

CONFLICT OF INTEREST CODE OF THE
FRESNO IRRIGATION DISTRICT
(As Amended on September 20, 2016)

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 ("**FPPC**") has adopted a regulation, California Code of Regulations, Title 2, division 6, Section 18730 (hereinafter "CCR 18730"), which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of CCR 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference and along with the attached Appendix in which members and employees are designated and disclosure categories are set forth constitute the conflict of interest code of the FRESNO IRRIGATION DISTRICT ("**District**")

Designated employees and members of the Board of Directors shall file statements of economic interests with the District. Upon receipt of the statements for the General Manager and members of the Board of Directors, the District shall make and retain a copy and forward the original of these statements to the Clerk of the Board of Supervisors for the County of Fresno. The **District** will make retained copies of statements available for public inspection and reproduction pursuant to Government Code Section 81008.

The provision of all Conflict of Interest Codes and amendments thereto previously adopted by the District are hereby superseded.

APPENDIX A

CONFLICT OF INTEREST CODE OF THE

FRESNO IRRIGATION DISTRICT OFFICIALS

WHO MANAGE PUBLIC INVESTMENTS

Fresno Irrigation District ("**District**") officials who manage public investments, as defined by California Code of Regulations, title 2, section 18700.3, subdivision (b) through (e), are not subject to the District's Conflict of Interest Code, but are subject to the disclosure requirements of Government Code § 87200 et seq. These positions are listed here for informational purposes only, and are required to file a statement of economic interest. District officials who manage public investments shall file their statement of economic interests (Form 700) with the District which will make and retain a copy and forward the original of these statements to the Clerk to the Board of Supervisors¹.

It has been determined that the positions listed below are District officials who manage Public investments²:

Members of the Board of Directors

¹ The original statements (Form 700s) are forwarded to the Board of Supervisors despite the general rule of Title 2, California Code of Regulations § 18753(d), because the FPPC has exercised its discretion under that regulation to have the statements filed with the local agency's filing officer which is the Board of Supervisors. (Memo from Tech. Asst. Div. to Co. Clerks and other filing officers, Dec. 1994; *Kuhs* FPPC Advice Letter, A-96-063, March 8, 1996.)

² Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by Government Code section 87200.

APPENDIX B

CONFLICT OF INTEREST CODE OF THE

FRESNO IRRIGATION DISTRICT

DESIGNATED POSITION GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED EMPLOYEES'</u> TITLE OR FUNCTION	<u>DISCLOSURE CATEGORIES</u> ASSIGNED
General Manager	All
Assistant General Manager	All
Water Master	All
Chief Engineer	All
Superintendent of Maintenance and Construction	5, 6
Controller	1,2
Director of Human Resources	6
Directors and Senior Directors (ALL others not specified.)	6
General Legal Counsel	ALL
Consultant ²	ALL

² Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation: The Chief Executive Officer may determine in writing that a particular consultant, although a "designated position," 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 Chief Executive Officer'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
CONFLICT OF INTEREST CODE OF THE
FRESNO IRRIGATION DISTRICT
DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, including gifts, loans and travel payments, or real property which a Designated Employee of the Fresno Irrigation District ("**District**") must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income that are located in, do business in or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's department.

Category 7: All financial interests in investment advisors and managers; financial services providers, actuaries, and those providing fiduciary services (including recordkeeping) to retirement plans.

CONFLICT OF INTEREST CODE OF THE

FRESNO IRRIGATION DISTRICT

(As Amended on September 20, 2016,
January 24, 2017 and March 21, 2017)

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 (“FPPC”) has adopted a regulation, California Code of Regulations, Title 2, division 6, Section 18730 (hereinafter “CCR 18730”), which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of CCR 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference and along with the attached Appendix in which members and employees are designated and disclosure categories are set forth constitute the conflict of interest code of the FRESNO IRRIGATION DISTRICT (“**District**”)

Individuals holding designated positions shall file their statements with the District, which will retain the statements and make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Upon receipt of the statements for the Members of the Board of Directors and the General Manager, the District shall make and retain a copy and forward the original of these statements to the Clerk to the County Board of Supervisors.

The provision of all Conflict of Interest Codes and amendments thereto previously adopted by the District are hereby superseded.

APPENDIX A

CONFLICT OF INTEREST CODE OF THE

FRESNO IRRIGATION DISTRICT

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Fresno Irrigation District (“**District**”) officials who manage public investments, as defined by California Code of Regulations, title 2, section 18700.3, subdivision (b) through (e), are not subject to the District's Conflict of Interest Code, but are subject to the disclosure requirements of Government Code § 87200 et seq. These positions are listed here for informational purposes only, and are required to file a statement of economic interest. District officials who manage public investments shall file their statement of economic interest (Form 700) with the District which will make and retain a copy and forward the original of these statements to the Clerk to the Board of Supervisors.¹

It has been determined that the positions listed below are District officials who manage Public investments²:

Members of the Board of Directors

¹The original statements (Form 700) are forwarded to the Board of Supervisors despite the general rule of Title 2, California Code of Regulations § 18753(d), because the FPPC has exercised its discretion under that regulation to have the statements filed with the local agency's filing officer which is the Board of Supervisors. (Kuhns FPPC Advice Letter, A-96-063, March 8, 1996.)

² Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by Government Code section 87200.

APPENDIX B

CONFLICT OF INTEREST CODE OF THE

FRESNO IRRIGATION DISTRICT

DESIGNATED POSITION GOVERNED BY THE **CONFLICT OF INTEREST CODE**

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
General Manager	All
Assistant General Manager	All
Water Master	All
Chief Engineer	All
Superintendent of Maintenance and Construction	5, 6
Controller	1, 2
Director of Human Resources	6
Board of Directors (ALL others not specified.) (see Footnote #1)	6
General Legal Counsel	All
Consultant ³	All

³ Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Chief Executive Officer may determine in writing that a particular consultant, although a "designated position," 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 Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner

APPENDIX B
CONFLICT OF INTEREST CODE OF THE
FRESNO IRRIGATION DISTRICT
DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, including gifts, loans and travel payments, or real property which a Designated Employee of the Fresno Irrigation District (“**District**”) must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income that are located in, do business in or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's department.

Category 7: All financial interests in investment advisors and managers; financial services providers, actuaries, and those providing fiduciary services (including recordkeeping) to retirement plans.

Fresno Unified School District

The provisions of 2 California Code of Regulations Section 18730 and any amendments to it adopted by the Fair Political Practices Commission together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict-of-interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's ~~filing officer~~ and/or, if so required, with the district's code reviewing body. The district shall make and retain a copy and forward the original Form 700s for the Superintendent and the Governing Board members to the Clerk to the Board of Supervisors. The district's ~~filing officer~~ shall make the statements available for public review and inspection.

APPENDIX

DISCLOSURE CATEGORIES

1. Disclosure Category 1: A person designated Category 1 shall disclose:

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interests in real property.
- b. Investments or business positions in or income, including gifts, loans, and travel payments, from sources which:
 - (1) Are engaged in the acquisition or disposal of real property within the district,
 - (2) Are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or
 - (3) Manufacture or sell supplies, books, machinery, or equipment of the type used by the district.

2. Disclosure Category 2: A person designated Category 2 shall disclose:

Interests, investments or business positions in or income, including gifts, loans, and travel payments, from sources which: Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs or

- a. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For purposes of this category, a principal's department is their entire school.

3. Full Disclosure

Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.

- b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

Designated Positions

Designated Position and Disclosure Category

Governing Board Members	1
Superintendent of Schools	1
Deputy Superintendent/Chief Financial Officer	1
Chief	1
Administrative Analyst	1
Assistant/Associate Superintendent	1
Administrator	1
Advisor, Guidance Learning	1
Analyst I, II	1
Business Operations Manager	1
District Supervisor I, II	1
Executive Assistant to Superintendent	1
Executive Director	1
Executive Officer	1
Director	1
Buyer I, II, III, IV	1
Head Counselor	1
Instructional Superintendent	1
Manager I, II, III	1
Members of Audit Committee	1
Members of Citizen's Oversight Committee	1
Nutritionists	1
Occupational Therapist	1
Ombudsman	1
Principal I, II, III, IV, V, Special Assignment	1
Project Manager	1
Purchasing Manager	1
Purchasing Technician	1
School Counselor	1
School Social Worker	1
Vice Principal I, II, III, Special Assignment	1
District Coordinator	2
Consultants	3

Disclosures for Consultants

Consultants are designated employees who must disclose financial interests shall be determined on a case-by-case basis by the Superintendent or designee in consultation

with legal counsel. The Superintendent or designee's written approval shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. Legal counsel shall review and issue a written opinion regarding the Superintendent's final determination. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18700.3)

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 district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18700.3)

Exhibit FRESNO UNIFIED SCHOOL DISTRICT
approved: February 12, 2014 Fresno, California
revised: December 14, 2016

Fresno Unified School District

The provisions of 2 California Code of Regulations Section 18730 and any amendments to it adopted by the Fair Political Practices Commission together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict-of-interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district and/or, if so required, with the district's code reviewing body. The district shall make and retain a copy and forward the original Form 700s for the Superintendent and the Governing Board members to the Clerk to the Board of Supervisors. The district shall make the statements available for public review and inspection.

APPENDIX

DISCLOSURE CATEGORIES

1. Disclosure Category 1: A person designated Category 1 shall disclose:

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interests in real property.
- b. Investments or business positions in or income, including gifts, loans, and travel payments, from sources which:
 - (1) Are engaged in the acquisition or disposal of real property within the district,
 - (2) Are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or
 - (3) Manufacture or sell supplies, books, machinery, or equipment of the type used by the district.

2. Disclosure Category 2: A person designated Category 2 shall disclose:

Interests, investments or business positions in or income, including gifts, loans, and travel payments, from sources which: Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs or

- a. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For purposes of this category, a principal's department is their entire school.

3. Full Disclosure

Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.

- b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

Designated Positions

Designated Position and Disclosure Category

Governing Board Members	1
Superintendent of Schools	1
Deputy Superintendent/Chief Financial Officer	1
Chief	1
Administrative Analyst	1
Assistant/Associate Superintendent	1
Administrator	1
Advisor, Guidance Learning	1
Analyst I, II	1
Business Operations Manager	1
District Supervisor I, II	1
Executive Assistant to Superintendent	1
Executive Director	1
Executive Officer	1
Director	1
Buyer I, II, III, IV	1
Head Counselor	1
Instructional Superintendent	1
Manager I, II, III	1
Members of Audit Committee	1
Members of Citizen's Oversight Committee	1
Nutritionists	1
Occupational Therapist	1
Ombudsman	1
Principal I, II, III, IV, V, Special Assignment	1
Project Manager	1
Purchasing Manager	1
Purchasing Technician	1
School Counselor	1
School Social Worker	1
Vice Principal I, II, III, Special Assignment	1
District Coordinator	2
Consultants	3

Disclosures for Consultants

Consultants are designated employees who must disclose financial interests shall be determined on a case-by-case basis by the Superintendent or designee in consultation with legal counsel. The Superintendent or designee's written approval shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. Legal counsel shall review and issue a written opinion regarding the Superintendent's final determination. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

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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 district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18700.3)

Exhibit FRESNO UNIFIED SCHOOL DISTRICT
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