

**RESOLUTION 2018-1484**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING AN UPDATED CONFLICT OF INTEREST CODE**

**WHEREAS**, the Nipomo Community Services District (herein "District") is a local governmental agency formed and authorized to provide services within its jurisdiction, pursuant to Section 61000 et seq. of the California Government Code;

**WHEREAS**, the Political Reform Act, Government Code Sections 81000, et seq., requires the District to adopt a Conflict of Interest Code;

**WHEREAS**, the Fair Political Practices Commission has adopted a standard model Conflict of Interest Code, codified at 2 California Code of Regulations Section 18730, which can be incorporated by reference as the District's Conflict of Interest Code;

**WHEREAS**, the District Board of Directors, by prior Resolution 2016-1423, adopted Regulation 18730 by reference as the District's Conflict of Interest Code; and

**WHEREAS**, the District Board of Directors has reviewed its Conflict of Interest Code and recommends that a new Conflict of Interest Code be adopted, as shown in Exhibit "A" hereto and its Appendix.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Directors of the Nipomo Community Services District does hereby resolve, declare, determine and order as follows:

1. The District adopts its Conflict of Interest Code attached as Exhibit "A" to this Resolution, including the Appendix attached thereto which designates District officers and employees that are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest and designates disclosure categories for its designated officers, employees, and consultants.


On the motion of Director Gaddis, seconded by Director Blair, and on the following roll call vote, to wit:

**AYES:** Directors Gaddis, Blair, Woodson, Armstrong and Eby  
**NOES:** None  
**ABSENT:** None  
**CONFLICTS:** None

The foregoing resolution is hereby passed, approved and adopted by the Board of Directors of the Nipomo Community Services District this 8<sup>th</sup> day of August, 2018.

  
\_\_\_\_\_  
**Ed Eby**  
President, Board of Directors

ATTEST:

  
\_\_\_\_\_  
Mario E. Iglesias  
General Manager and Secretary to the Board

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Whitney G. McDonald  
District Legal Counsel

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EXHIBIT "A"

CONFLICT OF INTEREST CODE

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 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. Therefore, 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. This regulation and the attached Appendix, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Nipomo Community Services District (District)

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). All statements will be retained by the District.

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APPENDIX TO EXHIBIT “A”  
(cont.)

NIPOMO COMMUNITY SERVICES DISTRICT  
CONFLICT OF INTEREST CODE

DESIGNATED OFFICERS AND 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
Members of the Board of Directors	1
General Manager	1
District Legal Counsel	1
Assistant General Manager/Finance Director	1
Director of Engineering and Operations	1
Consultants*	2
New Positions	2

The District has determined that all the positions listed above manage public investments within the meaning of Government Code Section 87200 and California Code of Regulations title 2, Section 18720, and those persons holding these positions must file statements of economic interest (FPPC Form 700) pursuant to the state Political Reform Act.

\* **Consultants.** “Consultant” has the same meaning as set forth in California Code of Regulations, Title 2, Section 18700.3.

II. DISCLOSURE CATEGORIES

Subject to the definitions set forth in the Political Reform Act and its applicable regulations:

Category 1. All persons in this disclosure category shall disclose the following:

- a) All reportable investments.
- b) All reportable interests in real property.
- c) All reportable income and loans.
- d) All reportable business positions in business entities.
- e) All reportable gifts, travel payments, advances, and reimbursements.

Category 2. All persons in this disclosure category shall disclose everything listed under Category 1, subject to the following limitation:

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APPENDIX TO EXHIBIT “A”  
(cont.)

- a) The General Manager may determine in writing that a particular consultant or new position, 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 in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the 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. (Gov. Code Section 81008.)