

Conflict of Interest

Purpose

The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict-of-interest codes. 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.

(The Fair Political Practices Commission adopted a regulation (2 Cal. Code of Regs. §18730) which contains the terms of a standard conflict of interest code. It may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act.)

Policy and Procedure

District staff have an obligation to conduct the business and activities of RCD within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which RCD wishes the business to operate. The purpose of these guidelines is to provide general direction so that district staff can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the President for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of RCD's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on RCD transactions, including contracts, it is imperative the employee disclose to the Board President as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result, not only in cases where an employee or relative has a significant ownership in a firm with which RCD does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving RCD. (*CCRCD Personnel Policies, Section 14*)

Individuals holding designated positions shall annually file their statements of

economic interests, FPPC Form 700, with the district which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.)

The Board Secretary notifies designated individuals annually, in February. Filings are due April 1st. The district retains all statements.

The Board of Directors shall determine whether a conflict of interest exists for the Executive Director or a member of the Board and shall determine the appropriate response.