



Helendale Community Services District

BOARD OF DIRECTORS MEETING

March 1, 2018 at 6:30 PM

26540 Vista Road, Suite C, Helendale, CA 92342

Call to Order - Pledge of Allegiance

1. Approval of Agenda

2. **Public Participation** - *Anyone wishing to address any matter pertaining to District business listed on the agenda or not, may do so at this time. However, the Board of Directors may not take action on items that are not on the agenda. The public comment period may be limited to three (3) minutes per person. Any member may speak on any agenda item at the time the agenda item is discussed by the Board of Directors.*

3. Consent Items

- Approval of Minutes: February 15, 2018 Regular Board Meeting
- Bills Paid and Presented for Approval

4. Reports

- Directors' Reports
- General Manager's Report

Discussion Items

- Discussion and Possible Action Regarding Adoption of an Electronic Sign Policy
- Discussion and Possible Action Regarding Award of Bid for Construction of Fence for the Wastewater Secondary Irrigation Area
- Discussion and Possible Action Regarding Adoption of Resolution 2018-06: A Resolution of the Board of Directors of the Helendale Community Services District Adopting a Conflict of Interest Code

Other Business

- Requested items for next or future agendas (Directors and Staff only)

Closed Session

- Public Employee Performance Evaluation
(Government Code Section 54957)
Title: General Manager

10. Announcement of Closed Session Actions

11. Adjournment

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above agenda public meeting should be directed to the District's General Manager's office at (760) 951-0006 at least 24 hours prior to said meeting. The regular session of the Board meeting will be recorded. Recordings of the Board meetings are kept for the Clerk of the Board's convenience. These recordings are not the official minutes of the Board meetings.

Providing:

- Water
- Wastewater
- Park & Recreation
- Solid Waste Management
- Street lighting
- Graffiti Abatement for the Helendale Community

OFFICE HOURS:

Monday-Friday
8:00 – 5:30 p.m.

PHONE:

760-951-0006

FAX:

760-951-0046

ADDRESS:

26540 Vista Road
Suite B
Helendale, CA
92342

MAILING

ADDRESS:

PO BOX 359
Helendale, CA
92342

Visit us on the Web
at:

www.helendalecsd.org





Minutes of the Helendale Community Services District Board of
Directors Meeting for February 15, 2018 at 6:30 PM
26540 Vista Road, Suite C, Helendale, CA 92342

Board Members Present:

President Ron Clark; Vice President Tim Smith; Secretary Sandy Haas; Director Craig Schneider; Director Henry Spiller

Staff:

General Manager Kimberly Cox
Program Coordinator Cheryl Vermette
Water Operations Manager Craig Carlson

Consultants

Legal Counsel Steve Kennedy

Audience:

There were six (6) members of the public present.

Call to Order and Pledge of Allegiance – The meeting was called to order at 6:40 pm by President Clark after which the Pledge of Allegiance was recited.

1. Approval of Agenda

Discussion: General Manager Cox requested to move Item 7 before Item 6.

Action: Director Schneider made the motion to approve the Agenda as amended. Director Haas seconded the motion.

Vote: Motion carried. 5 Yes; 0 No

2. Public Participation

None

3. Consent Items

a. Approval of Minutes: February 1, 2018 Regular Board Meeting

b. Bills Paid and Presented for Approval

Action: Vice President Smith made the motion to approve the Consent Items as presented. Director Haas Smith seconded the motion.

Vote: Motion carried. 5 Yes; 0 No

4. Reports

a. Directors' Reports

- Director Haas reported that she attended the tri-community Special Districts lunch, at the other CSD's were discussing issues with their general managers and Director Haas commended General Manager Cox for everything she does for the District.
- Director Schneider reported that he attended Mojave Water Agency's Water Conference on February 2nd. He also reported that he and Director Smith sat in on the pre-construction meeting for the baseball fields with reps from Site One and Rain Bird.

b. Water Operations Manager Craig Carlson gave the Water Report

- Showed pictures of the new water operations service truck which staff recently completed outfitting.
- Staff installed the 2-inch service and RP backflow device for the baseball fields.
- Staff completed annual asbestos training.
- MDAQMD performed annual generator inspections. We had no violations.
- Ordered the next set of iPerl meters.

- Program Coordinator Cheryl Vermette gave the Program and Solid Waste Report
 - Neighborhood Watch informational meeting will be held on March 28th from 5:30 -7 pm
 - Paint Party will be held on March 16th for St. Patrick's Day.
 - April 7th will be our first concert in the park for 2018. We will have a car show, live music, beer garden, food vendors, and a kids area.
 - Update on baseball fields: Met with Site One Landscapes and Rain Bird. Site One is donating \$2,000 worth of materials for the fields, Rain Bird is donating all of the valves, irrigation heads, controller and flow sensor.
 - Baseball volunteer day will be on February 24th.
 - Vermette reported that there were 39 Service Orders for bulky item pickups in January; 8 customers requested an extra blue barrel in January, and as of January 31, 208 customers have an extra blue recycling barrel
 - In December, 10.8 tons of green waste was picked up, 823.43 tons of residential refuse was picked up, 58.53 tons of residential recycling was picked up, and 1.82 tons of metal was recycled from the Thrift Store. The Thrift Store had an e-waste pickup of 6,511 pounds with a revenue of \$1,472.98.
- General Manager Kimberly Cox gave the General Managers Report
 - The cash balance as of February 12, 2018 was 4,806,872. Revenue for January was \$433,389.81 expenses were \$291,100.68. CalTrust Short Term has a balance of \$1,037,094.94 and CalTrust Medium Term has a balance of \$2,047,492.76. Staff will transfer \$1,000,000 from CBB to CalTrust short term. Current CBB Balance is \$1,377,493.31 and DCB is \$27,351.39.
- General Manager Cox gave the Administrative Update
 - There were 43 account transfers in January, 88% of customers paid their bill on time, the majority of customers, 33%, are still paying their bill in person. 21% are enrolled in ACH, 16% use bill pay through their bank, 15% pay by mail, 13% pay on the CSD website, and 2% pay by phone.
 - Average consumption for a single family residential service was 11 HCF, the average bill for water related charges only was \$53.04.
 - The average bill for all services (water, sewer, and trash) was \$106.31.
 - UIA payments in January were \$5,093.65
 - There were 3 credit checks done from January 19 – February 12. Two customers were denied and 1 was approved to waive the deposit fee.
 - Employee Service Awards Update: To date 13 employees have received an award; 5 full-time employees received 10-year awards; 5 full-time employees have received 5- year awards, and 3 part-time employees received 5-year awards.

Discussion Items

5. Discussion and Possible Action Regarding Modification of Burrtec Contract Terms Related to the Exclusive Franchise Agreement Between Helendale Community Services District and Burrtec Waste Industries for Solid Waste Handling and Recycling Services

Discussion: The Board discussed the \$33,000 proposed donation to the park paid at \$5,500 over 6 years in exchange for a 15-year contract with Burrtec Waste for trash and recycling services. The board discussed this option as opposed to the current \$27,500 donation in exchange for the 10-year contract. Ultimately the Board opted to stay with the 10-year contract.

Action: There was no action on this item.

7. Discussion and Possible Action Regarding Adoption of Ordinance 2018-03: An Ordinance of the Board of Directors of the Helendale Community Services District Establishing Guidelines for the Conduct of its Public Meetings and Activities.

Discussion: This Ordinance is to be reviewed annually. Minor changes are in Section 2.3.2. Legal Counsel Kennedy reviewed the ordinance.

Action: Director Schneider made the motion to adopt Ordinance 2018-03 establishing guidelines for the conduct of its public meetings and activities, Director Spiller seconded the motion.

Vote: Motion carried, 5 Yes; 0 No

Yes: Director Schneider; Director Haas; President Clark; Vice President Smith; Director Spiller

6. Discussion and Possible Action Regarding Adoption of Resolution 2018-05: A Resolution of the Board of Directors of the Helendale Community Services District Establishing Policies for its Relations Among Directors and With Staff and Rescinding Resolution 2011-07.

Discussion: This resolution was one of the first actions the Board took and is reviewed annually. It provides the Board's commitment to the public on how business is conducted. Legal Counsel Kennedy reviewed the Resolution. Minor changes are proposed in Recital C; Section 1.3 and 1.5. Legal Counsel

Action: Vice President Smith made the motion to adopt Resolution 2018-03, Establishing Policies for its Relations Among Directors and With Staff and Rescinding Resolution 2011-07. Director Spiller seconded the motion.

Vote: Motion carried, 5 Yes; 0 No

Yes: Director Schneider; Director Haas; President Clark; Vice President Smith; Director Spiller

8. Discussion and Possible Action Regarding Adoption Approval of a Revised Return Check and Non-Sufficient Funds Policy.

Discussion: The policy was adopted in 2016, revisions are necessary to include ACH payments. In section 2, returned check will now include ACH. The charge is \$24 plus the bank fee of \$31. In section 3, language was added to include customers have 48-hours to take care of the deficiency, in section 4, language was added that if an ACH customer has 2 non-sufficient funds then they will be removed from the program; section 5, after two NSF occurrences the customer will be placed on no check/no ACH status; section 6 the customer must maintain 12 consecutive on-time monthly payments to be removed from no check/no ACH status. Director Schneider suggested that the 48 hours be changed to 48 business hours.

Action: Director Haas made the motion to approve the modified Return Check and Non-Sufficient Funds Policy.

Vote: Motion carried, 5 Yes; 0 No

Yes: Director Schneider; Director Haas; President Clark; Vice President Smith; Director Spiller

Other Business

9. Requested items for next or future agendas (Directors and Staff only)

10. Adjournment

President Clark adjourned the meeting at 7:43 pm

Submitted by:

Attest:

Ron Clark, President

Sandy Haas, Secretary

The Board actions represent decisions of the Helendale Community Services District Board of Directors. A digital voice recording and copy of the PowerPoint presentation are available upon request at the Helendale CSD office.



Helendale Community Services District

Date: March 1, 2018
TO: Board of Directors
FROM: Kimberly Cox, General Manager
BY: Sharon Kreinop, Senior Account Specialist
SUBJECT: Agenda item # 3 b.
Consent Item: Bills Paid and Presented for Approval

STAFF RECOMMENDATION:

Report Only. Receive and File

STAFF REPORT:

Staff issued 47 checks for the period of February 08, 2018 through February 26, 2018 totaling \$40,288.91.

Total cash available:	<u>2/26/18</u>	<u>2/12/15</u>
Cash	\$ 4,714,146.90	\$ 4,656,474.05
Checks Issued	\$ 40,288.91	\$ 72,118.72

Investment Report

The Investment Report shows the status of invested District funds. The current interest rate is 1.54% for CalTRUST Short-Term and 1.60% for Medium-Term Investments, 1.350% for LAIF, and 0.25% for the CBB Sweep Account for December 2017. Interest earned in January 2018 on the CalTRUST investments and the CBB Sweep Account is \$4,593.89.



Helendale CSD

Bills Paid and Presented for Approval

Transaction Detail

Issued Date Range: 02/08/2018 - 02/26/2018

Cleared Date Range: -

Issued Date	Number	Description	Amount	Type	Module
Bank Account: 251229590 - CBB Checking					
02/08/2018	20271	SWRCB, DWOCP	-120.00	Check	Accounts Payable
02/08/2018	20272	SWRCB, Office of Operator Certification	-125.00	Check	Accounts Payable
02/13/2018	20273	TRISHA O'HARRO	-31.14	Check	Utility Billing
02/13/2018	20274	DON YODER	-90.37	Check	Utility Billing
02/15/2018	20275	ABC Glass & Screens, Inc.	-165.00	Check	Accounts Payable
02/15/2018	20276	Airgas USA, LLC	-129.62	Check	Accounts Payable
02/15/2018	20277	Beck Oil	-1,917.20	Check	Accounts Payable
02/15/2018	20278	Brunick, McElhaney & Kennedy	-3,250.00	Check	Accounts Payable
02/15/2018	20279	Burrtec Waste Industries	-774.23	Check	Accounts Payable
02/15/2018	20280	Burrtec Waste Industries	-678.99	Check	Accounts Payable
02/15/2018	20281	Burrtec Waste Industries	-715.05	Check	Accounts Payable
02/15/2018	20282	Burrtec Waste Industries	-1,354.08	Check	Accounts Payable
02/15/2018	20283	Burrtec Waste Industries	-1,385.13	Check	Accounts Payable
02/15/2018	20284	Choice Builder	-809.97	Check	Accounts Payable
02/15/2018	20285	County of San Bernardino, Environmental Health Services	-692.00	Check	Accounts Payable
02/15/2018	20286	Daily Press	-354.13	Check	Accounts Payable
02/15/2018	20287	Frontier Communications	-53.77	Check	Accounts Payable
02/15/2018	20288	Frontier Communications	-85.54	Check	Accounts Payable
02/15/2018	20289	Graham Equipment	-800.00	Check	Accounts Payable
02/15/2018	20290	Home Depot Credit Services	-52.43	Check	Accounts Payable
02/15/2018	20291	I Candy Website & Graphic Design	-41.25	Check	Accounts Payable
02/15/2018	20292	Infrastructure Engineering Corp	-1,575.00	Check	Accounts Payable
02/15/2018	20293	Inland Water Works Supply Co.	-984.67	Check	Accounts Payable
02/15/2018	20294	Lowe's	-562.03	Check	Accounts Payable
02/15/2018	20295	Silver Lakes Association	-25.00	Check	Accounts Payable
02/15/2018	20296	Silver Lakes Hardware	-29.54	Check	Accounts Payable
02/15/2018	20297	Southern California Edison	-716.55	Check	Accounts Payable
02/15/2018	20298	Southern California Edison	-1,388.63	Check	Accounts Payable
02/15/2018	20299	Tyler Technologies, Inc.	-250.00	Check	Accounts Payable
02/15/2018	20300	United Site Services	-158.19	Check	Accounts Payable
02/15/2018	20301	Rogers, Anderson, Malody & Scott	-4,897.50	Check	Accounts Payable
02/22/2018	20302	Desert Community Bank	-100.00	Check	Accounts Payable
02/22/2018	20303	JEFF NICHOLS	-54.85	Check	Utility Billing
02/22/2018	20305	ALEXUS PLASCH	-19.83	Check	Utility Billing
02/23/2018	20306	Chris Pattison	-200.00	Check	Accounts Payable
02/23/2018	20307	Chris Zuber	-200.00	Check	Accounts Payable
02/23/2018	20308	Craig Schneider	-860.36	Check	Accounts Payable
02/23/2018	20309	Frontier Communications	-58.20	Check	Accounts Payable
02/23/2018	20310	Official Payments Corp	-58.60	Check	Accounts Payable
02/23/2018	20311	Sierra Analytical	-685.00	Check	Accounts Payable
02/23/2018	20312	Southern California Edison	-383.55	Check	Accounts Payable
02/23/2018	20313	Southern California Edison	-9,836.68	Check	Accounts Payable
02/23/2018	20314	Southern California Edison	-1,564.29	Check	Accounts Payable
02/23/2018	20315	UIA Ultimate Internet Access, Inc	-692.90	Check	Accounts Payable
02/23/2018	20316	USA Blue Book	-626.19	Check	Accounts Payable
02/23/2018	20317	Verizon California	-639.55	Check	Accounts Payable
02/23/2018	20318	Verizon Wireless	-96.90	Check	Accounts Payable
Bank Account 251229590 Total: (47)			-40,288.91		
Report Total: (47)			-40,288.91		

Bank Transaction Report

Bank Account

[251229590 CBB Checking](#)

	Count	Amount
	47	-40,288.91
Report Total:	47	-40,288.91

Cash Account

[99 99-111000 Cash in CBB - Checking](#)

Report Total:

Count	Amount
47	-40,288.91
47	-40,288.91

Transaction Type

Check

Count	Amount
47	-40,288.91
Report Total: 47	-40,288.91



Helendale Community Services District

Date: March 1, 2018
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #5
Discussion and Possible Action Regarding Adoption of an Electronic Sign Policy

STAFF RECOMMENDATION:

Staff requests input from the Board regarding this matter.

STAFF REPORT:

At the Board meeting held on February 1, it was requested that the District allow messages on our electronic billboard announcing the monthly USDA food giveaway. Staff was directed to agendaize this for the Park and Rec Committee agenda for discussion on 2/13.

The proposed policy was discussed with the Park and Rec Committee and suggestions for modifications was made. Staff has included with this report a draft policy for the Board's consideration.

FISCAL IMPACT: None.

HELENDALE COMMUNITY SERVICES DISTRICT

Electronic Sign Policy and Procedures

Section 1. Purpose

The purpose of this policy is to outline the use of the District's Electronic Sign located at 26540 Vista Road. The Helendale CSD digital sign is a resource for the HCSD to share information and promote programs sponsored by the District

Section 3. Users

The electronic sign is primarily for the use of the Helendale Community Services District. However, it is understood that on occasion public service announcements are an appropriate addition to the District's messages. Therefore, a list of approved users is as follows:

1. Helendale Community Services District
2. County of San Bernardino – Public Safety Announcements
3. County, State or Federal Agency Emergency Announcements
4. U.S.D.A. Food Distribution Events

Section 2. Guidelines

A. Content Guidelines:

1. The digital sign use policy prohibits the use of the sign to promote commercial activities or advertisements.
2. The creation of content for display on the Digital Signage system is the responsibility of the group presenting the information to the community.
3. Content must be submitted electronically a minimum of 5 business days prior to the first date the content is to be displayed on the Digital Signage system.
4. Announcements will run for a maximum of 7 days.
5. Announcements will be posted no more than two weeks prior to the event date and are removed automatically at midnight the day the event concludes.
6. Approved organizations may post one advertisement per event on the digital signage display based upon availability.
7. The Helendale Community Services District reserves the right to refuse, edit or remove digital signage content for any reason.

8. Helendale CSD reserves the right to determine what is appropriate for posting, and choose when a posting will appear in the announcement rotation.
9. The Helendale Community Services District reserves the right to determine what content is displayed and determine the duration, dates, and times content is displayed.
10. Messages are on a first come first served basis. The digital sign will display a maximum of 8 slides per rotation cycle, only one panel will be available for any organization outside of the Helendale CSD, unless there is an emergency notification.
11. Slides are typically displayed for 5-10 seconds.
12. Written messages may not exceed 14-18 characters per line, maximum 4 lines.
13. Content that violates the digital signage policy or does not meet the content requirements will not be posted.

B. Priority of displayed messages

1. Emergency Information
2. Helendale CSD Announcements
3. Helendale CSD Sponsored Events
4. Other Government notices

Section 4. District Discretion

All non-CSD signage will be posted at the sole discretion of the District. The District's General Manager in his/her sole discretion will determine the content for display on the electronic sign in accordance with this policy.

Section 5. Restrictions

Nothing in this Policy is to be construed as restricting the posting of any organization's messages in other locations.

Section 6. Entire Policy

This policy includes in entirety the policy for the District electronic sign.



Helendale Community Services District

Date: March 1, 2018
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #6
Discussion and Possible Action Regarding Award of Bid for Construction of Fence for the Wastewater Secondary Irrigation Area

STAFF RECOMMENDATION:

Staff recommends that the Board award the fencing contract to the lowest responsive bidder

STAFF REPORT:

The District previously had developed a farm management plan that contemplated an expanded use for the secondary water currently produced by the wastewater plant. During the protractor conversations with the Lahontan Regional Water Quality Control Board over a new Waste Discharge Requirement (permit), it was understood that the new permit would require the District to provide additional irrigation area. This includes an expanded groundwater monitoring network to ensure the wastewater operations are not degrading the existing groundwater quality.

As part of the project, the District is required to install new fencing to isolation the irrigation area from the general public. This is particularly important because of the park facility adjacent to the expanded irrigation area. The project is timely because the existing fence poles are severely corroded and many have broken off at the ground level. The proposed fencing will run from the residential driveway at Helendale Road northward to Wild Road. Cover the area westerly on Wild Road to the Park entrance and then along the easterly side of the track across the parking area from the fields. It is required that the public be segregated from the irrigation area. In addition, this project also contemplates replacing the northern fenceline in the dog park. The District has received several complaints of dogs getting through holes in the fence and running amongst the young horses in the equestrian area. This is very dangerous for both dogs and horses as the young horses are easily spooked and could easily kill or seriously injury a dog.

Staff has reviewed all three bids to ensure they are all bidding the project as outlined and found that all conform to the project specifications. Below are the bid results:

All American Fence	\$ 56,416
Ellis Fence Co.	\$ 99,040
C&M Fence Co.	\$117,701

FISCAL IMPACT:

\$56,416 All American Fence paid from Wastewater reserves. Park will reimburse dog park costs.



Helendale Community Services District

Date: March 1, 2018
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #7
Discussion and Possible Action Regarding Adoption of Resolution 2018-06: A
Resolution of the Board of Directors of the Helendale Community Services District
Adopting a Conflict of Interest Code.

STAFF RECOMMENDATION

Staff requests that the Board approve Resolution 2018-06.

STAFF REPORT

In 2012 the policy was amended to remove "Treasurer" and add "Secretary" because there was no Director on the Board who served as the Treasurer. However, upon further review it has been determined that the director who holds the position of Secretary does not need to be called out separately. All directors are already included in the conflict of interest policy. The second change recommended by Staff is to increase those listed in Exhibit B to include Attorneys, District Auditor and Contract Financial Support Staff from RAMS.

This policy has not been reviewed by the Board since 2014. Staff has requested that Legal Counsel review the Conflict of Interest Code and he may have additional changes that will be presented at the meeting.

Motion:

A motion to approve Resolution 2018-06 adopting a Conflict of Interest and Disclosure Code and rescinding Resolution 2014-12.



RESOLUTION NO. 2018-06

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Helendale Community Services District (the District) is a community services district organized and operating pursuant to California Government Code Section 61000 et seq., and a local government agency subject to the requirements of the Political Reform Act of 1974 (the Act), California Government Code Section 81000 et seq.;

WHEREAS, Section 87300 of the Act requires all local government agencies to adopt and promulgate conflict of interest codes pursuant to the provisions of the Act;

WHEREAS, the Fair Political Practices Commission (the FPPC) has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code which can be incorporated by reference, and which may be amended by the FPPC after public notice and hearings to conform to amendments in the Act; and

WHEREAS, the District desires to comply with its statutory requirements under the Act and to provide a method to ensure that its Conflict of Interest Code is current and consistent with the prevailing provisions of the Act and the regulations of the FPPC.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Helendale Community Services District as follows:

Section 1.

The terms of 2 Cal. Code of Regs. Section 18730, and any amendments to it duly adopted by the FPPC, are hereby incorporated herein by this reference and, along with the attached Appendix in which members and employees are designated and disclosure categories are set forth, shall constitute the District's Conflict of Interest Code. In the event of any inconsistency between the attached Appendix and the prevailing provisions of the Act and/or the applicable regulations of the FPPC, the Act and the FPPC regulations shall control.

Section 2.

Designated officials shall file statements of economic interest with the District which will then be made available to the public for inspection and reproduction. Upon receipt of the statements from the District's Board of Directors and General Manager, the Clerk of the District shall make and retain a copy and forward the original of said statements to the County Clerk of the County of San Bernardino. Statements for all other designated officials will be retained by the District Clerk.

Section 3.

The provisions of this Resolution shall supersede Resolution No. 2012-12 adopted by the District's Board of Directors on October 4, 2012 and shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 21st day of August, 2014.

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

President, Board of Directors

ATTEST _____
Secretary, Board of Directors



RESOLUTION NO. 2018-06

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT ADOPTING A CONFLICT OF INTEREST CODE

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WHEREAS, Section 87300 of the Act requires all local government agencies to adopt and promulgate conflict of interest codes pursuant to the provisions of the Act;

WHEREAS, the Fair Political Practices Commission (the FPPC) has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code which can be incorporated by reference, and which may be amended by the FPPC after public notice and hearings to conform to amendments in the Act; and

WHEREAS, the District desires to comply with its statutory requirements under the Act and to provide a method to ensure that its Conflict of Interest Code is current and consistent with the prevailing provisions of the Act and the regulations of the FPPC.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Helendale Community Services District as follows:

Section 1.

The terms of 2 Cal. Code of Regs. Section 18730, and any amendments to it duly adopted by the FPPC, are hereby incorporated herein by this reference and, along with the attached Appendix in which members and employees are designated and disclosure categories are set forth, shall constitute the District's Conflict of Interest Code. In the event of any inconsistency between the attached Appendix and the prevailing provisions of the Act and/or the applicable regulations of the FPPC, the Act and the FPPC regulations shall control.

Section 2.

Designated officials shall file statements of economic interest with the District which will then be made available to the public for inspection and reproduction. Upon receipt of the statements from the District’s Board of Directors and General Manager, the Clerk of the District shall make and retain a copy and forward the original of said statements to the County Clerk of the County of San Bernardino. Statements for all other designated officials will be retained by the District Clerk.

Section 3.

The provisions of this Resolution shall supersede Resolution No. 2014-12 adopted by the District’s Board of Directors on October 4, 2012 and shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 1st day of March, 2018.

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

Ron Clark, President, Board of Directors

ATTEST _____
Sandy Haas, Secretary, Board of Directors

APPENDIX
CONFLICT OF INTEREST AND DISCLOSURE CODE

SECTION 100. Adoption of Code.

The Helendale Community Services District ("the District") in the County of San Bernardino hereby adopts this Conflict of Interest and Disclosure Code ("Code"). The provisions of this Code are additional to Government Code Section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Code shall be interpreted in a manner consistent therewith.

SECTION 200. Designated Positions.

The positions listed on Exhibit "B" are designated positions. Persons holding those positions are deemed to participate in the making of decisions which may foreseeably have a material effect on a financial interest.

SECTION 300. Economic Disclosure Statements.

Designated positions are assigned to one or more of the disclosure categories set forth on Exhibit "A". Each person holding a designated position shall file a statement disclosing his/her interest in investments, business positions, real property, and income, designated as reportable under the category to which his/her position is assigned on Exhibit "B".

SECTION 400. Place and Time of Filing.

- A. Persons holding designated positions which are added to the District's Code shall file an initial statement within 30 days after the effective date of the Code.
- B. Persons appointed, promoted, or transferred to designated positions shall file an assuming office statement with the District within 30 days after assuming the position.
- C. Annual statements shall be filed with the District by April 1st by all persons holding designated positions. Such statements shall cover the period of the preceding calendar year or from the date of the last statement filed.
- D. Leaving office statements shall be filed with the District within 30 days of leaving a designated position. Such statements shall cover the period from the closing date of the last statement filed to the date of leaving the position.

- E. An individual who resigns a designated position within 12 months following initial appointment or within 30 days of the date of a notice mailed by the filing officer of the individual's filing obligation, whichever is earlier, is not deemed to assume or leave office, provided that during the period between appointment and resignation, the individual does not make, participate in making, or use the position to influence any decision of the District, or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position. Within 30 days of the date of a notice mailed by the filing officer, the individual shall do both of the following:
- (1) File a written resignation with the appointing power.
 - (2) File a written statement with the filing officer signed under the penalty of perjury stating that the individual, during the period between appointment and resignation, did not make, participate in the making or use the position to influence any decision of the District or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

SECTION 500. Contents of Economic Disclosure Statements.

Statements shall be made on forms supplied by the District, and shall contain the following information.

- A. When an investment, or an interest in real property, is required to be reported, the statement shall contain:
- (1) A statement of the nature of the investment or interest;
 - (2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business is engaged;
 - (3) The address or other precise location and the use of the real property;
 - (4) A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars (\$2,000) but does not exceed ten thousand dollars (\$10,000), whether it exceeds ten thousand dollars (\$10,000) but does not exceed one hundred thousand dollars (\$100,000), whether it exceeds one hundred thousand dollars (\$100,000) but does not exceed one million dollars (\$1,000,000) or whether it exceeds one million dollars (\$1,000,000); and
 - (5) If any otherwise reportable investment or interest in real property was partially or

wholly acquired or disposed of during the period covered by the statement, the date of acquisition or disposal shall be reported.

B. When income is required to be reported, the statement shall contain:

- (1) The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any of each source;
- (2) A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was at least five hundred dollars (\$500) but did not exceed one thousand dollars (\$1,000), whether it was in excess of one thousand dollars (\$1,000) but not greater than ten thousand dollars (\$10,000), whether it was greater than ten thousand dollars (\$10,000) but not greater than one hundred thousand dollars (\$100,000), or whether it was greater than one hundred thousand dollars (\$100,000);
- (3) A description of the consideration, if any, for which the income was received;
- (4) In the case of a gift, the amount or value and the date on which the gift was received and the name, address, and business activity, if any, of the intermediary or agent and the actual donor;
- (5) In case of a loan, the annual interest rate and security, if any, given for the loan; and
- (6) The first report filed by a person holding a designated position shall disclose any reportable investments, interests in real property, business positions, and income received during the previous 12 months.

C. When the filer's pro rata share of income to a business entity or trust, including income to a sole proprietorship, is required to be reported, the statement shall contain:

- (1) The name, address, and a general description of the business activity of the business entity; and
- (2) The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such persons was equal to or greater than ten thousand dollars (\$10,000) during a calendar year.

- D. When business positions are required to be reported, the statement shall contain:

The name, address, and a general description of the business entity;

The filer's job title or position; and

A statement whether the position was held throughout the entire reporting period and the dates the position was commenced or terminated, if not held during the entire reporting period.

SECTION 600. Disqualification.

Persons holding designated positions shall disqualify themselves from making or participating in the making or in any way attempting to use their official position to influence a governmental decision when it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on:

- A. The financial status of the person holding a designated position or that of his or her spouse or dependent children;
- B. Any business entity located in, doing business in, owning real property in, or planning to do business in the jurisdiction of the person holding a designated position, in which said person, or his or her spouse or dependent child, has a reportable investment of \$2,000 or more;
- C. Any real property located in the jurisdiction of the person holding a designated position and said person, or his or her spouse or dependent child, has a reportable interest of \$2,000 or more in that real estate;
- D. Any person, business entity, or nonprofit entity located in, doing business in, owning real property in, or planning to do business in, the jurisdiction of the person holding a designated position, from which said person or his or her spouse has received reportable income, other than loans by a commercial lending institution in the regular course of business, aggregating five hundred fifty dollars (\$500) or more in value within twelve months prior to the time the decision is made;
- E. Any person, business entity, or nonprofit entity from which the person holding a designated position has received a reportable gift aggregating four hundred forty dollars (\$440) or more in value within twelve months prior to the time the decision is made; and

- F. Any business entity, other than a nonprofit organization, in which the person holding a designated position is a director, officer, partner, trustee, employee, or holds any position of management.

SECTION 700. Adoption by Incorporation.

Adoption by incorporation by reference of the terms of this code along with the designation of employees and the formulation of disclosure categories in the Exhibits referred to above constitute the adoption and promulgation of a Conflict of Interest and Disclosure Code.

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CONFLICT OF INTEREST AND DISCLOSURE CODE

Exhibit "A"

CATEGORY 1

Persons in this category shall disclose all interest in real property within the jurisdiction. Real property shall be deemed to be within the jurisdiction if the property or any part of it is located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the District.

CATEGORY 2

Persons in this category shall disclose all investments and business positions.

The Political Reform Act defines investment as follows:

"Investment" means any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments, and any partnership or other ownership interest owned directly, indirectly, or beneficially by the public official, or other filer, or his or her immediate family, if the business entity or any parent, subsidiary, or otherwise related business entity has an interest in real property in the jurisdiction, or does business or plans to do business in the jurisdiction, or has done business within the jurisdiction at any time during the two years prior to the time any statement or other action is required under this title. No asset shall be deemed an investment unless its fair market value equals or exceeds two thousand dollars (\$2,000). The term "investment" does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, interest in a diversified mutual fund registered with the Securities and Exchange Commission under the Investment Company Act of 1940 or a common trust fund which is created pursuant to Section 1564 of the Financial Code, or any bond or other debt instrument issued by any government or government agency. Investments of an individual include a pro rata share of investments of any business entity, mutual fund, or trust in which the individual or immediate family owns, directly, indirectly, or beneficially, a 10-percent interest or greater.

According to the Political Reform Act, a business position is a position of director, officer, partner, trustee, employee, or any position of management in any organization or enterprise operated for profit, including but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association.

CATEGORY 3

Persons in this category shall disclose all income and business positions.

The Political Reform Act defines income as follows:

“Income” means a payment received, including but not limited to any salary, wage, advance, dividend, interest, rent, proceeds from any sale, gift, including any gift of food or beverage, loan, forgiveness or payment of indebtedness received by the filer, reimbursement for expenses, per diem, or contribution to an insurance or pension program paid by any person other than an employer, and including any community property interest in the income of a spouse. Income also includes any outstanding loans. Income of an individual also includes a pro rata share of any business entity or trust in which the individual or spouse owns, directly, indirectly or beneficially, a 10-percent interest or greater.

CATEGORY 4

Persons in this category shall disclose all business positions, investments in, or income (including gifts and loans) received from business entities that manufacture, provide or sell service and/or supplies of a type utilized by the District and associated with the job assignment of designated positions assigned to this disclosure category.

CATEGORY 5

Consultants who are not employed as full-time staff members of the District shall nonetheless be included as a designated employee and subject to the disclosure requirements herein. However, those consultants whose positions are marked with an asterisk (*) in Exhibit “B” of this Code, or any other consultants which may be hired, may not be required to fully comply with the disclosure requirements herein where the range of duties which they are hired to perform is limited in scope. Such determination shall be made in writing by the General Manager of the District 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, if any. This determination is a public record and shall be retained for public inspection in the same manner and location as this Code.

CONFLICT OF INTEREST AND DISCLOSURE CODE

Exhibit "B"

DESIGNATED POSITIONS

DISCLOSURE CATEGORIES

Director	1-3
General Manager	1-3
<u>Secretary</u>	1-3
Assistant General Manager	1-3
Consultant*	5
Attorney	5
Auditor*	5
Financial Support Contractor*	5