

**RESOLUTION NO. 22-345**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
MISSION HILLS COMMUNITY SERVICES DISTRICT  
AMENDING THE DISTRICT'S CONFLICT OF INTEREST  
CODE**

**WHEREAS**, the Mission Hills Community Services District (the "District") is a community services District duly formed under California Government Code Section 61000 *et. seq.*, to provide community services within the District's service area, including water and sewer services; and

**WHEREAS**, the District has the authority to establish policies for the operation of the District, pursuant to Government Code Section 61045(g); and

**WHEREAS**, the Political Reform Act, Government Code Section 81000 *et. seq.*, requires State and local government agencies to adopt a conflict of interest code; and

**WHEREAS**, the Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code; and

**WHEREAS**, the Fair Political Practices Commission recommends that public agencies incorporate Section 18730 by reference, along with an Appendix A, in which employees are designated and disclosure categories are set forth; and

**WHEREAS**, the District previously adopted a Conflict of Interest Code; and

**WHEREAS**, Government Code Section 87306.5 requires public agencies to review their conflict of interest codes each even-numbered year and if a change to its code is necessary due to changed circumstances, the agency must submit an amended conflict of interest code to the code reviewing body; and

**WHEREAS**, the District desires to amend its Conflict of Interest Code in order to more accurately reflect the employee positions at the District for which disclosure is required and to ensure compliance with all of the requirements of the Political Reform Act; and

**WHEREAS**, the Board of Directors has determined that the attached Appendix, marked Exhibit "A," accurately sets forth those employees that should be designated and the categories of financial interests that should be disclosed; and

**WHEREAS**, the attached Conflict of Interest Code will not be effective until it has been approved by the County Board of Supervisors, pursuant to Government Code Section 87303.

**NOW THEREFORE**, be it resolved by the Board of Directors of the Mission Hills Community Services District as follows:

1. The District's Conflict of Interest Code is hereby amended and replaced in its entirety with Exhibit "A," attached hereto and incorporated herein by this reference.

2. In accordance with Government Code Sections 87303 and 87306.5, this Resolution amending the Mission Hills Community Services District's Conflict of Interest Code shall be submitted to the Santa Barbara County Board of Supervisors, as the designated code reviewing body, along with the executed "2022 Local Agency Biennial Notice."

On motion of Director Mac Kenzie, seconded by Director Nix, and on the following roll call vote, to-wit:


AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing Resolution is hereby passed and adopted this 21<sup>st</sup> day of September, 2022.

  
\_\_\_\_\_  
Bruce Nix, President  
Board of Directors

ATTEST:

  
\_\_\_\_\_  
Guadalupe Huitron, Secretary to the Board

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Tim Carmel, District Counsel

Attachment: Exhibit "A"

## Exhibit "A"

### 1002 Conflict of Interest

Effective Date: **September 21, 2022,**  
Resolution Reference: **Resolution 22-345**  
Revision Date: September 21, 2022  
Resolution Reference:

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, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A in which employees are designated and in which disclosure categories are set forth, shall constitute the Conflict-of-Interest Code of the Mission Hills Community Services District.
2. All persons required to file Statements of Economic Interest, shall file the Statement of Economic Interest either, electronically with the County Clerk, or with the MHCS D Secretary to the Board of Directors. Upon receipt of the Statements of Economic Interest, the District will make and retain a copy and forward the original Statements of Economic Interest to the Clerk of the Board of Supervisors. The Statements of Economic Interest are public records subject to Government Code Section 81008. The public may review and obtain copies of the Statements of Economic Interest pursuant to Section 81008.

## APPENDIX A

The positions listed below manage public investments and are subject to the disclosure requirements of Article 2, Chapter 7 of the Political Reform Act and must file a Statement of Economic Interest pursuant to State law:

- Members of the Board of Directors
- District General Manager
- District Counsel

### Designated Employees:

1. It has been determined that the designated employees listed below make or participate in the making of decisions that may foreseeably have a material effect on economic interests. These designated employees are subject to the disclosure requirements of Article 3, Chapter 7 of the Political Reform Act and shall disclose pursuant to the disclosure categories designated below:

- Administrative Services Manager
- Secretary to the Board of Directors
- District Accountant
- Operations Superintendent
- Consultants\*

\*Consultants shall disclose pursuant to the broadest disclosure categories subject to the following limitation:

2. The District General Manager may determine in writing that a particular consultant, although a "designated employee," is hired to perform a range of duties that are 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 District General Manager'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.

### Disclosure Categories:

All designated employees shall disclose financial interests in the following categories:

1. Investments: California Fair Political Practices Commission ("FPPC") Form 700, Schedules A-1 and A-2.
2. Interests in Real Property: FPPC Form 700, Schedule B.
3. Income & Business Positions: FPPC Form 700, Schedule C