

SAUSALITO-MARIN CITY SANITARY DISTRICT

RESOLUTION NO. 1003

A RESOLUTION AMENDING DISTRICT CONFLICT OF INTEREST CODE

IT IS RESOLVED by the District Board as follows:

- 1. The "Conflict of Interest Code of the Sausalito-Marine City Sanitary District" (the "Code"), most recently amended April 2, 2012, by this Board's adoption of Resolution 960, is further amended to include the following change in policy:

Section 87500(j) of the Political Reform Act requires the Board of Supervisors (*Elections Department*) to be the filing officer for all special districts' elected board members and the head of the "agency". For designated employees who are not members of the board and are not deemed to be agency heads, section 87500(o) allows the statements to be filed with the agency:

"Persons not mentioned above - one original with the agency or with the code reviewing body as provided by the code reviewing body in the agency's conflict of interest code."

2. A copy of Exhibit "A" to the Code is attached to this Resolution and is approved and adopted.

3. The Secretary of the Board of Directors is authorized and directed to transmit a true copy of this Resolution, including Exhibit "A" to the Code, to the Board of Supervisors of Marin County for approval pursuant to Government Code Section 87303.

* * * * *

I certify that the foregoing Resolution was duly and regularly adopted by the Board of Directors of the Sausalito-Marine City Sanitary District, Marin County, California, at a meeting held on September 2, 2014, by the following vote.

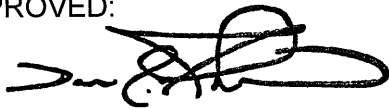
AYES, and in favor thereof, Directors: Arnott, DeLano, Rheiner, Ring

NOES, Directors:

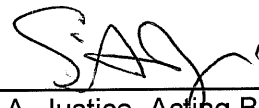
ABSTAIN, Directors:

ABSENT, Directors: Beers

APPROVED:



Dan Rheiner, Board President



Craig A. Justice, Acting Board Secretary

2014 Local Agency Biennial Notice

Name of Agency: Sausalito - Marin City Sanitary District
Mailing Address: #1 East Road
Contact Person: CRAIG JUSTICE Phone No: 415-332-0244
E-Mail: CRAIG@SMCSD.NET

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 includes disclosure by those 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 (including consultants) that must be designated

Revise disclosure categories

Revise the titles of existing positions

Delete positions that no longer make or participate in making governmental decisions


Other (describe) _____

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

No amendment is required. (If your code is more than five years old, amendments may be necessary.)

Verification

This agency's conflict of interest 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 designated positions. The code includes all other provisions required by Government Code Section 87302.


Signature of Chief Executive Officer

9/2/2014
Date

Complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2014**, or by the date specified by your agency, if earlier, to:

Diane Patterson

ASSISTANT CLERK OF THE BOARD

3501 Civic Center Drive, Suite 329

San Rafael, CA 94903

415 473 7355 T

dpatterson@marincounty.org

PLEASE DO NOT RETURN THIS FORM TO THE FPPC



Adopted September 2, 2014
Via Resolution No. 1003

CONFLICT OF INTEREST CODE

SAUSALITO-MARIN CITY SANITARY DISTRICT CONFLICT OF INTEREST CODE

Incorporation of FPPC Regulation by Reference

Title 2, Section 18730 of the California Code of Regulations and any amendments to that regulation subsequently adopted by the Fair Political Practices Commission (FPPC) are hereby incorporated in this Conflict of Interest Code by reference.

Code-Reviewing Body

The Marin County County Board of Supervisors is the Code-Reviewing Body for this Conflict of Interest Code.

Place and Time of Filing

1. All employees required to submit a statement of economic interests shall file the original with the Secretary of the District.
2. The Secretary of the District, who receives the statements of economic interests, shall make and retain a copy and forward the original to the Board of Supervisors for the following designated filers:
 - A. Member, Board of Directors
 - B. General Manager
 - C. Office Manager / District Secretary
 - D. Treasurer

For purposes of FPPC regulations, the Secretary of the District is considered the "filing official" for the above five positions.

3. The Secretary of the District shall keep the original statements of economic interests filed by persons in all other positions. For purposes of FPPC regulations, the Secretary of the District is considered the "filing officer" for these other positions.

Public Records

Statements of economic interests are public records subject to Government Code Section 81008, and are available for public inspection not later than the second business day following the day on which the statement was received.

Disqualification

Employees in positions designated below shall disqualify themselves from making or participating in the making of any governmental decision when it is reasonably foreseeable that a financial interest of the employee may be materially affected by the decision. The employee shall not be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without the employee's participation.

Officials Who Manage Public Investments

In accordance with Government Code Section 87200, positions designated to file statements of economic interests are those "directing the investment of public monies, formulating or approving investment policies, approving or establishing guidelines for asset allocations, or approving investment transactions." It has been determined that the positions listed below manage public investments and will file a statement of economic interests and be disqualified from participation as described above:

	<u>Disclosure Category</u>
1. Member, Board of Directors	1
2. General Manager	1
3. Office Manager / District Secretary	1
4. Treasurer	1

Disclosure Statement and Designated Positions

Each employee in the positions designated below shall file, upon assuming and leaving office and annually while in office, a statement of economic interests (also known as a Form 700) disclosing that employee's interest in investments, real property, and income designated as reportable under the disclosure category to which the employee's position is assigned. Employees in these "designated positions" are those who the District has determined will make or participate in making governmental decisions and who could foreseeable be affected materially by those decisions.

	<u>Designated Positions</u>	<u>Disclosure Categories</u>
1.	Member, Board of Directors	1
2.	General Manager	1
3.	Office Manager / District Secretary	1
4.	Treasurer	1
5.	District Counsel	1
6.	Operations Superintendent	2, 4
7.	Associate / Assistant Engineer	2, 3
8.	Administrative Assistant I/II	2, 3

Consultants

Only those Consultants who fall within the criteria described below shall disclose pursuant to the broadest disclosure category in the District's Conflict of Interest Code, unless the General Manager determines that a less broad category is appropriate.

For purposes of the District's Conflict of Interest Code, "Consultant" means an individual who, pursuant to a contract with a state or local government agency:

1. Makes a governmental decision whether to:
 - A. Approve a rate, rule, or regulation;
 - B. Adopt or enforce a law;
 - C. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
 - D. Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
 - E. 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;
 - F. Grant agency approval to a plan, design, report, study, or similar item;
 - G. Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

2. Serves in a staff capacity with the agency and in that capacity participates in making governmental decisions as defined in FPPC 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. (FPPC Regulation 18701.)

The General Manager shall make a determination in writing when a particular Consultant falls within the above-described criteria requiring the Consultant to be treated as a "designated position." The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as the Conflict of Interest Code.

Disclosure Category Index

Category 1 – Officials and employees whose duties are broad and indefinable:

All investments and business positions in business entities, and income (including loans, gifts and travel payments) from sources located in or doing business in the District's jurisdiction.

Interests in real property located in the jurisdiction, including property within two miles of the boundaries of the District's jurisdiction.

Category 2 – Officials and employees whose duties involve contracting or purchasing for the District:

All investments and business positions in business entities, and income (including gifts, loans and travel payments) from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by this District.

Category 3 – Officials and employees whose decisions may affect real property interests:

Interests in real property located in the jurisdiction, including property within two miles of the boundaries of the District.

Category 4 – Officials and employees with regulatory powers:

All investments and business positions and income, including gifts, loans and travel payments, from sources that are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before, the District.