

CONFLICT OF INTEREST CODE  
FOR CARMEL AREA WASTEWATER DISTRICT

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The Political Reform Act of 1974, 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, § 18730 of Title 2 of the California Code of Regulations, which contains the terms of a standard conflict of interest code that can be incorporated by reference in an agency's code. After public notice and hearing, the Fair Political Practices Commission may amend the standard code to conform to amendments of the Political Reform Act. Therefore, the terms of § 18730 of title 2 of the California Code of Regulations and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendices 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 Carmel Area Wastewater District.

Individuals holding designated positions shall file their statement of economic interests with the Carmel Area Wastewater District, which will make the statements available for public inspection and reproduction pursuant to Government Code § 81008. Upon receipt of the statements of the Board of Directors, the District shall make and retain copies and forward the original of the statements to the code reviewing body. Statements for all other designated employees shall be retained by the Carmel Area Wastewater District, which shall make the statements available for public inspection and reproduction.

Attachments: Appendix A: Designated Positions  
Appendix B: Disclosure Categories

Adopted: February 29, 2024

APPENDIX A: Designated  
Positions

List of Designated Positions	Assigned Disclosure Categories
District Board of Directors	1
District General Manager	1
District Principal Accountant	1
Consultants	1

**APPENDIX B: Disclosure Categories**

General Provisions

When a member, officer, or employee who holds a designated position is required to disclose investments and sources of income, they shall disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction.

When a designated member, officer, or employee who holds a designated position is required to disclose sources of income, they shall disclose gifts received from donors located inside as well as outside the jurisdiction.

When a designated member, officer, or employee who holds a designated position is required to disclose interests in real property, he or she shall disclose the type of real property described below, if it is located in whole or in part within, or not more than two miles outside of the boundaries of the jurisdiction, or within two miles of any land owned or used by the Carmel Area Wastewater District.

When a designated member, officer, or employee who holds a designated position is required to disclose business position, they shall disclose positions in business entities that do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years.

For purposes of this Conflict of Interest Code, the jurisdiction of the Carmel Area Wastewater District is that area within the boundaries of the Carmel Area Wastewater District. Carmel Area Wastewater District operates entirely within the geographical boundaries of Monterey County.

Disclosure Category 1:

A member, officer, or employee holding a position assigned to Disclosure Category 1 shall, in the manner described above, report:

- All investments and business positions in business entities and sources of income in the jurisdiction;
- Interests in real property in the jurisdiction;

- Their status as director, officer, partner, trustee, employee, or holder of a management position in any business entity in the jurisdiction.

Adopted: 02-29-24 (Resolution #24-10)

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<sup>1</sup> For purposes of this Code, "consultant" has the same meaning as set forth in 2 Cal. Code of Regs. § 18700(a) (1), as follows:

"Consultant" means an individual who, pursuant to a contract with a state or local government agency:

(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 agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
5. Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
6. Grant agency approval to a plan, design, report, study, or similar item;
7. Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

(B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in Regulation 18704(a) or (b) or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency Conflict of Interest Code under § 87302.

Consultants to the Carmel Area Wastewater District shall be subject to disclosure under Category 1, subject to the following limitation:

The District General Manager 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 fully comply with the disclosure requirements of Category 1. In such cases, the District General Manager may designate a different disclosure requirement. Such designation must be made in writing and shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the consultant's disclosure requirements. The District General Manager's designation must be filed, in advance of disclosure by the consultant, with the District's Conflict of Interest Code and also filed with the code reviewing body and must be delivered to the consultant along with a copy of the Conflict of Interest Code and the manual and forms for disclosure (FPPC Form 700).