

**CONFLICT OF INTEREST CODE
FOR
CALIFORNIA STORMWATER
AUTHORITY**

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies, including Joint Powers Authorities to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 18730) that contains the terms of a standard conflict of interest code and may be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and attached Appendices designating officials and employees, and establishing disclosure requirements, shall constitute the conflict of interest code of the California Stormwater Authority (Authority).

Individuals holding designated positions shall file their Form 700 statements with the Authority, which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Upon receipt of the statements of the Authority Board Members, Alternate Board Members, Executive Director and Counsel, the Authority shall make and retain copies and forward the originals to the Fair Political Practices Commission. All original statements shall be retained by the Fair Political Practices Commission.

CALIFORNIA STORMWATER AUTHORITY

APPENDIX A

DESIGNATED POSITIONS

<u>Designated Position</u>	<u>Assigned Disclosure Categories</u>
<u>Members of the Board of Directors</u>	<u>1, 2, 3, 4, 5</u>
<u>Alternate Members of the Board of Directors</u>	<u>1, 2, 3, 4, 5</u>
<u>Treasurer</u>	<u>1, 2, 3, 4, 5</u>
<u>Executive Director</u>	<u>1, 2, 3, 4, 5</u>
<u>Board Counsel</u>	<u>1, 2, 3, 4, 5</u>
<u>Consultants</u>	<u>*</u>

Note: The positions of Executive Director, Board Counsel, and Treasurer may be filled by outside consultants, but act in a staff capacity.

* Consultants shall be included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this code subject to the following limitation:

Consultants. "Consultant" means an individual who, pursuant to a contract with the Authority, either: (A) Makes a governmental decision whether to (1) approve a rate, rule, or regulation; (2) adopt or enforce a law; (3) issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement; (4) authorize the Authority to enter into, modify, or renew a contract provided it is the type of contract that requires Authority approval; (5) grant Authority approval to a contract that requires Authority approval and to which the Authority is a party, or to the specifications for such a contract; (6) grant Authority approval to a plan, design, report, study, or similar item; or (7) adopt or grant Authority approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or (B) Serves in a staff capacity with the Authority and in

that capacity participates in making a governmental decision as defined in California Code of Regulations, title 2, section 18702.2 or performs the same or substantially all the same duties for the Authority that would otherwise be performed by an individual holding a position specified in the Authority's conflict of interest code. (California Code of Regulations, title 2, section 18701(a)(2).)

The Chair of the Board 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 comply fully with the disclosure requirements in Appendix B. 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 Chair'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.

APPENDIX B

Disclosure Categories

Designated positions must disclose pursuant to the categories below:

1. Investments and business positions in business entities, and income (including receipt of loans, gifts, and travel payments), from sources of the type that contract with California Stormwater Authority to supply goods, services, materials, or supplies.
2. Investments and business positions in business entities, and income (including receipt of loans, gifts, and travel payments), from sources that are engaged in the performance of work or services of the type utilized by California Stormwater Authority, including insurance companies, carriers, holding companies, underwriters, brokers, solicitors, agents, adjusters, claims managers, and actuaries.
3. Investments and business positions in business entities, and income (including receipt of loans, gifts, and travel payments), from sources that have filed a claim or have a claim pending that are reviewed and administered by California Stormwater Authority.
4. Interests in real property located within California Stormwater Authority's jurisdiction of the type purchased or leased by California Stormwater Authority for its use.
5. Investments and business positions in business entities, and income (including receipt of loans, gifts, and travel payments), which are financial institutions including banks, savings and loan associations and credit unions.