

## **RESOLUTION NO. 1504-2019**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MT. VIEW SANITARY DISTRICT DIRECTING THE PUBLICATION OF A NOTICE OF INTENT AND SETTING THE TIME AND PLACE OF A PUBLIC HEARING WITH REGARD TO AN AMENDMENT TO THE DISTRICT'S CONFLICT OF INTEREST CODE**

**WHEREAS**, Government Code Section 87300 requires every local government agency to adopt a Conflict of Interest Code; and

**WHEREAS**, the Political Reform Act requires every local government agency to amend its Conflict of Interest Code when changes circumstances such as the addition of new position(s) are made; and

**WHEREAS**, the District Board, at a regular meeting held on May 9, 2019 took action creating new District positions of Board Secretary / Executive Assistant, Wastewater Lead Operator, and Wastewater Operations Manager / CPO; and

**WHEREAS**, the District Board, at the same regular meeting held on May 9, 2019 took action eliminating the District positions of Office Administrator / Board Secretary and Wastewater Operations Supervisor, identified positions with reporting categories in the District's Conflict of Interest Code; and,

**WHEREAS**, the District Manager has recommended the reporting categories for the Board Secretary / Executive Assistant, Wastewater Lead Operator, and Wastewater Operations Manager / CPO positions; and

**WHEREAS**, it has been determined that amendment is required and the timely transmission of a notice to the proposed amendment to the code reviewing body, the Contra Costa County Board of Supervisors is required; and

**WHEREAS**, Government Code Section 87311 requires that the review and preparation of Conflict of Interest Codes shall be carried out under procedures which guarantee officers, employees, members and consultants of the District and its residents adequate notice and a fair opportunity to present their views with regard to the code amendment; and

**WHEREAS**, a Notice of Public Hearing and Notice of Intent to amend the Mt. View Sanitary District Conflict of Interest Code (the "proceedings") has been prepared for publication, providing for a public comment period of at least forty-five days before a public hearing scheduled for the District's Regular Board of Directors Meeting on September 12, 2019 at 6:30 p.m.

**NOW, THEREFORE IT IS HEREBY RESOLVED THAT:**

1. District Staff is directed to timely publish the Notice of Public Hearing and Notice of Intent to amend the Mt. View Sanitary District Conflict of Interest Code which accompanies this Resolution so that it provides for at least a forty-five (45) day public comment period with regard to the proposed amendments to the District’s Conflict of Interest Code.

2. Thursday, September 12, 2019, at the hour of 6:30 P.M. at the Board Room of the District located at 3800 Arthur Road, Martinez, California, is fixed as the time and place for a public hearing where the Board will consider and determine whether the aforesaid proposed amendment to the Mt. View Sanitary District Conflict of Interest Code shall be adopted. The Board will hear all public comments submitted prior to and at that hearing and also invites written comments to be submitted at any time prior to the hearing.

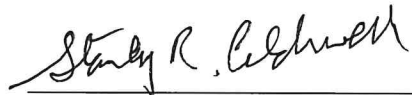
3. The Board Secretary is hereby directed to give notice of said proceedings by publishing the accompanying Notice of Public Hearing and Notice of Intent to amend the Mt. View Sanitary District Conflict of Interest Code, once at least forty-five (45) days prior to said public hearing in the Martinez News-Gazette, a newspaper of general circulation in the District.

4. The Board Secretary is hereby further directed to distribute one (1) copy of this Resolution together with its accompanying proposed amendment to each person or persons holding the positions within the District enumerated in the present and the proposed Exhibit “A” to the District’s Conflict of Interest Code.

5. That the Board Secretary is hereby further directed to file copies of said amendments in the District office to be available for distribution to any person requesting same.

The foregoing Resolution was adopted at a regular meeting of the Mt. View Sanitary District Board of Directors held on the 11<sup>th</sup> day of July 2019 by the following votes:

- AYES: Directors Danley, Maggi, Schaal, Vice President Pyka, and President Caldwell
- NOES: None
- ABSENT: None
- ABSTAIN: None

  
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 Stanley R. Caldwell, President  
 Mt. View Sanitary District

ATTEST:

  
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 Stephanie L. Seregin, Secretary Pro-Tem

**APPENDIX "A"**  
**ORDINANCE NO. 2019 -**  
**MVSD CONFLICT OF INTEREST CODE**

<b><u>POSITION</u></b>	<b><u>DISCLOSURE CATEGORY</u></b>
(a) Administrative Services Manager	All categories
(b) Assistant District Manager	All categories
(c) Board Secretary / Executive Assistant	All categories
(d) Consultant*	All categories*
(e) Director (includes President and Vice President	All categories
(f) District Assistant Legal Counsel	All categories
(g) District Biologist	All categories
(h) District Engineer	All categories
(i) District Legal Counsel	All categories
(j) District Manager	All categories
(k) Laboratory Analyst	Categories A, B, C & D
(l) Maintenance Planner / Scheduler	Categories A, B, C & D
(m) Wastewater Lead Operator	Categories A, B, C & D
(n) Wastewater Operations Manager / CPO	All categories

\*The District 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 described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The District 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.