

## PORT SAN LUIS HARBOR DISTRICT POLICY HANDBOOK

**POLICY TITLE:** Conflict of Interest Code  
**POLICY NUMBER:** 1020  
**Originally Adopted:** July 2002  
**Revised:** September 2008; September 2014; August 2018; April 2019;  
September 2022  
**Reviewed:** September 27, 2022

**1020.10** The Political Reform Act, Government Code 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. 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. 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 and Appendix B (and per Board Resolution) in which members of the Board of Commissioners and employees are designated, and in which disclosure categories are set forth, constitute the conflict of interest code of the Port San Luis Harbor District.

**1020.20** Designated persons shall file statements of economic interests with the Clerk of the County of San Luis Obispo. Those designated persons are: five current Commissioners, the Harbor Director, the Business Manager, the Facilities Manager, Chief Harbor Patrol Officer, the District Treasurer, Legal Counsel, and Consultants.

## APPENDIX A

### DESIGNATED POSITIONS

<u>Position</u>	<u>Disclosure Category</u>
Commissioners	As provided in Government Code § 87200
Harbor Director	As provided in Government Code § 87200
Business Manager	1, 2, 3
Facilities Manager	1, 2, 3
Chief Harbor Patrol Officer	1, 2, 3
Treasurer	1, 2, 3
Legal Counsel	1, 2, 3
Consultants	1, 2, 3

**Consultants.** “Consultant” means an individual who, pursuant to a contract with the District, 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 District to enter into, modify, or renew a contract provided it is the type of contract that requires District approval; (5) grant District approval to a contract that requires District approval and to 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; or (7) adopt or grant District approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or (B) Serves in a staff capacity with the District 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 District that would otherwise be performed by an individual holding a position specified in the District's Conflict of Interest Code. (California Code of Regulations, Title 2, Section 18700.3)

“Consultants” are included in the list of designated positions and must disclose interests and investments in accordance with the broadest disclosure category in the District's Conflict of Interest Code, subject to the following limitation: The Harbor Director may determine in writing that a particular consultant, although a “consultant” and “designated position,” nevertheless is hired or retained to perform a range of duties that is limited in scope and therefore is not required to fully comply with the disclosure requirements described in this section. The Harbor Director’s written determination shall 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 District's Conflict of Interest Code.

## APPENDIX B

### DISCLOSURE CATEGORIES

1. Investments and business positions in business entities and income from sources that provide facilities, services, supplies, materials, machinery or equipment of the type utilized by the District, including but not limited to those listed in Appendix C.
2. Investments in and income from sources that, within the past two-year period, have contracted with the District to provide facilities, services, supplies, materials, machinery or equipment to the District or because of the type of product or service supplied, may with reasonable foreseeability contract to provide products or services, of the type utilized by the District in the next one-year period.
3. Interests in real property<sup>[1]</sup> located within, or not more than two miles outside, the District's boundary.

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1 "Interest in real property" includes any leasehold, beneficial or ownership interest or an option to acquire such an interest in real property located in the jurisdiction owned directly, indirectly or beneficially by the public official, or other filer, or his or her immediate family if the fair market value of the interest is two thousand dollars (\$2,000) or more. Interests in real property of an individual includes a pro rata share of interests in real property of any business entity or trust in which the individual or immediate family owns, directly, indirectly or beneficially, a 10-percent interest or greater. Excluded are interests in real property with a fair market value of less than \$2,000 or property that is used principally as the filer's place of residence.

## APPENDIX C

Pipe, valves, fittings, etc.  
Pumps, motors, etc.  
Meters and other water measurement equipment  
Construction and building materials  
Engineering services, including hydrology services  
Construction contractors  
Safety equipment and facilities  
Hardware tools and supplies  
Freight and hauling  
Motor vehicles, heavy equipment, special vehicles and parts and services thereto  
Petroleum products  
Photographic services, supplies and equipment  
Janitorial services  
Water quality testing  
Pesticides and herbicides  
Communications equipment and services  
Well drilling supplies and contractors  
Electrical equipment, including pumping equipment  
Computer hardware and software  
Architectural services  
Water treatment equipment, supplies and services  
Custom farming services such as weed abatement, etc.  
Telemetry equipment  
Appraisal services  
Printing, reproduction, record keeping, etc.  
Office equipment  
Accounting services  
Real estate agents/brokers and investment firms  
Title companies  
Public utilities  
Canal and pipeline maintenance services  
Insurance companies

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## APPENDIX A

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Commissioners	<u>As provided in Government Code § 872001, 2, 3</u>
Harbor <del>Manager</del> <u>Director</u>	<u>As provided in Government Code § 872001, 2, 3</u>
Business Manager	1, 2, 3
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Construction contractors  
Safety equipment and facilities  
Hardware tools and supplies  
Freight and hauling  
Motor vehicles, heavy equipment, special vehicles and parts and services thereto  
Petroleum products  
Photographic services, supplies and equipment  
Janitorial services  
Water quality testing  
Pesticides and herbicides  
Communications equipment and services  
Well drilling supplies and contractors  
Electrical equipment, including pumping equipment  
Computer hardware and software  
Architectural services  
Water treatment equipment, supplies and services  
Custom farming services such as weed abatement, etc.  
Telemetry equipment  
Appraisal services  
Printing, reproduction, record keeping, etc.  
Office equipment  
Accounting services  
Real estate agents/brokers and investment firms  
Title companies  
Public utilities  
Canal and pipeline maintenance services  
Insurance companies