

PEBBLE BEACH COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 16-08

REVIEW OF DISTRICT CONFLICT OF INTEREST CODE

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WHEREAS, pursuant to The Political Reform Act of 1974, Government Code sections 81000, et seq., and California Fair Political Practices Commission Regulation 18730 this District adopted, and the Board of Supervisors of Monterey County has approved, a District code entitled, "*Conflict of Interest Code of the Pebble Beach Community Services District*"; and

WHEREAS, the said *Conflict of Interest Code of the Pebble Beach Community Services District* adopted by reference the Fair Political Practices Commission's standard conflict of interest code; and, this Board has now completed its most recent review of the District's conflict of interest code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Pebble Beach Community Services District that:

1. After having reviewed the code entitled, "*Conflict of Interest Code of the Pebble Beach Community Services District*", this Board has determined that one amendment to the Code is necessary adding the Principal Engineer to the list of designated positions.
2. The District'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 which may foreseeably be affected materially by the decisions made by those designated positions; and the code includes all other provisions required by Government Code Section 87302 and FPPC Regulation 18730.
3. The Secretary of this District is hereby authorized and instructed to submit a certified copy of this *Resolution* and an appropriate notice of this Board's review and findings to the Clerk to the Board of Supervisors of Monterey County.

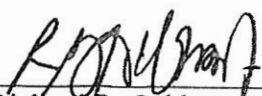
PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Pebble Beach Community Services District, Pebble Beach, Monterey County, California, duly held on **May 27, 2016** by the following vote:

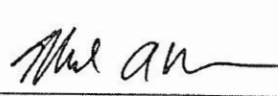
AYES: BOARD MEMBERS: Froke, Gebhart, Laska, McKee, Verbanec

NOES: BOARD MEMBERS: None

ABSENT: BOARD MEMBERS: None

ATTEST:


Richard B. Gebhart, President


Michael A. Niccum, Board Secretary

**CONFLICT OF INTEREST CODE
OF THE
PEBBLE BEACH COMMUNITY SERVICES DISTRICT**

(a) The Political Reform Act of 1974, 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, Title 2 California Code of Regulations section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of Title 2 California Code of Regulations section 18730 and any amendments duly adopted by the California Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the *Conflict of Interest Code of the Pebble Beach Community Services District* (“PBCSD”).

(b) Pursuant to Title 2 California Code of Regulations section 18730(b) (4), all designated employees of PBCSD shall file statements of economic interests with the General Manager/Secretary. Upon receipt of the statements of the members of the Board of Directors, the General Manager/Secretary shall make and retain copies and forward the originals of the statements to Monterey County Board of Supervisors, the code reviewing body. Statements for all other designated employees will be retained by PBCSD.

(c) **APPENDIX**

EXHIBIT A: Designated Positions

List of Designated Positions	Assigned Disclosure Categories
Members of Board of Directors	1
General Manager	1
Deputy General Manager/CFO	1
Principal Engineer	1
Legal Counsel	1
Consultant*	

*Consultants shall be included in PBCSD’s list of designated employees and shall disclose pursuant to the broadest disclosure category in the Code, subject to the following limitation:

The General Manager/Secretary may determine in writing that a particular consultant, 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 described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager/Secretary'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.

EXHIBIT B: Disclosure Categories

General Provisions

When a member, officer, employee or consultant who holds a designated position is required to disclose investments and sources of income, he or she shall disclose investments in business entities and sources of income which do business in the jurisdiction of PBCSD, plan to do business in PBCSD, or have done business in PBCSD within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction of PBCSD if it owns real property within PBCSD.

When a designated member, officer, employee or consultant who holds a designated position is required to disclose sources of income, he or she shall disclose gifts received from donors located inside as well as outside PBCSD.

When a designated member, officer, employee or consultant who holds a designated position is required to disclose interest in real property, he or she shall disclose the type of real property described below, if it is located in whole or in part within, or not more than two miles outside the boundaries of PBCSD, or within two miles of any land owned by PBCSD.

When a designated member, officer, employee or consultant who holds a designated position is required to disclose a business position, he or she shall disclose positions held in business entities that do business in California, plan to do business in California, or have done business in California within the past two years.

For purposes of this *Conflict of Interest Code*, the jurisdiction of PBCSD is the Pebble Beach Community Services District.

Disclosure Category 1:

A member, officer, employee or consultant holding a position assigned to Disclosure Category 1 shall, in the manner described above, report:

- All investments in business entities and sources of income in the PBCSD;
- Interest in real property, in the PBCSD, which was acquired by, leased, or otherwise used by the Pebble Beach Community Services District;
- Status as director, officer, partner, trustee, employee, or holder of a management position in any business entity in PBCSD.