



September 19, 2024

Board of Directors
Ventura Regional Sanitation District
Ventura, California

BIENNIAL REVIEW OF VENTURA REGIONAL SANITATION DISTRICT CONFLICT OF INTEREST CODE

RECOMMENDATIONS

- A. Approve the 2024 Local Agency Biennial Notice for VRSD; and
- B. Direct the General Manager to sign and file the 2024 Local Agency Biennial Notice for VRSD indicating “No amendment is required” with the County of Ventura.

FISCAL IMPACT

None.

BACKGROUND/ANALYSIS

The Ventura Regional Sanitation District is required to review its Conflict of Interest Code biennially on even-numbered years and submit any changes to its code reviewing body, the Ventura County Board of Supervisors. The current District Conflict of Interest Code was adopted on July 21, 2022 as VRSD Conflict of Interest Code (Resolution No. 22-12). The VRSD Board of Directors adopted the terms of California Code of Regulations, Title 2, Section 18730 et seq., as its Conflict of Interest Code. No changes have been made since the adoption of Resolution 22-12.

Staff has reviewed the current Conflict of Interest Code (Resolution No. 22-12) for VRSD and has found that no changes are required.

This letter and the associated form have been reviewed by Legal Counsel as to form.

If you have any questions or need additional information, please contact me by phone at (805) 658-4642 or via email at KristenRupprecht@vrzd.com.



KRISTIN RUPPRECHT, ACTING CLERK OF THE BOARD



APPROVED FOR AGENDA:

Chris Theisen, General Manager

Attachments: 1. 2024 Local Agency Biennial Notice
2. 2022 Conflict of Interest Code (VRSD Resolution No. 22-12)

2024 Local Agency Biennial Notice

Name of Agency: Ventura Regional Sanitation District
Mailing Address: 4105 West Gonzales Road, Oxnard, CA 93036-2748
Contact Person: Kristin Rupprecht Phone No. 805-658-4656
Email: clerk@vrzd.com Alternate Email: kristinrupprecht@vrzd.com

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2024**, or by the date specified by your agency, if earlier, to: **E-Mail to: form700clerk@ventura.org**

or
**Mail to: Clerk of the Board of Supervisors
800 S. Victoria Avenue, L# 1920
Ventura, CA 93009-1920**

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

FPPC Advice: www.fppc.ca.gov (866.275.3772)
advice@fppc.ca.gov

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VRSD RESOLUTION NO. 22-12

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
VENTURA REGIONAL SANITATION DISTRICT ADOPTING THE
2022 CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act, Government Code Section 81000 et seq., requires local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs., §18730) which contains the terms of a standard Conflict of Interest Code, which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings; and

WHEREAS, the terms of the California Code of Regulations, Title 2, Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Conflict of Interest Code for the Ventura Regional Sanitation District, and along with the attached Exhibit "A," which designates positions requiring disclosure and Exhibit "B," which sets forth disclosure categories for each designated position, constitute the Conflict of Interest Code of the Ventura Regional Sanitation District. Persons holding positions designated in Exhibit "A" shall file Form 700 Statement of Economic Interests with the Filing Officer specified for that position in Exhibit "A."

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Directors of the Ventura Regional Sanitation District that:

1. The terms of the California Code of Regulations, Title 2, Section 18730, and any amendments to it, duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Amended Conflict of Interest Code for this agency and, along with the attached Exhibit "A" and Exhibit "B" in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Ventura Regional Sanitation District; and

2. Pursuant to Section 4 of the Standard Code, designated positions shall file statements of economic interests with the Ventura County Clerk of the Board as the Filing Officer. The Ventura Regional Sanitation District will retain statements for all designated filers; and

3. Every report and statement filed pursuant to the Conflict of Interest Code is a public record open for public inspection and reproduction subject to Government Code Section 81008.

PASSED, APPROVED, AND ADOPTED this 21st day of July, 2022 by the following vote:

Ayes: J. Crosswhite, J. Friedman, L. Hernandez, E. Jones, K. Kildee, B. Perello, L. Shapiro, W. Weirick

Noes: None

Abstain: None

Absent: None

Laura Hernandez

Laura Hernandez (Aug 3, 2022 15:28 PDT)

Laura Hernandez, Chairperson
Board of Directors

Attest:

Juliet Rodriguez

Juliet Rodriguez (Jul 21, 2022 11:57 PDT)

Juliet Rodriguez
Clerk of the Board

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EXHIBIT "A" - DESIGNATED POSITIONS AND FILING OFFICERS

| <u># of positions</u> | <u>Position Title</u> | <u>Disclosure Categories</u> (from Exhibit B) | <u>Filing Officer</u> (Ventura County Clerk of the Board [COB] or Local Agency Clerk [AC]) |
|------------------------------|--|---|---|
| 18 | Board of Directors & Alternates | 1 | COB |
| 1 | Director of Finance | 1 | COB |
| 1 | General Manager | 1 | COB |
| 1 | General Counsel | 1 | COB |
| 1 | Consultant * | 1 | COB |
| 1 | Director of Operations | 1 | COB |
| 1 | Human Resources Technician | 1 | COB |
| 1 | Water/Wastewater Operations Superintendent | 1 | COB |

* The disclosure, if any, required of a Consultant (as the term is defined in the Political Report Act and applicable regulations) will be determined on a case-by-case basis by head of the agency or designee. The determination of whether a Consultant has disclosure requirements is to be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the Consultant's duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.

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EXHIBIT "A"

CONSULTANT

The Fair Political Practices Commission, Regulation 18700, defines "Consultant" as an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
 - (i) Approve a rate, rule, or regulation;
 - (ii) Adopt or enforce a law;
 - (iii) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
 - (v) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study, or similar item;
 - (vii) 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 18702.2 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's Conflict of Interest Code under Government Code section 87302.

The disclosure required of consultant shall be determined on a case-by-case basis by the General Manager, or designee of the General Manager. The determination of whether a consultant has disclosure requirements should be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the consultant's duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.

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EXHIBIT "B" - DISCLOSURE CATEGORIES

The terms *italicized* below have specific meaning under the Political Reform Act. In addition, the financial interests of a spouse, domestic partner and dependent children of the public official holding the designated position may require reporting. Consult the instructions and reference pamphlet of the Form 700 for explanation.

Category 1 – BROADEST DISCLOSURE [SEE FORM 700 SCHEDULES A-1, A-2, B, C, D and E]

- (1) All sources of *income, gifts, loans and travel payments*;
- (2) All *interests in real property*; and
- (3) All *investments and business positions in business entities*.

Category 2 – REAL PROPERTY [SEE FORM 700 SCHEDULE B]

All interests in real property, including interests in real property held by business entities and trusts in which the public official holds a business position or has an investment or other financial interest.

Category 3 – LAND DEVELOPMENT, CONSTRUCTION AND TRANSACTION

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which engage in land development, construction, or real property acquisition or sale.

Category 4 – PROCUREMENT [SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which provide services, supplies, materials, machinery or equipment which the designated position procures or assists in procuring on behalf of their agency or department.

Category 5 - REGULATION & PERMITTING [SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which are subject to the regulatory, permitting or licensing authority of, or have an application or license pending before, the designated position's agency or department.

Category 6 – FUNDING [SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which receive grants or other funding from or through the designated position's agency or department.

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**APPENDIX - DESIGNATING OFFICIALS WHO
MANAGE PUBLIC INVESTMENTS**

Pursuant to Government Code section 87200 et seq., certain city and county officials, as well as all "other officials who manage public investments," are required to disclose their economic interests in accordance with the Political Reform Act. This Appendix provides the relevant definitions for determining which public officials qualify as "other officials who manage public investments," designates the agency's positions which qualify as such, and states the Filing Officer for each designated position.

APPLICABLE DEFINITIONS

As set forth in 2 California Code of Regulations section 18701, the following definitions apply for the purposes of Government Code section 87200:

(1) "Other public officials who manage public investments" means:

(A) Members of boards and commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;

(B) High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and

(C) Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions that would otherwise be performed by the public officials described in subdivision (1)(B) above.

(2) "Public investments" means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.

(3) "Public moneys" means all moneys belonging to, received by, or held by, the state, or any city, county, town, district, or public agency therein, or by an officer thereof acting in his or her official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement systems, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a party.

(4) "Management of public investments" means the following non-ministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.

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