



TAMALPAIS COMMUNITY SERVICES DISTRICT

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RESOLUTION NO. 2024-19

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT UPDATING THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974.

WHEREAS, the Political Reform Act of 1974, Government Code Sections 81000, *et seq.*, requires every state and local government agency to adopt a Conflict of Interest Code applicable to employees or consultants holding designated positions and public officials within the jurisdiction of the local agency; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation; Title 2, Division 6 of the California Code of Regulations, Section 18730; which contains the terms of a standard model Conflict of Interest Code, which may be amended by the Fair Political Practices Commission after public notice and hearings to conform to the amendments to the Political Reform Act, which can be incorporated by reference by local agencies as their own Conflict of Interest Code; and

WHEREAS, the Tamalpais Community Services District ("District") adopted Resolution 2002-07 which adopted a Conflict of Interest Code; and

WHEREAS, the District repealed Resolution 2002-07 and adopted Resolution 2008-07 adopting the Conflict of Interest Code which was subsequently amended by Resolution 2012-05; and

WHEREAS, in 2022, the District adopted Resolution No. 2022-04 which amended Resolution 2012-05 and adopted and incorporated by reference the provisions of Section 18730 of Title 2 of the California Code of Regulations and any amendments to it duly adopted by the Fair Political Practices Commission and, along with Appendix A designating positions and Appendix B establishing disclosure categories, shall constitute the Conflict of Interest Code of the District; and

WHEREAS, the Act requires most state and local public officials and employees to disclose certain personal financial holdings so as to prevent public decision makers from participating in government decisions in which they have a personal, financial stake; and

WHEREAS, the Act requires that each state and local government agency designate the employee positions within that agency “which involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest” of the employee. (California Government Code, Section 87302(a).); and

WHEREAS, Appendix A of Resolution No. 2022-04 amended the listed designated employees subject to the Conflict of Interest code (listed as “designated filers”) and Appendix B of Resolution No. 2022-04 (attached as Exhibit “B” for reference) identified the specific financial interests that would be reportable; and

WHEREAS, the Act requires agencies to amend their Conflict of Interest Codes when a revision is necessary to address changed circumstances, such as the creation of new positions and changes in the duties assigned to existing positions; and

WHEREAS, the Act also requires the submission of a revised Conflict of Interest Code for approval by the code-reviewing body (County of Marin) and requires biennial code review and notification to said body, even if no changes are necessary, pursuant to Government Code Section 87306.5; and

WHEREAS, it is currently necessary to amend the current list of designated positions of the District’s Code to reflect new titles for existing positions and the creation of the Parks and Recreation Commission.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1) Appendix A of the District’s Conflict of Interest Code, as adopted by Resolution 2022-04, is hereby amended and replaced in its entirety by the attached “Exhibit A: Appendix A” and incorporated into the District’s Conflict of Interest by reference.

2) The General Manager is authorized to do everything necessary and appropriate to comply with Marin County’s Biennial Notice requirements.

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PASSED AND ADOPTED this 14 day of August, 2024 by the following
vote, to wit:

AYES: 3 (S. Bartschat, M. McMahon, S. Levine)

NOES: 0

ABSENT: 2 (T. Brown, J. Jacobs)

ABSTAIN:



President

ATTEST:



Secretary

APPENDIX A

<u>Designated Positions</u>	<u>Disclosure Category</u>
Members of the Board	1
General Manager	1
Assistant General Manager	1
Programs and Finance Manager	1
Events and Communications Coordinator	1
Operations Superintendent	1
Members of the Parks and Recreation Commission	1
Consultant*	1

*Consultants for the purposes of the Conflict of Interest Code are defined as individuals that provide, under contract, information or advice to the District that may entail participation in the making of decisions, recommendations or counsel to District, and which may foreseeably have a material effect on any financial interest of the consultant. Consultants, as defined above, shall be included on the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following:

The General Manager or his/her designee may determine in writing that a particular consultant, although in a "designated position" is hired to perform a range of duties that is limited in scope and thus not required to fully comply with the disclosure requirements described in this code. Such written determination shall include a description of the consultant's duties and based upon that description, a statement of the extent of the disclosure requirements. The General Manager'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

Individuals holding designated positions must report their interests according to the following corresponding disclosure category(ies) to which their position has been assigned.

Disclosure Category 1

Interests in real property located within the District or within two miles of the boundaries of the District or within two miles of any land owned or used by the District; and investments and business positions in business entities, and income, including loans, gifts, and travel payments.

Disclosure Category 2

Interest in real property located within the District or within two miles of the boundaries of the District or within two miles of any land owned or used by the District.

Disclosure Category 3

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the District.

Disclosure Category 4

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the department or division to which the designated employee is assigned duties.

Disclosure Category 5

Investments and business positions in business entities, and income, including loans, gift, and travel payments, from sources that filed a claim against the District during the previous two years, or have a claim pending.

Disclosure Category 6

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that are of the type to request an entitlement to use District property or facilities.