

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA# \*A-3

Urgent \_\_\_\_\_ Routine X

AGENDA DATE January 30, 2001

CEO Concurs with Recommendation YES X NO \_\_\_\_\_  
(Information Attached)

4/5 Vote Required YES \_\_\_\_\_ NO X

SUBJECT:

APPROVAL OF AMENDMENT OF THE CONFLICT OF INTEREST CODE FOR THE  
GRAYSON COMMUNITY SERVICES DISTRICT

STAFF RECOMMENDATIONS:

1. APPROVE AMENDMENT TO THE CONFLICT OF INTEREST CODE FOR THE  
GRAYSON COMMUNITY SERVICES DISTRICT

FISCAL IMPACT:

NONE

BOARD ACTION

No. 2001-55

On motion of Supervisor Simon, Seconded by Supervisor Blom

and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

Motion:

ATTEST: REAGAN M. WILSON, Clerk By: Christie Ferraro Deputy

File No. DCS-5-A-4

CONTINUED: APPROVAL OF AMENDMENT OF THE CONFLICT OF  
INTEREST CODE FOR THE GRAYSON COMMUNITY SERVICES  
DISTRICT  
PAGE TWO

DISCUSSION: The Political Reform Act requires every local government agency to review its Conflict of Interest Codes on a biennial basis to determine if it is accurate or, alternatively, that the code must be amended. The Board of Supervisors is the code reviewing body for county agencies and any other jurisdiction is solely within the county. Any amendments to an agency's Conflict of Interest Codes must be forwarded to the Board of Supervisor for adoption as the Code Reviewing Body. The Grayson Community Services District has submitted amendments to their Conflict of Interest Code for approval by the Board.

POLICY  
ISSUE: The Board of Supervisors must approve within 90 days any amendments to these agencies' Conflict of Interest Codes. An agency's amended code is not effective until it has been approved by the Board of Supervisors.

STAFFING: None  
IMPACT:

LAW OFFICES

**BUSH, ACKLEY, MILICH & HALLINAN**

ATTORNEYS AT LAW

366 WEST F STREET

P.O. BOX 486

OAKDALE, CALIFORNIA 95361

ESTABLISHED 1923

DAVID F. BUSH 1923-1955

GEORGE H. ACKLEY 1935-1975

THOMAS N. HALLINAN

THOMAS P. HALLINAN

CATHERINE FLORES HALLINAN

TELEPHONE

(209)847-1756

FACSIMILE

(209)847-5515

HARTLEY H. BUSH

1954 - 1995

LEO MILICH

1948-1997

November 17, 2000

Ignacio Lopez, District Manager  
Grayson Community Services District  
P.O. Box 158  
Westley, California 95387

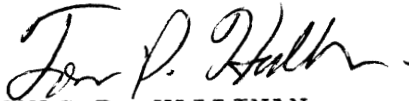
RE: Conflict of Interest Code

Dear Ignacio,

Please date and sign and return to Peggy Belchamber, 1010 Tenth Street, Suite 6700, Modesto, California 95354.

Very truly yours,

BUSH, ACKLEY, MILICH & HALLINAN

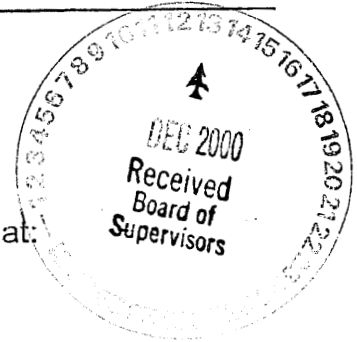


THOMAS P. HALLINAN

TPH/tbc

# 2000 Local Agency Biennial Notice

Name of Agency: GRAYSON COMMUNITY SERVICES DISTRICT  
Mailing Address: P.O. Box 158, Westley, California 95387  
Contact Person: Ignacio Lopez Office Phone No: (209) 895-3319  
Fax Number: \_\_\_\_\_ E-mail (optional): \_\_\_\_\_




This agency has reviewed its conflict of interest code and has determined that:

The code needs to be amended and the following amendments are necessary:  
(Check all that apply)

- Include new positions (including consultants) that must be designated
- Revise the titles of existing positions
- Delete the titles of positions that have been abolished
- Delete the positions that manage public investments
- Revise disclosure categories
- Other \_\_\_\_\_

No amendments are necessary. The agency's 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.

  
Signature of Chief Executive Officer

12-6-2000  
Date

You must complete this report regardless of how recently your code was approved or amended.  
Please return this report no later than October 1, 2000 to:

Christine Ferraro Tallman, Clerk  
Stanislaus County Board of Supervisors  
1010 Tenth Street, Suite 6700  
Modesto, CA 95354

RECEIVED

01 JAN 19 PM 1:30

BOARD OF SUPERVISORS

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RESOLUTION NO. 2000-10

A RESOLUTION OF THE GRAYSON COMMUNITY SERVICES DISTRICT FAIR  
POLITICAL PRACTICES COMMISSION'S MODEL  
CONFLICT OF INTEREST CODE

WHEREAS, amendments to the Political Reform Act, Government Code Sections 8100, et. seq., have in the past and foreseeably will in the future require conforming amendments to be made in Conflict of Interest Codes adopted and promulgated pursuant to its provisions; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 2 Cal. Adm. Code Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which will be amended to conform to amendments in the Political Reform Act after public notice and hearings conducted by the Fair Political Practices Commission pursuant to the Administrative Procedure Act, Government Code Section 11370, et seq.; and

WHEREAS, incorporation by reference of the terms of the aforementioned regulation and amendments to it in Conflict of Interest Codes will save this body time and money by minimizing the actions required of this body to keep the Codes in conformity with the Political Reform Act;

BE IT NOW THEREFORE RESOLVED AS FOLLOWS:


1. All previously adopted resolutions approving various Conflict of Interest Codes are hereby rescinded.
2. The terms of 2 Cal. Adm. Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission along with the attached Exhibits in which officials and employees are designated and disclosure categories are set forth,

1 are hereby incorporated by reference and constitute the Conflict of  
2 Interest Code of the Grayson Community Services District.

3 3. Persons holding designated positions shall file  
4 statements of economic interests with the District who will make  
5 the statements available for public inspection and reproduction.

6 PASSED AND ADOPTED the 14<sup>th</sup> day of December, 2000, by the  
7 following vote:

8  
9 AYES: Alvarado, Mataka, Vela  
10 NOES: None  
11 ABSENT: None  
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16 MARICELA VELLA  
President

17 ATTEST:

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21 CONNIE PAYAN  
District Clerk  
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GRAYSON COMMUNITY SERVICES DISTRICT

APPENDIX

Conflict of Interest Code

Exhibit 1

Designated Positions:

Disclosures Category:

District Manager

1, 2 and 3

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EXHIBIT 2

DISCLOSURE CATEGORIES

An investment, interest in real property, or income is reportable if the business entity in which the investment is held the interest in real property, or the income or source of income may foreseeably be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

Designated Employees in Group "1" Must Report:

- (a) All interests in real property which are located in whole or in part within the District.
- (b) Investment in or income from persons or business entities engaged in the business of acquisition or disposal of real property within the District.

Designated Employees in Group "2" Must Report:

- (a) Investments in any business entity which, within the last two years, has contracted, or in the future foreseeably may contract with the District to provide services, supplies, materials, machinery or equipment to the District.
- (b) Income from any source which, within the last two years has contracted, or in the future foreseeably may contract with the District to provide services, supplies, materials, machinery or equipment to the District.
- (c) Status as a director, officer, sole owner, partner, trustee, employee or holder of a position of management in any business entity which, within the last two years,

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1 has contacted or in the future foreseeably may contact  
 2 with the District to provide services, supplies,  
 3 materials, machinery or equipment to the District.

4 (d) Investments and income otherwise reportable under  
 5 Paragraphs (a) and (b) of Category "2", shall not be  
 6 reportable unless the total amount of all contracts by  
 7 the business entity to provide services, supplies,  
 8 materials, machinery, or equipment to the District was  
 9 more than \$1,000.00 in the prior calendar year, or unless  
 10 the total amount of all foreseeable contracts by the  
 11 business entity to provide services, supplies, materials,  
 12 machinery or equipment to the District will be more than  
 13 \$1,000.00 in the next calendar year.

14 Designated Employees in Group "3" Must Report:

15 (a) Investments in any business entity which within the last  
 16 calendar year has been regulated by the District or  
 17 foreseeably may be regulated by the District in the next  
 18 calendar year.

19 (b) Each source of income, provided that the income was  
 20 furnished by or on behalf of any business entity which  
 21 within the last calendar year has been regulated by the  
 22 District or foreseeably may be regulated by the District  
 23 in the next calendar year.

24 (c) Status as a director, officer, sole owner, partner,  
 25 trustee, employee or any position of management in any  
 26 business entity which within the last calendar year has  
 27 been regulated by the District, or foreseeably, may be  
 28 regulated by the District in the next calendar year.

1                                   **GRAYSON COMMUNITY SERVICES DISTRICT**  
2                                   **CONFLICT OF INTEREST CODE**  
3                                   **APPENDIX "A"**

4    Designated Employees are those positions within the District who  
5    may exercise independent judgement and make or participate in the  
6    making of governmental decisions which may foreseeably have a  
7    material effect on any financial interest.

8    Consultant means an individual who, pursuant to a contract with a  
9    state or local government agency:

10           (A) Makes a governmental decision whether to

- 11               1. approve a rate, rule or regulation;
- 12               2. adopt or enforce a law;
- 13               3. issue, deny, suspend, or revoke any permit,  
14               license, application, certificate, approval, order  
15               or similar authorization or entitlement;
- 16               4. authorize the agency to enter into, modify, or  
17               renew a contract provided it is the type of  
18               contract which requires agency approval;
- 19               5. grant agency approval to a contract which requires  
20               agency approval and in which the agency is a party  
21               or to the specifications for such a contract;
- 22               6. grant agents approval to a plan, design, report,  
23               study, or similar item;
- 24               7. adopt, or grant agency approval of policies,  
25               standards, or guidelines for the agency, or for any  
26               subdivision thereof; or

27           (B) serves in a staff capacity with the agency and in that  
28           capacity performs the same or substantially all the same

1 duties for the agency that would otherwise be performed  
2 by an individual holding a position specified in the  
3 agency's conflict of Interest Code.

4 The District Manager or his designee may determine in writing that  
5 a particular consultant, although a "designated position", is hired  
6 to perform a range of duties that are limited in scope and thus is  
7 not required to fully comply with the disclosure requirements  
8 described in this section. Such written determination shall  
9 include a description of the consultant's duties and, based upon  
10 that description, a statement of the extent of disclosure  
11 requirements. The District Manager or his designee's determination  
12 is a public record and shall be retained for public record and  
13 shall be retained for public inspection in the same manner and  
14 location as this Conflict of Interest Code.

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8 pages

LAW OFFICES

**BUSH, ACKLEY, MILICH & HALLINAN**

TELEPHONE

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GEORGE H. ACKLEY 1935-1975

ATTORNEYS AT LAW

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FACSIMILE

P.O. BOX 486

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OAKDALE, CALIFORNIA 95361

THOMAS N. HALLINAN  
THOMAS P. HALLINAN  
CATHERINE FLORES HALLINAN

HARTLEY H. BUSH

1954 - 1995

LEO MILICH

1948-1997

December 28, 2000

Connie Payan  
Grayson Community Services District  
P.O. Box 158  
Westley, California 95387

Dear Connie,

Enclosed you will find The Grayson Community Services District Fair Political Practices Commission's Model Conflict of Interest Code. Please execute and forward to:

~~Stanislaus County Board of Supervisors~~

Peggy Bel-Chamber

1010 10<sup>th</sup> Street

Modesto, California 95354

If you have any questions please do not hesitate to contact me.

Very truly yours,

BUSH, ACKLEY, MILICH & HALLINAN

  
THOMAS P. HALLINAN

TPH/tbc