

Board of Directors Meeting - AGENDA
ROLLING HILLS COMMUNITY SERVICES DISTRICT

Tuesday, August 16, 2016 - 7:00 p.m.

Holiday Inn Express Meeting Room
4360 Town Center Drive, El Dorado Hills, CA

1. Call to Order/Announcements

Pledge of Allegiance; Roll Call

2. Public Comment - Items Not on Agenda

At this time, members of the public may address the Board of Directors regarding any item within the subject matter jurisdiction of the Board, not set forth as an agenda item. No action may be taken on items raised during Public Comment as they are not on the agenda. Issues presented in Public comments may be referred to staff or scheduled on a future board agenda. Please limit your comments to three minutes or less. The public comment portion of the meeting will not exceed 15 minutes.

In addition, members of the public may address the Board of Directors regarding an agenda item after that item has been called but before the Board entertains its discussion of the item. Please limit your comments to three minutes or less.

3. Monthly Reports

- a. General Manager Report
- b. Master Plan Committee Report

4. Consent Items

- a. Approval of draft Minutes of July 19, 2016 Regular meeting of the Board of Directors and August 8, 2016 Special Meeting
- b. Correspondence receive/file:
 - Letter from State of California Employment Development Department regarding State Information Data Exchange System
 - August 1, 2016, CSDA Memorandum regarding 2017 CSDA Committee & Expert Feedback Team Participation
 - Certificate of Liability Insurance for CPM
 - Community Development Agency Notice of Public Hearing to consider Tentative Map, Rezone, Planned Development, Development Agreement for Saratoga Estates submitted by Renasci Development, LLC on August 25, 2016

5. Old Business

- a. **Development Projects In Proximity to District With Potential Impacts** – Staff to discuss updates regarding Folsom Heights LLC development project (Information Item)
- b. **Springfield Meadows Road Maintenance** – Staff to provide update regarding striping and arrows for project (Discussion/Action Item)
- c. **El Dorado Hills Sign on CSD Property** – Follow up to further discuss efforts to illuminate the El Dorado Hills sign visible from Highway 50; update regarding possibility of

collaboration with others regarding second sign located north of Highway 50 (Discussion Item)

- d. **El Dorado Hills CSD Request for Use of Stonebriar Baseball Field** – Staff to provide update regarding consideration of requested use of Stonebriar Baseball field for the period of February through July 2017 and terms for requested use
- e. **Second Reading and Adoption of Ordinance 2016-01** regarding Administrative Citations (Discussion/Action Item)
- f. **District Financial Management** – Update regarding financial management for special districts (Information Item)

6. New Business

- a. **Vehicular Access to Open Space From Dunnwood Drive** – Staff to discuss access to District open space via utility road from Dunnwood Drive; input from El Dorado Hills Fire Marshall; consideration of authorization of expenditure of funds from approved FY17 budget in an amount not to exceed \$1,800 for installation of fire access gate (Discussion/Action Item)
- b. **Audit Services** – Consideration of proposal from Vaughn Johnson, CPA and motion to approve authorization of funds to defray cost of audits for three fiscal year periods ended June 30, 2014 and June 30, 2015 and June 30, 2016, at a cost of not-to-exceed \$9,000 for the audit services and further authorization of General Manager to execute Engagement letter (Action item)
- c. **Biennial Review of Conflict of Interest Code** – Motion to approve Conflict of Interest Code for 2016 (Action Item)

7. Adjournment

The Board may take action on any of the items listed on this Agenda regardless of whether the matter appears on the Consent Calendar or is described as an action item, a report, or an information item.

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED: In compliance with the Americans with Disabilities Act, Rolling Hills CSD will provide special assistance for disabled citizens. A request for disability related modification or accommodation, including auxiliary aids or services, made be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting by contacting the General Manager at (916) 235-8671 or GenMgr@RollingHillsCSD.org . Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

CORRESPONDENCE ITEMS

State of CA EDD
PO Box 826880
Sacramento, CA 94280-0001

ROLLING HILLS COMMUNITY SERVIC
PO BOX 5266
EL DORADO HILLS CA 95762-0005

Dear California Employer,

The California Employment Development Department (EDD) values its partnership with California's employer community and strives to meet your business needs by implementing innovative services that value your time and resources.

We are pleased to announce that the State Information Data Exchange System (SIDES) is now available to all California employers and their third party administrators (TPAs).

SIDES provides a more convenient way for employers and TPAs to electronically receive and respond to the EDD's *Notice of Unemployment Insurance Claim Filed* (DE 1101CZ). Providing timely and complete separation information not only assists the EDD in determining an Unemployment Insurance (UI) claimant's eligibility to receive UI benefits, it also reduces improper UI payments and ensures that your UI reserve account is properly charged.

At the EDD, we value your contributions to the state's economy and firmly believe that our business is your success. We hope SIDES meets your expectations and that you find it convenient and easy to use.

To learn more, refer to the enclosed *SIDES Tip Card* (DE 8807) or visit www.edd.ca.gov/SIDES.

Sincerely,



SABRINA REED
Deputy Director
Unemployment Insurance Branch



**California Special
Districts Association**
Districts Stronger Together

MEMORANDUM

DATE: August 1, 2016

TO: CSDA Members (Regular, Associate, and Business Affiliate)

FROM: Bill Nelson, CSDA President
Neil McCormick, Chief Executive Officer

SUBJECT: 2017 CSDA Committee & Expert Feedback Team Participation

CSDA's strength and effectiveness as an organization is directly related to our ability to involve the member district board members and staff and Business Affiliate members in the work of the association. The talents and energy that both groups bring to CSDA and to the issues that concern special districts in California through active involvement are critical components of CSDA's success.

With this in mind, we are asking for volunteers from your district or company (staff and/or board members) to participate and contribute on one or more of our committees and/or expert feedback teams to assist in shaping CSDA.

If you or any others from your district or company would like to become even more involved as a member of CSDA, please review and complete the form included with this letter. Committees need dedicated participants who are able to expend the time to provide their expertise in directing the activities and policies of CSDA. CSDA does not reimburse for committee related travel expenses.

In regard to **CSDA's Expert Feedback Teams**, when a need for feedback arises on a particular policy matter, CSDA advocacy staff will send an e-mail to an expert feedback team asking for its input. Team members need only reply with their thoughts, opinions and experiences. The workload of a team member will ultimately be what he or she makes of it. Team members will not be required to travel; they should expect to receive a handful of e-mails each month and, on rare occasions, they may be contacted by phone.

Please return the attached form by **5:00 PM on October 14, 2016**. The selection and ratification of CSDA's 2017 committees will take place in November and selected participants will be notified by the end of November 2016. Committee participation begins in January 2017.

Thank you for your continued support of CSDA!

California Special Districts Associations
1112 I Street, Suite 200
Sacramento, CA 95814
Toll Free: 877-924-CSDA (2732)
Phone: 916-442-7887
Fax: 916-442-7889

A proud California Special Districts Alliance partner	
Special District Risk Management Authority	CSDA Finance Corporation
1112 I Street, Suite 300	1121 I Street, Suite 200
Sacramento, CA 95814	Sacramento, CA 95814
Toll Free: 800-537-7790	Toll Free: 877-924-CSDA (2732)
Fax: 916-231-4111	Fax: 916-442-7889



**California Special
Districts Association**

Districts Stronger Together

**2017 COMMITTEE AND EXPERT FEEDBACK TEAM
INTEREST FORM**

Please make additional copies for each participant.

Please use actual contact information where you can be reached

Name: _____

Title/Position: _____

District/Company: _____

Telephone: _____ Fax: _____

E-mail: _____

COMMITTEES: We hope your District or Company will participate in one or more of CSDA's committees. The CSDA Board of Directors encourages the participation of individuals from member agencies and Business Affiliates on CSDA's committees. As space is limited, please choose more than one committee which you would like to participate on, and please rank according to preference: **1 = 1st choice; 2 = 2nd choice; 3 = 3rd choice**

If we are able to place you on more than one committee, how many committees would you like to serve on?
_____ (maximum 3)

NOTE: All committees meet in-person at least twice annually. Committees generally meet in Sacramento, however locations may vary.

_____ **Audit Committee:** Responsible for maintaining and updating internal controls. Provides guidance to auditors regarding possible audit and fraud risks. Commitment: May meet with auditors prior to the commencement of the audit, when audit is completed and possibly one meeting during the auditing process. Financial experience preferred.

_____ **Professional Development Committee:** Plans, organizes and directs the professional development and events for CSDA. Commitment: Meets at least twice annually.

_____ **Elections & Bylaws Committee:** Conducts annual elections and occasionally reviews bylaws upon request of the CSDA Board, members or as needed. Commitment: Minimum of one meeting in Sacramento.

_____ **Fiscal Committee:** Oversees the financial direction of the organization including budget review and implementation. Commitment: Meets at least three times annually. Financial experience preferred.

_____ **Member Services Committee:** Responsible for recruitment of new members, member retention, development of new member benefits and review of current programs. Commitment: Meets at least twice annually.



CALIPAV-01 JRODRIGUEZ

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/29/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Warren G. Bender Co. 516 Gibson Drive Suite 240 Roseville, CA 95678	CONTACT NAME:		
	PHONE (A/C, No, Ext): (916) 380-5300	FAX (A/C, No): (916) 380-5206	
INSURED California Pavement Maintenance Company, Inc. DBA CPM 9390 Elder Creek Road Sacramento, CA 95829	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Tokio Marine Specialty Insurance Company		23850
	INSURER B : Safeco Insurance Co. of Amer		24740
	INSURER C : Liberty Surplus Insurance Corporation		10725
	INSURER D : Arch Insurance Company		
	INSURER E :		
INSURER F :			

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Per job agg GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	X	PPK1474094	03/31/2016	03/31/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	X	02CE230991	09/30/2015	09/30/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$		1000201189-01	03/31/2016	03/31/2017	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	ZAWCI9388500	08/01/2016	08/01/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Rolling Hills CSD Stonebriar - Hot Rubber Crackfill/ E I Dorado Hills/ Rolling Hills Community Services District is included as additional insured per the attached endorsement. AI, Auto AI, Wrap Up Exclusion.

CERTIFICATE HOLDER

CANCELLATION

Rolling Hill Community Services District Attn: Chaney Hicks PO Box 5266 EI Dorado Hills, CA 95762	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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COMMERCIAL AUTO
CA 71 10 03 07

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

AUTO PLUS ENDORSEMENT

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by the endorsement.

EXTENDED CANCELLATION CONDITION

Paragraph **2.b.** of the CANCELLATION Common Policy Condition is replaced by the following:

- b. 60 days before the effective date of cancellation if we cancel for any other reason.

TEMPORARY SUBSTITUTE AUTO — PHYSICAL DAMAGE COVERAGE

Under paragraph C. — CERTAIN TRAILERS, MOBILE EQUIPMENT AND TEMPORARY SUBSTITUTE AUTOS of SECTION 1 — COVERED AUTOS, the following is added:

If Physical Damage coverage is provided by this Coverage Form, then you have coverage for:

Any "auto" you do not own while used with the permission of its owner as a temporary substitute for a covered "auto" you own that is out of service because of its breakdown, repair, servicing, "loss" or destruction.

BROAD FORM NAMED INSURED

SECTION II — LIABILITY COVERAGE — A.1. WHO IS AN INSURED provision is amended by the addition of the following:

- d. Any business entity newly acquired or formed by you during the policy period provided you own 50% or more of the business entity and the business entity is not separately insured for Business Auto Coverage. Coverage is extended up to a maximum of 180 days following acquisition or formation of the business entity. Coverage under this provision is afforded only until the end of the policy period.

BLANKET ADDITIONAL INSURED

SECTION II — LIABILITY COVERAGE — A.1. WHO IS AN INSURED provision is amended by the addition of the following:

- e. Any person or organization for whom you are required by an "insured contract" to provide insurance is an "insured", subject to the following additional provisions:
 - (1) The "insured contract" must be in effect during the policy period shown in the Declarations, and must have been executed prior to the "bodily injury" or "property damage".
 - (2) This person or organization is an "insured" only to the extent you are liable due to your ongoing operations for that insured, whether the work is performed by you or for you, and only to the extent you are held liable for an "accident" occurring while a covered "auto" is being driven by you or one of your employees.
 - (3) There is no coverage provided to this person or organization for "bodily injury" to its employees, nor for "property damage" to its property.
 - (4) Coverage for this person or organization shall be limited to the extent of your negligence or fault according to the applicable principles of comparative negligence or fault.
 - (5) The defense of any claim or "suit" must be tendered by this person or organization as soon as practicable to all other insurers which potentially provide insurance for such claim or "suit".

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- (6) The coverage provided will not exceed the lesser of:
 - (a) The coverage and/or limits of this policy; or
 - (b) The coverage and/or limits required by the "insured contract".
- (7) A person's or organization's status as an "insured" under this subparagraph d ends when your operations for that "insured" are completed.

EMPLOYEE AS INSURED

Under Paragraph A. of Section II — LIABILITY COVERAGE item f. is added as follows:

Your "employee" while using his owned "auto", or an "auto" owned by a member of his or her household, in your business or your personal affairs, provided you do not own, hire or borrow that "auto". This coverage is excess to any other collectible insurance coverage.

FELLOW EMPLOYEE COVERAGE

Exclusion 5. FELLOW EMPLOYEE of SECTION II — LIABILITY COVERAGE — B. EXCLUSIONS is amended by the addition of the following:

However, this exclusion does not apply if the "bodily injury" results from the use of a covered "auto" you own or hire, and provided that any coverage under this provision only applies in excess over any other collectible insurance.

BLANKET WAIVER OF SUBROGATION

We waive the right of recovery we may have for payments made for "bodily injury" or "property damage" on behalf of the persons or organizations added as "insureds" under Section II — LIABILITY COVERAGE — A.1.D. BROAD FORM NAMED INSURED and A.1.e. BLANKET ADDITIONAL INSURED.

PHYSICAL DAMAGE — ADDITIONAL TRANSPORTATION EXPENSE COVERAGE

The first sentence of paragraph A.4. of SECTION III — PHYSICAL DAMAGE COVERAGE is amended as follows:

We will pay up to \$50 per day to a maximum of \$1,500 for temporary transportation expense incurred by you because of the total theft of a covered "auto" of the private passenger type.

PERSONAL EFFECTS COVERAGE

A. SECTION III — PHYSICAL DAMAGE COVERAGE, A.4. COVERAGE EXTENSIONS, is amended by adding the following:

c. Personal Effects Coverage

For any Owned "auto" that is involved in a covered "loss", we will pay up to \$500 for "personal effects" that are lost or damaged as a result of the covered "loss", without applying a deductible.

EXTRA EXPENSE — BROADENED COVERAGE

Paragraph A. — COVERAGE of SECTION III — PHYSICAL DAMAGE COVERAGE is amended to add:

- 5. We will pay for the expense of returning a stolen covered "auto" to you.

AIRBAG COVERAGE

Under paragraph B. — EXCLUSIONS of SECTION III — PHYSICAL DAMAGE COVERAGE, the following is added:

The exclusion relating to mechanical breakdown does not apply to the accidental discharge of an airbag.

NEW VEHICLE REPLACEMENT COST

Under Paragraph C — LIMIT OF INSURANCE of Section III — PHYSICAL DAMAGE COVERAGE section 2 is amended as follows:

- 2. An adjustment for depreciation and physical condition will be made in determining actual cash value in the event of a total loss. However, in the event of a total loss to your "new vehicle" to which this coverage applies, as shown in the declarations, we will pay at your option:
 - a. The verifiable "new vehicle" purchase price you paid for your damaged vehicle, not including any insurance or warranties purchased;
 - b. The purchase price, as negotiated by us, of a new vehicle of the same make, model and equipment, not including any furnishings, parts or equipment not installed by the manufacturer or manufacturer's dealership. If the same model is not available pay the purchase price of the most similar model available;

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – OWNERS, LESSEES OR
CONTRACTORS – COMPLETED OPERATIONS**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location And Description Of Completed Operations
WHERE REQUIRED BY WRITTEN CONTRACT	

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part, by "your work" at the location designated and described in the Schedule of this endorsement performed for that additional insured and included in the "products-completed operations hazard".

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
 2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – OWNERS, LESSEES OR
CONTRACTORS – SCHEDULED PERSON OR
ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
WHERE REQUIRED BY WRITTEN CONTRACT	
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

- C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

POLICY NUMBER: | PPK1474094

COMMERCIAL GENERAL LIABILITY
CG 21 54 01 96

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EXCLUSION – DESIGNATED OPERATIONS COVERED BY A CONSOLIDATED (WRAP-UP) INSURANCE PROGRAM

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Description and Location of Operation(s):

WRAP UP WORK

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

The following exclusion is added to paragraph 2, Exclusions of COVERAGE A – BODILY INJURY AND PROPERTY DAMAGE LIABILITY (Section I – Coverages):

This insurance does not apply to "bodily injury" or "property damage" arising out of either your ongoing operations or operations included within the "products-completed operations hazard" at the location described in the Schedule of this endorsement, as a consolidated (wrap-up) insurance program has been provided by the prime contractor/project manager or owner of the construction project in which you are involved

This exclusion applies whether or not the consolidated (wrap-up) insurance program:

- (1) Provides coverage identical to that provided by this Coverage Part;
- (2) Has limits adequate to cover all claims; or
- (3) Remains in effect.



COMMUNITY DEVELOPMENT AGENCY

DEVELOPMENT SERVICES DIVISION

<http://www.edcgov.us/DevServices/>

PLACERVILLE OFFICE:

2850 Fairlane Court, Placerville, CA 95667

BUILDING

(530) 621-5315 / (530) 622-1708 Fax

bldgdept@edcgov.us

PLANNING

(530) 621-5355 / (530) 642-0508 Fax

planning@edcgov.us

LAKE TAHOE OFFICE:

924 B Emerald Bay Rd

South Lake Tahoe, CA 96150

(530) 573-3330

(530) 542-9082 Fax

NOTICE OF PUBLIC HEARING

The County of El Dorado Planning Commission will hold a public hearing in the Building C Hearing Room, 2850 Fairlane Court, Placerville, CA 95667 on **August 25, 2016, at 8:30 a.m.**, to consider **Tentative Map TM14-1520/Rezone Z14-0007/Planned Development PD14-0006/Development Agreement DA15-0001/Saratoga Estates** submitted by RENASCI DEVELOPMENT, LLC (Agent: Steve Kessler) to request the following: 1) Certification of Environmental Impact Report (EIR) (State Clearing House No. 2015032058) for the Saratoga Estates Residential Project; 2) Adoption of the Mitigation Monitoring and Reporting Program (MMRP); 3) Zone Amendments amending the existing zones from One-Family Residential (R1) and Open Space (OS) to an overall Planned Development Zone District (-PD) combined with two base zone districts as follows: (a) One-Family Residential (R1-PD)-79.17 acres; and (b) Open Space (OS-PD)-42.11 acres; 4) Development Plan to allow efficient use of the land and flexibility of development under the proposed tentative subdivision map, subject to revised development standards, e.g.: lot size, height limits, and setbacks, for the proposed zones, and to include gated private roads to serve the development; 5) Tentative Subdivision Map on the 121.28 acre property creating a total of 317 single family residential lots ranging in size from 5,972 square feet to 23,516 square feet; three park lots, three open space lots, six landscape lots, four road lots, and one park/public utility lot; 6) Design waivers are requested to allow the following: (a) Modify Standard Plan 101B to reduce Right of Way and roadway width for internal subdivision streets from 50 feet to 40 feet Right of Way and from 36 feet to 29 feet curb face to curb face, respectively; (b) Modify Standard Plan 103A-1 to allow driveways to be within 25 feet from a radius return, allow driveway widths to be reduced from 16 feet to 10 feet for single car garage and 16 feet wide driveway for two-car garage, and omit 4-foot taper to back of curb; (c) Modify Standard Plan 101B to reduce sidewalk widths from 6 feet with 0.5-foot from face of curb to 4.5 feet from face of curb to back of sidewalk along interior roads (from FC to BW); (d) Modify Standard Plan 101B to allow sidewalks on one side of the roadway only for streets without residential frontage (M, N, I, G, and D Streets, C Court, and a portion of A and B Streets); and (e) Allow tangents shorter than 100 feet between reversed curves on local streets; and 7) Approval of the Saratoga Estates Development Agreement. The property, identified by Assessor's Parcel Number 120-070-02, consisting of 121.28 acres, is located north of Highway 50 at the terminus of Saratoga Way and Wilson Boulevard, in the Community Region of El Dorado Hills, Supervisorial District 1. [County Planner: Jennifer Franich] (Environmental Impact Report prepared)

Staff Reports are available two weeks prior at <https://eldorado.legistar.com/Calendar.aspx>

All persons interested are invited to attend and be heard or to write their comments to the Planning Commission. If you challenge the application in court, you may be limited to raising only those items you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission at, or prior to, the public hearing. Any written correspondence should be directed to the County of El Dorado Community Development Agency, Development Services Division-Planning Services, 2850 Fairlane Court, Placerville, CA 95667 or via e-mail: planning@edcgov.us.

To ensure delivery to the Commission prior to the hearing, written information from the public is encouraged to be submitted by Thursday the week prior to the meeting. Planning Services cannot guarantee that any FAX or mail received the day of the Commission meeting will be delivered to the Commission prior to any action.

COUNTY OF EL DORADO PLANNING COMMISSION

ROGER TROUT, Executive Secretary

August 5, 2016

ORDINANCE NO. 2016-__
AN ORDINANCE OF THE ROLLING HILLS
COMMUNITY SERVICES DISTRICT
REGARDING ADMINISTRATIVE CITATIONS

Item 5.e
8-16-2016
Second Reading

RECITALS

WHEREAS, the Board of Directors ("Board") of the Rolling Hills Community Services District ("District") has the authority to make violations of its ordinances subject to an administrative fine or penalty under Government Code Section 53069.4; and

WHEREAS, setting procedures for the imposition of administrative citations will allow the District to easily and quickly resolve violations of District regulations administratively rather than pursuing criminal remedies; and

WHEREAS, the District wishes to provide for a system of administrative citations, which would be in addition to all other legal remedies, criminal or civil, that the District may pursue to address a violation of its regulations.

NOW, THEREFORE, the Board of Directors of the Rolling Hills Community Services District ordains as follows:

Section 1. APPLICABILITY

- A. This Ordinance provides for the issuance of administrative citations that are in addition to all other legal remedies, criminal or civil, that may be pursued by the District to address any violation of the District's ordinances.
- B. Use of this Ordinance shall be at the sole discretion of the District.

Section 2. DEFINITIONS

For purposes of this Ordinance:

- A. "Enforcement officer" shall mean the General Manager or any District employee or agent of the District with the authority to enforce any provision of the District's ordinances.
- B. "Hearing body" shall mean the Board of Directors of the District.
- C. "Person Responsible" means a person that the enforcement officer determines is responsible for causing or maintaining a violation of the District's ordinances. The term "person responsible" includes, but is not limited to, a property owner, tenant, person with a legal interest in real property, or person in possession of real property.

Section 3. ADMINISTRATIVE CITATION

- A. Whenever an enforcement officer charged with the enforcement of any provision of the District's ordinances determines that a violation of that provision has

Adopted ____, 2016
Effective ____, 2016

occurred, the enforcement officer shall have the authority to issue an administrative citation to any person responsible.

- B. Prior to issuing an administrative citation, the enforcement officer may issue a written warning to the person responsible.
- C. If a citation is to be issued, each administrative citation shall be issued on a form containing the following information:
 - 1. The date of the violation or, if the date of the violation is unknown, the date the violation is identified;
 - 2. The address or a definite description of the location where the violation occurred;
 - 3. The ordinance violated and a description of the violation;
 - 4. The amount of the administrative fine for the violation;
 - 5. If applicable, the action necessary to correct the violation;
 - 6. If applicable, a requirement that the person responsible immediately correct the violation, and an explanation of the consequences of failure to correct the violation;
 - 7. If applicable, a reasonable correction period, prior to imposition of the fine;
 - 8. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;
 - 9. A description of the administrative citation review process, including requirements for requesting a hearing;
 - 10. The name and signature of the citing enforcement officer.

Section 4. AMOUNT OF FINES

The schedule of fines for administrative citations issued for violations of the District's ordinances is as follows, unless a higher amount is allowed by state law:

- A. An administrative fine not exceeding \$100.00 for a first violation;
- B. An administrative fine not exceeding \$200.00 for a second violation of the same ordinance within 12 months;
- C. An administrative fine not exceeding \$500.00 for each additional violation of the same ordinance within 12 months.

Section 5. PAYMENT OF FINES

- A. The fine shall be paid to the District within thirty (30) days from the date of the administrative citation.
- B. Any person who fails to pay the District any administrative fine imposed pursuant to this Ordinance on or before the date that fine is due shall be liable for payment of any applicable late payment charges set forth in a resolution or fee schedule adopted by the District.
- C. Any administrative fine paid pursuant to subsection A of this section shall be refunded if it is determined, after a hearing, that the person charged in the administrative citation was not responsible for the violation or that there was no violation as charged in the administrative citation.
- D. Payment of a fine under this chapter shall not excuse or discharge any continuation or repeated occurrence of the violation that is the subject of the administrative citation.

Section 6. HEARING REQUEST

- A. Any recipient of an administrative citation may contest that there was a violation of a District regulation, or that he or she is the responsible party, or that a penalty amount is warranted, or any other terms of the citation, by filing a written notice of appeal with the General Manager or Board secretary within thirty (30) days of the date of the issuance of the administrative citation, together with an advance deposit of the fine. Failure to timely file a written notice of appeal or provide the advance deposit of the fine shall constitute a failure to exhaust administrative remedies.
- B. The person requesting the hearing shall be notified of the time and place set for the hearing at least ten (10) days prior to the date of the hearing.
- C. If the enforcement officer submits an additional written report concerning the administrative citation to the Board for consideration at the hearing, then a copy of this report shall also be served on the person requesting the hearing at least three (3) days prior to the date of the hearing.

Section 7. HEARING BODY

The District Board shall serve as the hearing body for the administrative citation hearing. The determination of the District Board shall be final.

Section 8. HEARING PROCEDURE

- A. A hearing before the hearing body shall be set for a date that is not less than fifteen (15) days and not more than sixty (60) days from the date that the request for hearing is filed. The hearing may be continued from time to time as deemed necessary by the hearing body.
- B. At the hearing, the party contesting the administrative citation shall be given the opportunity to testify and to present evidence concerning the administrative citation.

- C. The failure of any recipient of an administrative citation to appear at the administrative citation hearing shall constitute a forfeiture of the fine and a failure to exhaust his or her administrative remedies.
- D. The administrative citation and any additional report submitted by the enforcement officer shall constitute prima facie evidence of the respective facts contained in those documents. The burden of proof shall then be on the person contesting the administrative citation to refute such evidence.
- E. Evidence offered during a hearing must be credible and relevant in the estimation of the hearing body, but formal rules governing the presentation and consideration of evidence shall not apply.

Section 9. HEARING BODY'S DECISION

- A. After considering all of the testimony and evidence submitted at the hearing, the hearing body shall issue a written decision to uphold or cancel the administrative citation and shall list in the decision the reasons for that decision. The decision of the hearing body shall be final.
- B. If the hearing body determines that the administrative citation should be upheld, then the fine amount on deposit with the District shall be retained by the District.
- C. If the hearing body determines that the administrative citation should be canceled, then the District shall promptly refund the amount of the deposited fine.
- D. The recipient of the administrative citation shall be served with a copy of the hearing body's written decision.

Section 10. RECOVERY OF ADMINISTRATIVE CITATION FINES AND COSTS

The District may collect any past due administrative citation fine or late payment charge by use of all available legal means. The District also may recover its collection costs, including, but not limited to, administrative costs and attorney fees. Such collection costs shall be in addition to any penalties, interest, and state charges imposed pursuant to an ordinance or resolution of the District Board.

Section 11. JUDICIAL REVIEW

Any person aggrieved by an administrative decision of the District Board may obtain review of the administrative decision by filing a petition for review with the superior court in El Dorado County in accordance with the time limitations and provisions set forth in California Government Code section 53069.4.

Section 12. NOTICES

- A. The administrative citation and all notices required to be given by this Ordinance shall be served on the person responsible by personal delivery thereof to the person to be notified or by deposit in the United States mail, in a sealed envelope, postage prepaid, addressed to such person to be notified at his last known business or residence address as the same appears in the public records.

or other records pertaining to the matter to which such notice is directed. Service by mail shall be deemed to have been completed at the time of deposit to the postal service.

- B. Failure to receive any notice specified in this chapter does not affect the validity of proceedings conducted hereunder.

Section 13. REMEDIES CUMULATIVE

The remedies provided for in this Ordinance shall be cumulative and not exclusive, and shall be in addition to any and all other remedies available to the District.

Section 14. SEPARATE VIOLATIONS

Each day or portion thereof during which a violation of an ordinance exists is a separate violation subject to an administrative citation.

Section 15. SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Ordinance or their applicability to other persons or circumstances.

Section 16. EFFECTIVE DATE.

This Ordinance shall become effective thirty (30) days after its final passage and adoption, provided it is published within fifteen (15) days after its adoption in the Mountain Democrat newspaper in accordance with Government Code section 25124.

This Ordinance was introduced and the title hereof read at the regular meeting of the Rolling Hills Community Services District Board of Directors on _____, 2016, and further reading was waived.

On a motion by _____, seconded by _____, this Ordinance was passed and adopted by the Board of Directors of the Rolling Hills Community Services District on this ____ day of _____, 2016, by the following vote:

AYES: DIRECTORS:

NOES: DIRECTORS:

ABSTAIN: DIRECTORS:

ABSENT: DIRECTORS:

PRESIDENT OF THE BOARD

ATTEST:

BOARD SECRETARY

COUNTY OF EL DORADO

RECORDER CLERK - REGISTRAR OF VOTERS - VETERANS AFFAIRS

William E. Schultz



Recorder-Clerk
Commissioner of Civil Marriages
360 Fair Lane
Placerville CA 95667
www.edcgov.us/countyclerk/
Phone: 530.621.5490
Jane Kohlstedt
Assistant Recorder-Clerk

Registrar of Voters
2850 Fairlane Court
PO Box 678001
Placerville CA 95667
www.edcgov.us/elections/
Phone: 530.621.7480 Fax: 530.626.5514
Linda Webster
Assistant Registrar of Voters

Veterans Affairs Office
130 Placerville Drive,
Placerville CA 95667
www.edcgov.us/veterans/
Phone: 530.621.5893
William E. Schultz
Veterans Affairs Interim Dept. Head
Ed Swanson
Veterans Service Officer

June 23, 2016

TO: All Districts in El Dorado County

FROM: William E. Schultz *WES*
Recorder-Clerk-Registrar of Voters

RE: Conflict-of-Interest Code Review for the Year 2016

The Political Reform Act requires every local special district to review its conflict-of-interest code every even-numbered year. Enclosed is a 2016 Local Agency Biennial Notice that must be completed and returned to the Elections Department **no later than Friday, August 26, 2016**. Please indicate on the Notice whether or not a revision to your district's code is necessary. If a revision is required, the amended conflict-of-interest code should follow within 90 days.

If you answer yes, to any of the questions below, your agency's code probably needs to be amended.

- *Is the current code more than five years old?*
- *Have there been any substantial changes to the district's organizational structure since the last code was approved?*
- *Have any positions been eliminated or re-named since the last code was approved?*
- *Have any new positions been added since the last code was approved?*
- *Have there been any substantial changes in duties or responsibilities for any positions since the last code as approved?*

Upon receipt of an amended conflict-of-interest code, the Elections Department will submit the amended code to County Counsel for review and subsequent presentation to the Board of Supervisors for approval. Please remember your agency's amended code is not effective until it is approved by the Board of Supervisors.

Enclosed is a sample Notice of Intention to Adopt or Amend a Conflict-of-Interest Code and a sample of a district's Conflict-of-Interest Code.

Attend a Workshop or Webinar: Schedules and information about seminars and webinars are available at www.fppc.ca.gov.

As always, if we can provide further information, please contact Kim Smith at (530) 621-7490.

Very truly yours,

A handwritten signature in black ink, appearing to read "William E. Schultz".

CONFLICT OF INTEREST CODE FOR ROLLING HILLS COMMUNITY SERVICES DISTRICT

The Political Reform Act (Government Code Section 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. 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 that can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the ROLLING HILLS COMMUNITY SERVICES DISTRICT.

Designated employees shall file statements of economic interests with the ROLLING HILLS COMMUNITY SERVICES DISTRICT, who will make the statements available for public inspection and reproduction. [Government Code Section 81008.] Statements for all designated employees will be retained by the ROLLING HILLS COMMUNITY SERVICES DISTRICT.

Regulations of the Fair Political Practices Commission, Title 2, Division 6 of the California Code of Regulations:

18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section 87300 or the amendment of a conflict of interest code within the meaning of Government Code Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 81000, et seq. The requirements

of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 California Code of Regulations Section 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this Conflict of Interest Code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code Sections 87200 et seq.; and

(C) The filing officer is the same both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of financial interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those financial interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this Code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this Code shall file an initial statement within 30 days after the effective date of the amendment.

¹Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code Section 81004.

²See Government Code Section 81010 and 2 California Code of Regs. Section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

- (1) File a written resignation with the appointing power; and
- (2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code, and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate

confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office with a date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Government Code Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to 2 Cal. Code Regs. Section 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investments and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

(1) A statement of the nature of the investment or interest;

³For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴Investments and interests in real property which have a fair market value of less than \$2,000.00) are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10% or greater.

(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 entity is engaged;

(3) The address or other precise location of the real property;

(4) A statement whether the fair market value of the investment or interest in real property exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000)

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ 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 one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or 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 name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

(5) In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

⁵A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

(1) The name, address and a general description of the business activity of the business entity;

(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 person was equal to or greater than ten thousand dollars (\$10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing body of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b) and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.

⁶Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10% or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$460.

No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$460 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subsections (e), (f), and (g) of Government Code Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or

the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

(1) Loans made to the campaign committee of an elected officer or candidate for elective office.

(2) Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

(3) Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.

(4) Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

(1) Loans made to the campaign committee of the elected officer.

(2) Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

(3) Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

(1) If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

(2) If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

(B) This section shall not apply to the following types of loans:

(1) A loan made to the campaign committee of an elected officer or a candidate for elective office.

(2) A loan that would otherwise not be a gift as defined in this title.

(3) A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

(4) A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

(5) A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000) or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth One Thousand Dollars (\$1,000.00) or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$420 or more provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of Section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act must be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 and 2 Cal. Code Regs. Sections 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political

Reform Act, Government Code Sections 81000 to 91015. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

NOTE: Authority Cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502, 89503 Government Code

APPENDIX A

PART I – DESIGNATED EMPLOYEES

<u>Position</u>	<u>Disclosure Category</u>
Board Members	1-5
General Manager	1-5
Consultants	1-5

PART II – DISCLOSURE CATEGORIES

1. Investments, business positions in any business entity, and sources of income, including gifts, loans and travel payments, from persons or entities which provide services, facilities, materials, supplies, machinery or equipment of the type utilized by the District.
2. All interests in real property located within the jurisdiction of the District and/or within a two mile radius of any property owned by the District.
3. Investments, business positions in any business entity, sources of income, including gifts, loans and travel payments, and interests in real property related to persons or businesses which provide services similar to those provided by the District including, but not limited to acquisition, construction, improvement and maintenance of streets, roads, rights of way, bridges, culverts, drains, curbs, gutters, sidewalks; the provision of park and recreational services; and the regulation of traffic and parking on District streets and rights of way.
4. Investments, business positions in any business entity, sources of income, and/or interests in real property related to business entities or persons who are:
 - a. Owners of interests in real property located within the District; or
 - b. Engaged in the real estate sales and/or development business within the jurisdictional boundaries of the District.
5. Investments and business positions in business entities and sources of income, including gifts, loans and travel payments, from persons or entities which provide financial services of the type utilized by the District, including but not limited to financial institutions and/or investment vehicles that are of the type in which this District is empowered to invest its funds.

The General Manager of the District 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. Such determination shall be a public record and shall be retained for public inspection in the same manner and locations as this conflict of interest code.

APPENDIX B

All interests in real property as well as investments and business positions in business entities and income from sources which provide facilities, services, supplies, or equipment of the type utilized by the District, including but not limited to:

- Construction and building materials
- Park maintenance equipment or supplies, playground equipment
- Architectural services
- Construction contractors
- Safety equipment and facilities
- Hardware tools and supplies
- Freight and hauling
- Motor vehicles
- Petroleum products
- Photographic services, supplies and equipment
- Pesticides and herbicides
- Communications equipment
- Electrical equipment
- Computer hardware and software
- Appraisal services
- Printing, reproduction, record keeping, etc.
- Office equipment
- Accounting services
- Real estate agents/brokers and investment firms
- Title companies
- Public utilities
- Insurance companies