category shall disclose all interests in real property located in the District or within two miles of the District's boundaries. This disclosure is not applicable to the person's principal residence or real property interests with a fair market value of less than \$2,000.

Category 2: All persons in this disclosure category shall disclose all investments in business entities and business positions in business entities that have an interest in real property in the District, or that have done business with the District during the year prior to the date of the person's disclosure statement, or that are likely to do business with District during the year subsequent to the date of the person's disclosure statement. This disclosure category is not applicable to investments with a fair market value of less than \$2,000.

Category 3: All persons in this disclosure category shall disclose all sources of personal and business entity income from entities that provide services, materials, machinery equipment, or supplies of the type utilized by the District or that are located within the District, including gifts, loans and travel payments. This disclosure category is not applicable to income received from the District.

**Consultants.** "Consultant" means an individual who, pursuant to a contract with the District, either: (A) Makes a governmental decision whether to (1) approve a rate, rule, or regulation; (2) adopt or enforce a law; (3) issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement; (4) authorize the District to enter into, modify, or renew a contract provided it is the type of contract that requires District approval; (5) grant District approval to a contract that requires District approval and to which the District is a party, or to the specifications for such a contract; (6) grant District approval to a plan, design, report, study, or similar item; or (7) adopt or grant District approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or (B) Serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in California Code of Regulations, title 2, section 18702.2 or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's conflict of interest code. (California Code of Regulations, title 2, section 18701(a)(2).)

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2016 CONFLICT OF INTEREST CODE  
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