

***Mendocino County Russian River Flood Control
& Water Conservation Improvement District***

STAFF REPORT

Agenda Item 7: District Policy Updates

Monday, October 5, 2026

The Strategic Plan relevant priority is **Governance and Operational Excellence** through enhanced transparency, accountability, and consistency across the District by maintaining effective and relevant policies, procedures, and governing documents.

Background

The District Board adopted updated Board and Board Meeting Policies in November 2024 including Policy 4116 Conflict of Interest and Incompatible Activities.

Discussion

The California Political Reform Act (Government Code Section 81000, et seq.) identifies specific requirements for the Conflict of Interest Code language and adoption. Government Code Section 87306.5:

- (a) No later than July 1 of each even-numbered year, the code reviewing body shall direct every local agency which has adopted a Conflict of Interest Code in accordance with this title to review its Conflict of Interest Code and, if a change in its code is necessitated by changed circumstances, submit an amended Conflict of Interest Code in accordance with subdivision (a) of Section 87302 and Section 87303 to the code reviewing body.
- (b) Upon review of its code, if no change in the code is required, the local agency head shall submit a written statement to that effect to the code reviewing body no later than October 1 of the same year.

The “code reviewing body” for the District is the County of Mendocino. Though the District has not received direction from the County, it is recommended to be proactive and update the Code. County staff are working to identify an appropriate procedure to comply with the requirements and have been cooperating with District staff.

District Legal Counsel reviewed the current policy, reviewed the California Political Reform Act requirements, and made recommendations to Staff to adopt the updated **attached** Code policy by District Resolution and submit the required form and updated Code to the County of Mendocino.

Recommendation

- Move to approve Resolution Adopting Updated Policy 4116 Conflict of Interest Code and Statements of Economic Interest

Attachments:

- DRAFT Policy 4116 Conflict of Interest, edits shown
- DRAFT Policy 4116 Conflict of Interest, clean version
- DRAFT Resolution Adopting Updated Policy 4116 Conflict of Interest Code and Statements of Economic Interest

* * * *

Prepared and submitted to the Board of Trustees by: Elizabeth *Salomone*, General Manager

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4116 Conflict of Interest and ~~Incompatible Activities~~ Statements of Economic Interest

~~Trustees and the General Manager shall be subject and adhere to the requirements of the California Political Reform Act (Government Code §§ 81000 et seq.), the Regulations of the Fair Political Practices Commission (Title 2, Division 6, Section 18730 of the California Code of Regulations), and other applicable state and local conflict of interest codes. Government Code Section 1909, et seq. prohibit a public official from being financially interested in a contract or sale in both public and private capacities. This includes disqualification from making or participating in a decision or using official position to influence or attempt to influence a decision in which there is a conflict of interest as defined by law. Form 700 Statement of Economic Interests will be completed annually by Trustees and General Manager, which requires disclosure of reportable economic interests.~~

The California Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations 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 Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, including which officials and employees are designated and disclosure categories are hereby incorporated by reference and constitute the Conflict of Interest Code of the Mendocino County Russian River Flood Control and Water Conservation Improvement District ("District").

Individuals holding designated positions shall file statements of economic interests (Form 700) with the Fair Political Practices Commission and the District. Annual statements of economic interests shall be filed by April 1 of each year. Statements are also required upon assuming office and upon leaving office, as applicable. The District shall make statements available for public inspection and reproduction (Government Code Section 81008). All statements will be retained by the District.

Designated Employees and Positions

The following designated positions shall be subject to disclosure requirements pursuant to the Mendocino County Russian River Flood Control and Water Conservation Improvement District Conflict of Interest Code:

<u>Designated Position</u>	<u>Disclosure Categories</u>
Trustees	All Categories
General Manager	All Categories
Secretary	All Categories
Treasurer	All Categories
Legal Counsel	All Categories

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Consultants/New Positions

All Categories*

* Consultants and new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations: The President of the Board may determine in writing that particular consultants or new positions, although included within a “designated position,” are hired to perform a range of duties that are limited in scope and thus are not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Board President’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 (Gov. Code Sec. 81008).

Individuals who do not make, participate in making, or act in a staff capacity for governmental decisions are exempt from this disclosure requirement.

Disclosure Categories

1. All investments and business positions in any business entity and income (including receipt of gifts, loans, and travel payments) from any source, which is of the type that contracts with the District.
2. All interests in real property located within the District’s jurisdiction or within two (2) miles of the boundaries of the District’s jurisdiction.
3. All investments and business positions in business entities, and sources of income (including receipt of gifts, loans, and travel payments), which provide services, supplies, materials, machinery or equipment of the type utilized by the District.

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4116 Conflict of Interest and Statements of Economic Interest

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Resolution # 26-__
of the
**Mendocino County Russian River Flood Control
& Water Conservation Improvement District**

**Adopting Updated Policy 4116 Conflict of Interest Code and Statements of
Economic Interest**

WHEREAS, Russian River Flood Control & Water Conservation Improvement District Board of Trustees, hereinafter referred to as the “Board of Trustees,” is subject to the Political Reform Act (Government Code Section 81000, et seq.); and

WHEREAS, the Political Reform Act requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation (Title 2, California Code of Regulations, Section 18730), that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code.

WHEREAS, the Board of Trustees desires to make updates and amendments to its existing conflict of interest code.

NOW, THEREFORE, BE IT RESOLVED, that the above recitals is true and correct; and

BE IT FURTHER RESOLVED, that the attached updated Russian River Flood Control & Water Conservation Improvement District Policy 4116, including designating officials and employees, and establishing disclosure categories, shall constitute the conflict of interest code of the Board of Trustees.

ADOPTED [day] of [month], [year], by the Board of Trustees of the Mendocino County Russian River Flood Control & Water Conservation Improvement District, by the following vote:

Christopher Watt, President	Yes / No / Abstain / Absent
John Reardan, Vice President	Yes / No / Abstain / Absent
Tyler Rodrigue, Treasurer	Yes / No / Abstain / Absent
John Bailey, Trustee	Yes / No / Abstain / Absent
Dave Koball, Trustee	Yes / No / Abstain / Absent

Signed:

Christopher Watt, Board of Trustees President

Date

Attest:

Elizabeth Salomone, General Manager

Date