



July 21, 2022

Board of Directors  
Ventura Regional Sanitation District  
Ventura, California

## **BIENNIAL REVIEW OF VENTURA REGIONAL SANITATION DISTRICT CONFLICT OF INTEREST CODE**

### **RECOMMENDATIONS**

- A. Approve and Adopt VRSD Resolution No. 22-12, establishing the 2022 Conflict of Interest Code.
- B. Direct District staff to file the VRSD 2022 Conflict of Interest Code proposed amendments with the Ventura County Board of Supervisors for approval.
- C. Direct District staff, upon approval of Ventura County Board of Supervisors, to promulgate the 2022 Conflict of Interest Code and ensure that Form 700 Statements of Economic Interests are filed appropriately by the designated persons.

### **FISCAL IMPACT**

None.

### **BACKGROUND/ANALYSIS**

Ventura Regional Sanitation District is required to review its Conflict of Interest Code biennially on even-numbered years and submit any changes to its code reviewing body, the Ventura County Board of Supervisors. The current District Conflict of Interest Code was adopted on September 3, 2020. The VRSD Board of Directors adopted the terms of California Code of Regulations, Title 2, Section 18730 et seq., as its Conflict of Interest Code.

The current VRSD Conflict of Interest Code (Resolution No. 20-03), marked up to show substantive changes, is attached for the Board's reference along with its proposed replacement -- VRSD Conflict of Interest Code (Resolution No. 22-12). An amendment to the Conflict of Interest Code is being recommended at this time to:

- 1) Update No. 2 to replace "agency" with the "Ventura County Clerk of the Board as the Filing Officer" and "employees" with "filers"; and

- 2) Delete No. 3.
- 3) Remove the Human Resources Manager position; and
- 4) Remove the Operations Manager position; and
- 5) Remove the Senior Management Analyst position; and
- 6) Add the Human Resources Technician.

The added position proposed for 2022 is a position making material government decisions and/or managing public investments.

This letter and the associated contract have been reviewed by Legal Counsel as to form.

If you have any questions or need additional information, please contact me by phone at (805) 658-4642 or via email at [JulietRodriguez@vrsd.com](mailto:JulietRodriguez@vrsd.com).



JULIET RODRIGUEZ, CLERK OF THE BOARD

APPROVED FOR AGENDA:



Chris Theisen, General Manager

Attachments: 1. Notice of Biennial Review Email from County Clerk of the Board, dated 6/22/22  
2. 2022 Local Agency Biennial Notice  
3. 2020 Conflict of Interest Code - redlined (VRSD Resolution No. 20-03)  
4. 2022 Conflict of Interest Code (VRSD Resolution No. 22-12)

**From:** [form700clerk@ventura.org](mailto:form700clerk@ventura.org)  
**To:** [Juliet Rodriguez](#)  
**Subject:** 2022 Conflict of Interest Code Biennial Review  
**Date:** Wednesday, June 22, 2022 8:11:41 AM  
**Attachments:** [2022 Local Agency Biennial Notice.pdf](#)  
[Template COIC \(COB and AC\).docx](#)  
[How to Amend COIC.pdf](#)  
[Template COIC for COB.docx](#)

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June 22, 2022

Dear Juliet Rodriguez,

Pursuant to Government Code § 87306.5, every local government agency is required to review its conflict of interest code biennially and submit the Local Agency Biennial Notice to its code reviewing body. 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.

**IMPORTANT:** By **October 1, 2022**, the attached *2022 Local Agency Biennial Notice* and amended code, if necessary, must be filed with the Clerk of the Board's Office as directed by the Board of Supervisors (i.e., your agency's code reviewing body).

The following questions will assist you in the review process and help you determine if an amendment to your agency's conflict of interest code is necessary.

- Is the current code more than five years old?
- Have there been any substantial changes to the agency's organizational structure since the last code was approved?
- Have any positions been eliminated or re-named since the last code was approved?
- Have any new positions been added since the last code was approved?
- Have there been any substantial changes in duties or responsibilities for any positions since the last code was approved?

If you answered "No" to all the questions, then check the box next to "No amendment is required" on the *2022 Local Agency Biennial Notice*. Ensure the notice has been signed and dated by the Chief Executive Officer, or qualified personnel.

If you answered "Yes" to any of the questions, then the agency's code needs to be amended. Please review the section "Amending a Conflict of Interest Code" below.

A copy of the **Ventura Regional Sanitation District's** current conflict of interest code, as approved by the Board of Supervisors, is available for viewing and download at <http://www.ventura.org/cob/coic>.

### **Amending a Conflict of Interest Code**

When filing an amended conflict of interest code with the Clerk of the Board's Office, please submit the following three documents:

1. The *2022 Local Agency Biennial Notice* identifying the necessary amendments.
2. A **Red-line** version indicating each specific change in the conflict of interest code, Exhibit A (Designated Positions), and/or Exhibit B (Disclosure Categories).

3. A signed clean version of the amended conflict of interest code.

If your agency has not done so already, please consider using the attached *Template Conflict of Interest Code*, which contains essential language, and has been reviewed and approved by County Counsel to meet legal requirements. However, your agency's code will be accepted as long as the standards meet the State of California Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations Section 18730.

Template instructions:

- On the Conflict of Interest Code, please insert the name of your agency/department where indicated, and have an authorized official sign and date to indicate formal approval of the code;
- On Exhibit A, designate the specific disclosure category or categories for each position (see Exhibit B) and the location where each position will file their Form 700 by selecting either the County Clerk of the Board (COB) or your Local Agency's Clerk (AC) as the Filing Officer;
  - Note: The positions of "Board Member" and "Executive Director" must file with the COB.
- Finally, Gov. Code § 87200 et seq. requires all "officials who manage public investments" to disclose, in a Form 700, all of their economic interests pursuant to the Political Reform Act. Included with the Template Conflict of Interest Code is an "Appendix - Designating Officials Who Manage Public Investments" to assist your agency/department in identifying any such officials within your agency/department and designating the Filing Officer/Location for each. Please complete this Appendix or otherwise identify and designate the Filing Officer/Location for any such officials in your agency's Conflict of Interest Code.

The Clerk of the Board's Office will submit all amended codes to the Board of Supervisors for adoption in the fall of 2022. A confirmation of approval will be sent to Filing Officials, and the approved code will be replaced on the website (<http://www.ventura.org/cob/coic>).

#### **Required Submittals**

Please submit a signed *2022 Local Agency Biennial Notice* to the Clerk of the Board's Office no later than **October 1, 2022**. If amendments are required, please submit the red line and clean version as noted above.

Attachments and documents referenced in this email can be accessed online at <http://www.ventura.org/cob/coic>.

Please feel free to contact me at (805) 654-2251 if you have any questions or concerns.

Sincerely,

Anna Hall  
Form 700 Clerk  
Deputy Clerk of the Board

Attachments:

1. 2022 Local Agency Biennial Notice
2. Template Conflict of Interest Code
3. How to Amend a Conflict of Interest Code



## 2022 Local Agency Biennial Notice

Name of Agency: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone No. \_\_\_\_\_

Email: \_\_\_\_\_ Alternate Email: \_\_\_\_\_

**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:**

(*Check all that apply.*)

- ☐ Include new positions
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete titles of positions that have been abolished and/or 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 over five years old, amendments may be necessary.)

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### Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that 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 are reported. The code includes all other provisions required by Government Code Section 87302.*

\_\_\_\_\_  
*Signature of Chief Executive Officer*

\_\_\_\_\_  
*Date*

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2022**, or by the date specified by your agency, if earlier, to: **E-Mail to: [form700clerk@ventura.org](mailto:form700clerk@ventura.org)**

or  
**Mail to: Clerk of the Board of Supervisors  
800 S. Victoria Avenue, L# 1920  
Ventura, CA 93009-1920**

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

FPPC Advice: [www.fppc.ca.gov](http://www.fppc.ca.gov) (866.275.3772)  
[advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)

**VRSD RESOLUTION NO. 20-03**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
VENTURA REGIONAL SANITATION DISTRICT ADOPTING THE  
2020 CONFLICT OF INTEREST CODE**

**WHEREAS**, the Political Reform Act, Government Code Section 81000 et seq., requires local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs., §18730) which contains the terms of a standard Conflict of Interest Code, which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings; and

**WHEREAS**, the terms of the California Code of Regulations, Title 2, Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Conflict of Interest Code for the Ventura Regional Sanitation District, and along with the attached Exhibit "A," which designates positions requiring disclosure and Exhibit "B," which sets forth disclosure categories for each designated position, constitute the Conflict of Interest Code of the Ventura Regional Sanitation District. Persons holding positions designated in Exhibit "A" shall file Form 700 Statement of Economic Interests with the Filing Officer specified for that position in Exhibit "A."

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED** by the Board of Directors of the Ventura Regional Sanitation District that:

1. The terms of the California Code of Regulations, Title 2, Section 18730, and any amendments to it, duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Amended Conflict of Interest Code for this agency and, along with the attached Exhibit "A" and Exhibit "B" in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Ventura Regional Sanitation District; and

2. Pursuant to Section 4 of the Standard Code, designated positions shall file statements of economic interests with the ~~agency~~ Ventura County Clerk of Board as the Filing Officer. The Ventura Regional Sanitation District will retain statements for all designated ~~employees~~ filers; and

~~3. Upon receipt of the statements of the members of the Board of Directors, General Manager, Director of Finance, and General Counsel, the agency~~

~~shall make and retain a copy and forward the original of these statements to the Ventura County Clerk of Board as the Filing Officer.~~

**43.** Every report and statement filed pursuant to the Conflict of Interest Code is a public record open for public inspection and reproduction subject to Government Code Section 81008.

**PASSED, APPROVED, AND ADOPTED** this 3<sup>rd</sup> day of September, 2020 by the following vote:

Ayes:	R. Araiza, M. Austin, A. Fox, J. Friedman, L. Hernandez, E. Jones, K. Kildee, B. Perello, W. Weirick
Noes:	None
Abstain:	None
Absent:	None

~~Bert Perello~~Laura Hernandez, Chairperson  
Board of Directors

Attest:

\_\_\_\_\_  
Juliet Rodriguez  
Clerk of the Board



**VRSD RESOLUTION NO. 20-03**

**VENTURA REGIONAL SANITATION DISTRICT  
2020 CONFLICT OF INTEREST CODE**

**EXHIBIT “A” - DESIGNATED POSITIONS AND FILING OFFICERS**

<b><u># of positions</u></b>	<b><u>Position Title</u></b>	<b><u>Disclosure Categories (from Exhibit B)</u></b>	<b><u>Filing Officer (Ventura County Clerk of the Board [COB] or Local Agency Clerk [AC])</u></b>
18	Board of Directors & Alternates	1	COB
1	Director of Finance	1	COB
1	General Manager	1	COB
1	General Counsel	1	COB
1	Consultant *	1	COB
1	Director of Operations	1	COB
4	<del>Human Resources Manager</del>	4	<del>COB</del>
4	<del>Operations Manager</del>	4	<del>COB</del>
1	<del>Human Resources Technician</del>	1	<del>COB</del>
1	Water/Wastewater Operations Superintendent	1	COB
4	<del>Senior Management Analyst</del>	4	<del>COB</del>

\* The disclosure, if any, required of a Consultant (as the term is defined in the Political Report Act and applicable regulations) will be determined on a case-by-case basis by head of the agency or designee. The determination of whether a Consultant has disclosure requirements is to be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the Consultant's duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.

**VRSD RESOLUTION NO. 20-03**  
**VENTURA REGIONAL SANITATION DISTRICT**  
**2020 CONFLICT OF INTEREST CODE**

**EXHIBIT “A”**

**CONSULTANT**

The Fair Political Practices Commission, Regulation 18700, defines “Consultant” as an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
  - (i) Approve a rate, rule, or regulation;
  - (ii) Adopt or enforce a law;
  - (iii) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
  - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
  - (v) 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;
  - (vi) Grant agency approval to a plan, design, report, study, or similar item;
  - (vii) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or
- (B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in 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 under Government Code section 87302.

The disclosure required of consultant shall be determined on a case-by-case basis by the General Manager, or designee of the General Manager. The determination of whether a consultant has disclosure requirements should be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the consultant’s duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.

## VRSD RESOLUTION NO. 20-03

### VENTURA REGIONAL SANITATION DISTRICT 2020 CONFLICT OF INTEREST CODE

#### **EXHIBIT “B” - DISCLOSURE CATEGORIES**

The terms *italicized* below have specific meaning under the Political Reform Act. In addition, the financial interests of a spouse, domestic partner and dependent children of the public official holding the designated position may require reporting. Consult the instructions and reference pamphlet of the Form 700 for explanation.

#### **Category 1 – BROADEST DISCLOSURE** [SEE FORM 700 SCHEDULES A-1, A-2, B, C, D and E]

- (1) All sources of *income, gifts, loans and travel payments*;
- (2) All *interests in real property*; and
- (3) All *investments and business positions in business entities*.

#### **Category 2 – REAL PROPERTY** [SEE FORM 700 SCHEDULE B]

All interests in real property, including interests in real property held by business entities and trusts in which the public official holds a business position or has an investment or other financial interest.

#### **Category 3 – LAND DEVELOPMENT, CONSTRUCTION AND TRANSACTION**

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which engage in land development, construction, or real property acquisition or sale.

#### **Category 4 – PROCUREMENT** [SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which provide services, supplies, materials, machinery or equipment which the designated position procures or assists in procuring on behalf of their agency or department.

#### **Category 5 - REGULATION & PERMITTING** [SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which are subject to the regulatory, permitting or licensing authority of, or have an application or license pending before, the designated position's agency or department.

#### **Category 6 – FUNDING** [SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which receive grants or other funding from or through the designated position's agency or department.

**VRSD RESOLUTION NO. 20-03**

**VENTURA REGIONAL SANITATION DISTRICT  
2020 CONFLICT OF INTEREST CODE**

**APPENDIX - DESIGNATING OFFICIALS WHO  
MANAGE PUBLIC INVESTMENTS**

Pursuant to Government Code section 87200 et seq., certain city and county officials, as well as all “other officials who manage public investments,” are required to disclose their economic interests in accordance with the Political Reform Act. This Appendix provides the relevant definitions for determining which public officials qualify as “other officials who manage public investments,” designates the agency’s positions which qualify as such, and states the Filing Officer for each designated position.

**APPLICABLE DEFINITIONS**

As set forth in 2 California Code of Regulations section 18701, the following definitions apply for the purposes of Government Code section 87200:

(1) “Other public officials who manage public investments” means:

(A) Members of boards and commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;

(B) High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and

(C) Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions that would otherwise be performed by the public officials described in subdivision (1)(B) above.

(2) “Public investments” means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.

(3) “Public moneys” means all moneys belonging to, received by, or held by, the state, or any city, county, town, district, or public agency therein, or by an officer thereof acting in his or her official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement systems, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a party.

(4) “Management of public investments” means the following non-ministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.

## **VRSD RESOLUTION NO. 22-12**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VENTURA REGIONAL SANITATION DISTRICT ADOPTING THE 2022 CONFLICT OF INTEREST CODE**

**WHEREAS**, the Political Reform Act, Government Code Section 81000 et seq., requires local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs., §18730) which contains the terms of a standard Conflict of Interest Code, which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings; and

**WHEREAS**, the terms of the California Code of Regulations, Title 2, Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Conflict of Interest Code for the Ventura Regional Sanitation District, and along with the attached Exhibit “A,” which designates positions requiring disclosure and Exhibit “B,” which sets forth disclosure categories for each designated position, constitute the Conflict of Interest Code of the Ventura Regional Sanitation District. Persons holding positions designated in Exhibit “A” shall file Form 700 Statement of Economic Interests with the Filing Officer specified for that position in Exhibit “A.”

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED** by the Board of Directors of the Ventura Regional Sanitation District that:

1. The terms of the California Code of Regulations, Title 2, Section 18730, and any amendments to it, duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Amended Conflict of Interest Code for this agency and, along with the attached Exhibit “A” and Exhibit “B” in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Ventura Regional Sanitation District; and

2. Pursuant to Section 4 of the Standard Code, designated positions shall file statements of economic interests with the Ventura County Clerk of the Board as the Filing Officer. The Ventura Regional Sanitation District will retain statements for all designated filers; and

3. Every report and statement filed pursuant to the Conflict of Interest Code is a public record open for public inspection and reproduction subject to Government Code Section 81008.

**PASSED, APPROVED, AND ADOPTED** this 21<sup>st</sup> day of July, 2022 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

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Laura Hernandez, Chairperson  
Board of Directors

Attest:

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Juliet Rodriguez  
Clerk of the Board

**VRSD RESOLUTION NO. 22-12**

**VENTURA REGIONAL SANITATION DISTRICT  
2020 CONFLICT OF INTEREST CODE**

**EXHIBIT “A” - DESIGNATED POSITIONS AND FILING OFFICERS**

<b><u># of positions</u></b>	<b><u>Position Title</u></b>	<b><u>Disclosure Categories (from Exhibit B)</u></b>	<b><u>Filing Officer (Ventura County Clerk of the Board [COB] or Local Agency Clerk [AC])</u></b>
18	Board of Directors & Alternates	1	COB
1	Director of Finance	1	COB
1	General Manager	1	COB
1	General Counsel	1	COB
1	Consultant *	1	COB
1	Director of Operations	1	COB
1	Human Resources Technician	1	COB
1	Water/Wastewater Operations Superintendent	1	COB

\* The disclosure, if any, required of a Consultant (as the term is defined in the Political Report Act and applicable regulations) will be determined on a case-by-case basis by head of the agency or designee. The determination of whether a Consultant has disclosure requirements is to be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the Consultant's duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.

**VRSD RESOLUTION NO. 22-12**  
**VENTURA REGIONAL SANITATION DISTRICT**  
**2020 CONFLICT OF INTEREST CODE**

**EXHIBIT “A”**

**CONSULTANT**

The Fair Political Practices Commission, Regulation 18700, defines “Consultant” as an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
  - (i) Approve a rate, rule, or regulation;
  - (ii) Adopt or enforce a law;
  - (iii) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
  - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
  - (v) 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;
  - (vi) Grant agency approval to a plan, design, report, study, or similar item;
  - (vii) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or
- (B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in 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 under Government Code section 87302.

The disclosure required of consultant shall be determined on a case-by-case basis by the General Manager, or designee of the General Manager. The determination of whether a consultant has disclosure requirements should be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the consultant’s duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.



## VRSD RESOLUTION NO. 22-12

### VENTURA REGIONAL SANITATION DISTRICT 2020 CONFLICT OF INTEREST CODE

#### **EXHIBIT “B” - DISCLOSURE CATEGORIES**

The terms *italicized* below have specific meaning under the Political Reform Act. In addition, the financial interests of a spouse, domestic partner and dependent children of the public official holding the designated position may require reporting. Consult the instructions and reference pamphlet of the Form 700 for explanation.

#### **Category 1 – BROADEST DISCLOSURE** [SEE FORM 700 SCHEDULES A-1, A-2, B, C, D and E]

- (1) All sources of *income, gifts, loans and travel payments*;
- (2) All *interests in real property*; and
- (3) All *investments and business positions in business entities*.

#### **Category 2 – REAL PROPERTY** [SEE FORM 700 SCHEDULE B]

All interests in real property, including interests in real property held by business entities and trusts in which the public official holds a business position or has an investment or other financial interest.

#### **Category 3 – LAND DEVELOPMENT, CONSTRUCTION AND TRANSACTION**

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which engage in land development, construction, or real property acquisition or sale.

#### **Category 4 – PROCUREMENT** [SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which provide services, supplies, materials, machinery or equipment which the designated position procures or assists in procuring on behalf of their agency or department.

#### **Category 5 - REGULATION & PERMITTING** [SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which are subject to the regulatory, permitting or licensing authority of, or have an application or license pending before, the designated position's agency or department.

#### **Category 6 – FUNDING** [SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which receive grants or other funding from or through the designated position's agency or department.

## **VRSD RESOLUTION NO. 22-12**

### **VENTURA REGIONAL SANITATION DISTRICT 2020 CONFLICT OF INTEREST CODE**

#### **APPENDIX - DESIGNATING OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

Pursuant to Government Code section 87200 et seq., certain city and county officials, as well as all “other officials who manage public investments,” are required to disclose their economic interests in accordance with the Political Reform Act. This Appendix provides the relevant definitions for determining which public officials qualify as “other officials who manage public investments,” designates the agency’s positions which qualify as such, and states the Filing Officer for each designated position.

#### **APPLICABLE DEFINITIONS**

As set forth in 2 California Code of Regulations section 18701, the following definitions apply for the purposes of Government Code section 87200:

(1) “Other public officials who manage public investments” means:

(A) Members of boards and commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;

(B) High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and

(C) Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions that would otherwise be performed by the public officials described in subdivision (1)(B) above.

(2) “Public investments” means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.

(3) “Public moneys” means all moneys belonging to, received by, or held by, the state, or any city, county, town, district, or public agency therein, or by an officer thereof acting in his or her official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement systems, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a party.

(4) “Management of public investments” means the following non-ministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.