

CONFLICT OF INTEREST CODE

Adopted November 15, 2012

Last Revised September 1, 2016/20, 2018



CENTRAL CONTRA COSTA SANITARY DISTRICT CONFLICT OF INTEREST CODE

A. 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.

B. Code-Reviewing Body

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

C. Place and Time of Filing

1. ~~All employees~~ Those individuals who are required to ~~submit~~ file a ~~statement~~ Statement of ~~economic interests~~ Economic Interests (Form 700) shall ~~file the original~~ do so as follows:

a. File Directly with the County

The Board Members, employees and officers listed in Section F below shall file a Form 700 electronically with Contra Costa County using NetFile's paperless system and shall also provide a courtesy copy of the Form 700 to the Secretary of the District. The Secretary of the District is considered the "filing official" for those holding these positions.

~~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. Deputy General Manager~~
- ~~D. Director of Budget and Finance~~
- ~~E. Director of Engineering & Technical Services~~
- ~~F. Finance Manager~~

~~For purposes of FPPC regulations, the Secretary of the District is considered the “filing official” for the above six positions.~~

~~3. The~~

- b. File with the Secretary of the District
Employees listed in Section G below shall file an original Form 700 with 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~~ The Secretary of the District is considered the “filing officer” ~~for these other positions and~~ shall retain the original statements.

D. Public Records

~~Statements of economic interests~~ Form 700s 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.

E. Disqualification

~~Employees~~ Board Members, employees, and officials in positions designated in Sections F and G 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~~ individual may be materially affected by the decision. The ~~employee~~ individual 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~~ individual's participation.

F. Officials Who Manage Public Investments

In accordance with Government Code ~~Section~~ Sections 87200, and 87314, certain positions ~~designated~~ are required to file ~~statements of economic interests~~ are a Form 700; specifically, those “~~directing~~ who direct the investment of public monies, ~~formulating~~ formulate or ~~approving~~ approve investment policies, ~~approving~~ approve or ~~establishing~~ establish guidelines for asset allocations, or ~~approving~~ approve investment transactions.”. It has been determined that the positions listed below shall file, upon assuming and leaving office and annually while in office, a Form 700 disclosing that official's interest in investments, real property, and income designated as reportable under the disclosure category to which the official's position is assigned. Officials who manage public investments ~~and will file a statement of economic interests and~~ shall be disqualified from participation as described above:

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	<u>Designated Positions</u>	<u>Disclosure Category</u>
1.	Member, Board of Directors	1
2.	General Manager	1
3.	Secretary of the District	1
4.	Counsel for the District	1
5.	Deputy General Manager	1
6.	Director of Budget & Finance and Administration	1
7.	Director of Engineering & and Technical Services	1
8.	Finance Manager	1

G. 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 foreseeably be affected materially by those decisions.

	<u>Designated Positions</u>	<u>Disclosure Category</u>
1-9.	Member, Board of Directors	1
2-10.	General Manager	1
3-11.	Secretary of the District	1
4-12.	Counsel for the District	1
5-13.	Deputy General Manager	1
6-14.	Director of Budget & Finance	1
7-15.	Director of Engineering and Technical Services	1
8-16.	Finance Manager	1

	<u>Designated Positions</u>	<u>Disclosure Category</u>
17.	Capital Projects Division Manager	1
18.	Collection system Operations Division Manager	1
19.	Plant Operations Division Manager	1
20.	Plant Maintenance Division Manager	1
21.	Planning and Development Services Division Manager	1
22.	Environmental and Regulatory Compliance Division Manager	1
23.	Human Resources Manager	1
24.	Communication Services and Intergovernmental Relations Manager	1
25.	Information Technology Manager	1
26.	Program Manager	1
27.	Purchasing and Materials Manager	1
28.	Consultant (see Section H below)	1

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29.	Employees or consultants hired as financial advisor or underwriter	1
30.	Risk Management Administrator	1
31.	Control Systems Engineer	1
32.	Senior Engineer	1
33.	Associate Engineer	1
34.	Senior Materials Coordinator	2
35.	Senior Buyer	2
36.	Material Services Supervisor	2
37.	Maintenance Planner	2
38.	Pumping Stations Supervisor	2
39.	Plant Operations Superintendent	2, 4
40.	Field Operations Superintendent	2, 4
41.	Plant Maintenance Superintendent	2, 4
42.	Laboratory Superintendent	2, 4
43.	Environmental Compliance Superintendent	2, 4
44.	Senior Environmental Compliance Inspector	2, 4
45.	Environmental Compliance Inspector	2, 4
46.	Construction Inspector	2, 4
47.	Right of Way Agent	2, 4
48.	Senior Right of Way Agent	2, 4
49.	Land Surveyor	3
50.	Development Services Supervisor	3, 4

H. 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~~ the District:

1. Makes a governmental decision whether to:
 - Aa. Approve a rate, rule, or regulation;
 - Bb. Adopt or enforce a law;
 - Cc. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
 - Dd. Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
 - Ee. 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;

- Ff. Grant agency approval to a plan, design, report, study, or similar item;
 - Gg. 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 Sections F and G~~ above. (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.

I. 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:

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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.