

FRESNO WESTSIDE MOSQUITO ABATEMENT DISTRICT

POLICY TITLE: Conflict of Interest Code

POLICY NUMBER: 1020

1020.1 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 Cal. Code of Regs. Section 18730) that contains the terms of a standard conflict-of-interest code and may 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 Appendices designating positions and establishing disclosure requirements shall constitute the conflict-of-interest code of the Fresno Westside Mosquito Abatement District.

1020.2 The Form 700s for designated positions, other than the members of the Board of Trustees and the General Manager, shall be filed with the District. The Board of Trustees and the General Manager are to file their original Form 700s directly with the Clerk of the Board for the Fresno County Board of Supervisors using the electronic filing system. If the Form 700s are not filed electronically, the paper Form 700 and waiver shall be filed with the District and, upon receipt of these paper Form 700s with waivers, the District shall make and retain a copy and forward the original to the Clerk of the Board of Supervisors. The District shall retain a copy of all electronically filed Form 700s, a copy of all paper Form 700s with waivers and the original Form 700s of designated positions and shall make the Form 700s available for public review, inspection, and reproduction. (Gov. Code section 81008.)

1020.3 This Conflict of Interest Code was formally adopted by the Fresno Westside Mosquito Abatement District by Resolution (#186) on September 11, 1998, was amended by Resolution # 232, adopted on September 9, 2010, was amended again by Resolution # 275 on August 9th, 2018, and is reviewed by the Board of Trustees biennially, as required by state law. The provisions of all Conflict of Interest Codes and amendments thereto previously adopted by the District are

hereby superseded.

APPENDIX A

DESIGNATED POSITIONS

Designated Positions Disclosure Categories

• Members of the Board of Trustees All Categories •

General Manager All Categories • Consultants/New

Positions *All Categories

* Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this code subject to the following limitation:

The [head of agency or his/her designee] 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 comply fully 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 [head of agency or his/her designee’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 Sec. 81008.)

APPENDIX B DISCLOSURE CATEGORIES

When a designated employee is required to disclose investments and sources of “income”, he need only disclose income received from any source within the jurisdiction or doing business within the jurisdiction, or planning to do business within the jurisdiction, or having done business within the jurisdiction during the two years prior to the time any statement is required under the law. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. When a designated employee is required to disclose interests in real property, he need only disclose real property which is located within the “jurisdiction”. As used in this paragraph, the phrases “income”, “jurisdiction”, and other terms not otherwise defined herein, shall incorporate those definitions found in the Political Reform Act of 1974 (Government Code Sections 81000, et seq.).

Individuals holding designated positions must report their interests according to their assigned disclosure category(ies).

Disclosure Category 1

Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency; and investments and business positions in business entities, and income, including loans, gifts, and travel payments, from all sources.

Disclosure Category 2

Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.

Disclosure Category 3

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by the agency.

Disclosure Category 4

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by the designated position's division or department.

Disclosure Category 5

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that filed a claim against the agency during the previous two years, or have a claim pending.

Disclosure Category 6

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources of the type to request an entitlement to use agency property or facilities, including, but not limited to:

- a license
- utility permit
- station vendor permit.