

Amended 11/3/20

**CONFLICT OF INTEREST CODE**  
**FOR THE YUBA COUNTY WATER AGENCY**

The Political Reform Act, Government Code Sections 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 California Code of Regulations, Section 18730, which contains the terms of a standard conflict of interest code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments to the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Regulations, Section 18730, and any amendments thereto duly adopted by the 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 Yuba County Water Agency.

Recognizing that different employees have different levels of authority and responsibility; the Conflict of Interest Code establishes four categories of disclosure to which employees are designated based on the scope of their decision-making authority. Employees with no significant decision-making responsibility are classified as exempt and are not required to file reports under this Code.

The Non-exempt Agency employees and officers listed on Exhibit A, attached hereto and incorporated herein by reference, are designated as persons who are deemed to make, or participate in the making of, decisions that may have a material effect on a financial interest. The specific disclosure and reporting requirements of each category are set forth in EXHIBIT "B" attached hereto and incorporated herein by reference. Consultants are also subject to the disclosure requirements of this Conflict of Interest Code if they are in a position to make decisions, or influence decisions, that could have an effect on their financial interest.

The persons holding designated positions listed on Exhibit A shall disclose interest and investments in accordance with the corresponding disclosure categories also described in Exhibit A and defined in Exhibit B. The designated employees, officers and consultants shall file their annual statements of economic interest with the Clerk of the Board by April 1 of each year.

To assure the designated employees understand their duties under 2 California Code of Regulations, Section 18730, a copy of said Regulation is attached as EXHIBIT "C" and is incorporated herein by reference. A copy of the California Code of Regulations shall be available for review at the Yuba County Library.

**EXHIBIT "A"**

**Yuba County Water Agency**

**LIST OF EMPLOYEE JOB TITLES**

<b>Position</b>	<b>Disclosure Category</b>
Administrative Manager	Categories I, II, III & IV
Compliance Manager	Categories I, II, III & IV
Consultants on the Energy Risk Management (ERM) Committee	Categories I, II, III & IV
Energy Sales and Contracts Manager	Categories I, II, III & IV
Engineering Manager	Categories I, II, III & IV
Executive Advisor	Categories I, II, III & IV
Finance Manager	1/
General Counsel	Categories I, II, III & IV
General Manager	1/
General Services Administrator	Categories I, II, III & IV
Information Systems Manager	Categories I, II, III & IV
Maintenance Manager	Categories I, II, III & IV
Members of the Board of Directors	1/
Operations Manager	Categories I, II, III & IV
Power Systems Manager	Categories I, II, III & IV
Projects Manager	Categories I, II, III & IV
Sr. Executive Advisor	Categories I, II, III & IV
Water Resources Manager	Categories I, II, III & IV

## EXHIBIT "B"

### DISCLOSURE CATEGORIES

<b><u>Category</u></b>	<b><u>Description of Interest to be Disclosed</u></b>
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<b>I.</b>	Investment and Real Property Interests
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Reporting requirements are set forth in 2 California Code of Regulations, §18730, (b), Section 7 (A) as follows:

1. A statement of the nature of the investment or interest.
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged.
3. The address or other precise location of the real property.
4. A statement whether the fair market value of the investment or interest in real property exceeds \$1,000, \$10,000 or \$100,000.

For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

Investments and interests in real property which have a fair market value of less than \$1,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of ten percent or greater.

<b>II.</b>	<b><u>Income, Gifts and Loans</u></b>
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Reporting requirements are set forth in 2 California Code of Regulations, §18730, (b), Section 7 (B) as follows:

1. The name and address of each source of income aggregating \$250 or more in value, or \$50 dollars or more in value if the income was a gift, and a general description of the business activity, if any, of each source.

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source was \$1,000 or less, greater than \$1,000, or greater than \$10,000.
3. A description of the consideration, if any, for which the income was received.
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a *description* of the gift; the amount or value of the gift; and the date on which the gift was received.
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan.

Income includes the community property interest of the filer in the income of his or her spouse, but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

### **III. Business Entity Income**

Reporting requirements are set forth in 2 California Code of Regulations, §18730, (b), Section 7 (C) as follows:

1. The name, address, and a general description of the business activity of the business entity.
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

Income of a business entity must be reported if the direct, indirect, or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest.

### **IV. Business Positions**

Reporting requirements are set forth in 2 California Code of Regulations, §18730, (b), Section 7 (D) as follows:

1. The name and address of each business entity in which the employee is a director, officer, partner, trustee, employee, or in which he or she holds any position of management.

2. A description of the business activity in which the business entity is engaged.
3. The employee's position with the business entity.

1/ Officials Who Manage Public Investment: It has been determined that the persons in these positions manage public investments within the meaning of Government Code section 87200 and California Code of Regulations, title 2, section 18720; therefore, they are subject to state law requirements concerning disclosure and filing of statements of economic interest.

2/ Consultants: Consultants (as defined at FPPC Regulation, 2 CCR section 18700) shall be included in the list of designated positions and shall disclose interests and investments in accordance with the broadest disclosure category in the Agency's conflict of interest code, subject to the following limitation. The Engineer-Administrator may determine (a) whether a particular independent contractor is a consultant, as defined, and (b) 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. The Engineer-Administrator's determination under (b) shall be in writing and include a description of the consultant's duties, and based on that description, a statement of the extent of disclosure requirements. The written determination is a public record and shall be retained for public inspection in the same manner and location as the Agency's conflict of interest code.