CONFLICT OF INTEREST CODE
OF THE
CASA DE LA PLAYA GEOLOGIC HAZARD ABATEMENT DISTRICT

1. Standard Code of FPPC

The Political Reform Act of 1974 (Government Code § 81000 *et seq.*) requires each state and local government agency to adopt and promulgate a conflict of interest code. As a government agency, Casa De La Playa Geologic Hazard Abatement District (the "District") is therefore required to adopt such a code. The Fair Political Practices Commission ("FPPC") has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a model conflict of interest code, which can be incorporated by reference as an agency's code. After public notice and hearing, the regulation may be amended by the FPPC to conform to amendments in the Political Reform Act.

2. Adoption of Standard Code of FPPC

The terms of 2 Cal. Code of Regs. § 18730 and any future amendments to it duly adopted by the FPPC are hereby adopted and incorporated herein by reference. This regulation and the Appendix attached hereto designating certain positions and establishing disclosure categories shall constitute the Conflict of Interest Code of the District. This Code shall take effect when approved by the Board of Supervisors for the County of San Diego, and shall thereupon supersede any and all prior codes adopted by the District.

3. Filing of Statements of Economic Interests

Pursuant to Section 4 of the model code set forth in 2 Cal. Code of Regs. § 18730(b), individuals serving in the designated positions set forth in the Appendix shall file Statements of Economic Interests (Form 700) with the Clerk of the District. Upon receipt of the statements of the members of the Board of Directors, the Clerk shall make and retain copies and forward the originals of these statements to the Clerk of the Board of Supervisors for the County of San Diego. Statements for all other individuals in designated positions shall be retained by the Clerk of the District.

115260/000000/1074857.01

Approved and/or authorized by the Board of Supervisors of the County of San Diego
Date 10/19/10 Minute Order No. 9
THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
Nancy Vingiano
Deputy Clerk

APPENDIX TO
CONFLICT OF INTEREST CODE OF
CASA DE LA PLAYA GEOLOGIC HAZARD ABATEMENT DISTRICT

Preamble

Any person designated in Section I of this Appendix who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from Casa De La Playa Geologic Hazard Abatement District's ("the District") General Counsel. (Gov. Code § 83114; 2 Cal. Code of Regs. § 18730(b)(11).) A person who acts in good faith in reliance on an opinion issued to him or her by the FPPC shall not be subject to criminal or civil penalties for so acting, provided that all material facts are stated in the opinion request. (Gov. Code § 83114(a).)

Opinions rendered by General Counsel do not provide any statutory defense to an alleged violation of conflict of interest statutes or regulations. The prosecuting agency may, but is not required to, consider a requesting party's reliance on General Counsel's opinion as evidence of good faith. In addition, the District may consider whether such reliance should constitute a mitigating factor to any disciplinary action that the District may bring against the requesting party under Gov. Code § 91003.5.

I.

Designated Positions

Designated Positions	Categories Disclosed
Members of the Board of Directors	All
Clerk	All
Treasurer	All
General Counsel	All
Consultants[1]	--

[1] With respect to consultants, the Board of Directors 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 comply with the written disclosure requirements described in these categories. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Board of Directors' determination is a public record and shall be retained for public inspection by the District in the same manner as this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

II.

Disclosure Categories

Category 1. All-Inclusive Reportable Investments

An individual in a designated position in this category shall report all reportable investments, as defined in Gov. Code § 82034, in business entities located in, doing business in, planning to do business in, or having done business in the previous two (2) years in San Diego County which operate or provide any of the following:

Accounting or auditing services
Banks and savings and loans
Computer hardware or software, or computer services or consultants
Communications equipment or services
Construction and building materials, equipment, parts and service
Engineering, surveying, architectural, and appraising
Entities or persons who have filed claims against the District or have claims pending against the District
Equipment rental
Insurance brokers and agencies
Insurance adjusting, claims auditing or administration, or underwriting services
Office equipment or supplies
Personnel and employment companies and services
Printing or reproduction services, publications, and distribution
Real property, including brokers
Real estate development
Safety equipment and supplies
Securities, investment or financial services companies
Soils testing, analysis, and compaction
Title insurance and escrow

Category 2. Reportable Interests in Real Property

An individual in a designated position in this category shall disclose all interests in real property, as defined in Gov. Code §§ 82033 and 82035, that is

(a) within or not more than two (2) miles outside the boundaries of San Diego County that has situated on it any business entity named in category no. 1 above; or

(b) within two (2) miles of any facility or real property owned, used by or within the District.

Category 3. Reportable Income

An individual in a designated position in this category shall disclose all income as defined in Government Code § 82030 of the individual in a designated position from the below-

listed sources located in, doing business in, planning to do business in, or having done business in the previous two (2) years in San Diego County during the reporting period.

Accounting or auditing services
Banks and savings and loans
Computer hardware or software, or computer services or consultants
Communications equipment or services
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Engineering, surveying, architectural, and appraising
Entities or persons who have filed claims against the District or have claims pending against the District
Equipment rental
Insurance brokers and agencies
Insurance adjusting, claims auditing or administration, or underwriting services
Office equipment or supplies
Personnel and employment companies and services
Printing or reproduction services, publications, and distribution
Real property, including brokers
Real estate development
Safety equipment and supplies
Securities, investment or financial services companies
Soils testing, analysis, and compaction
Title insurance and escrow

Category 4. Less-Inclusive Reportable Investments

An individual in a designated position in this category shall disclose only investments as defined in Gov. Code § 82034 in any business entity, which within the last two years has contracted with or in the future foreseeably may contract with the District to provide personnel, services, supplies, material, machinery or equipment:

(a) to the District, of the type utilized by the District which is located in or doing business in San Diego County, and associated with the job assignment or position of the individual in a designated position; or

(b) to any entity which has contracted with the District within the last two years or which in the future foreseeably may contract with the District to provide services, supplies, materials, machinery or equipment associated with the job assignment or position of the individual in a designated position.

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Category 6. Business Positions

An individual in a designated position in this category shall disclose by completing Form 700, Schedule "C." An individual in a designated position shall list:

(a) 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;

(b) a description of the business activity in which the business entity is engaged; and

(c) the individual's position with the business entity.

CONFLICT OF INTEREST CODE
OF THE
CASA DE LA PLAYA GEOLOGIC HAZARD ABATEMENT DISTRICT

1. Standard Code of FPPC

The Political Reform Act of 1974 (Government Code § 81000 *et seq.*) requires each state and local government agency to adopt and promulgate a conflict of interest code. As a government agency, Casa De La Playa Geologic Hazard Abatement District (the "District") is therefore required to adopt such a code. The Fair Political Practices Commission ("FPPC") has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a model conflict of interest code, which can be incorporated by reference as an agency's code. After public notice and hearing, the regulation may be amended by the FPPC to conform to amendments in the Political Reform Act.

2. Adoption of Standard Code of FPPC

The terms of 2 Cal. Code of Regs. § 18730 and any future amendments to it duly adopted by the FPPC are hereby adopted and incorporated herein by reference. This regulation and the Appendix attached hereto designating certain positions and establishing disclosure categories shall constitute the Conflict of Interest Code of the District. This Code shall take effect when approved by the Board of Supervisors for the County of San Diego, and shall thereupon supersede any and all prior codes adopted by the District.

3. Filing of Statements of Economic Interests

Pursuant to Section 4 of the model code set forth in 2 Cal. Code of Regs. § 18730(b), individuals serving in the designated positions set forth in the Appendix shall file Statements of Economic Interests (Form 700) with the Clerk of the District. Upon receipt of the statements of the members of the Board of Directors, the Clerk shall make and retain copies and forward the originals of these statements to the Clerk of the Board of Supervisors for the County of San Diego. Statements for all other individuals in designated positions shall be retained by the Clerk of the District.

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CASA DE LA PLAYA GEOLOGIC HAZARD ABATEMENT DISTRICT

Preamble

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Clerk	All
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[1] With respect to consultants, the Board of Directors 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 comply with the written disclosure requirements described in these categories. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Board of Directors' determination is a public record and shall be retained for public inspection by the District in the same manner as this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

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Insurance adjusting, claims auditing or administration, or underwriting services
Office equipment or supplies
Personnel and employment companies and services
Printing or reproduction services, publications, and distribution
Real property, including brokers
Real estate development
Safety equipment and supplies
Securities, investment or financial services companies
Soils testing, analysis, and compaction
Title insurance and escrow

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Category 4. Less-Inclusive Reportable Investments

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(c) the individual's position with the business entity.

A RESOLUTION OF THE BOARD OF DIRECTORS OF CASA DE LA PLAYA GEOLOGIC HAZARD ABATEMENT DISTRICT ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, Casa De La Playa Geologic Hazard Abatement District (the "District"), as a California Geologic Hazard Abatement District, is required to adopt a Conflict of Interest Code pursuant to Government Code Section 87300; and

WHEREAS, the Fair Political Practices Commission ("FPPC") has adopted a regulation (2 Cal. Code Regs. § 18730) which is a model conflict of interest code and requires certain local agency officials, employees, and consultants to file FPPC Form 700, statement of economic interests; and

WHEREAS, the District desires to adopt a Conflict of Interest Code incorporating the FPPC Model Code by reference;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Casa De La Playa Geologic Hazard Abatement District that:

1. A Conflict of Interest Code, in the form attached as Exhibit "A," is hereby tentatively adopted and promulgated.

2. The Clerk is hereby directed to open a 45-day public comment period to begin on November 11, 2009, by publishing the notice in the San Diego Daily Transcript and concurrently mailing the notice to the San Diego County Board of Supervisors.

3. The Conflict of Interest Code shall become effective immediately upon:

a. Its final approval by the District Board of Directors following close of the public comment period and after a public hearing, if requested, at its meeting on January 28, 2010, or if no meeting takes place on January 28, 2010, at the District Board of Directors next regularly scheduled meeting thereafter.

b. Its approval by the San Diego County Board of Supervisors as the code-reviewing body.

4. Upon its final approval by the Board of Directors of the District, the Clerk is hereby directed and authorized to submit a certified copy thereof to the San Diego County Board of Supervisors for approval.

APPROVED AND ADOPTED this 27th day of August, 2009.

AYES: Teixeira, Bryan, Kincaid, Ellis
NOES:
ABSENT: Fettel
ABSTAIN:

ATTEST:

Clerk, Board of Directors
Casa De La Playa Geologic Hazard Abatement District

NOTICE OF INTENTION TO ADOPT A CONFLICT OF INTEREST CODE FOR CASA DE LA PLAYA GEOLOGIC HAZARD ABATEMENT DISTRICT

NOTICE IS HEREBY GIVEN that Casa De La Playa Geologic Hazard Abatement District (the "District") has tentatively approved and intends to finally adopt a Conflict of Interest Code pursuant to Government Code section 87300 at its meeting on January 21, 2010, or if no meeting takes place on January 21, 2010, at the District Board of Directors next regularly scheduled meeting. Pursuant to Government Code sections 87200 and 87302, the Code will designate public officials, officers and consultants of the District who make governmental decisions, manage the District's investments, and who, therefore, must disclose certain investments, interests in real property, sources of income and business positions, and disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

A public comment period has been established commencing on November 11, 2009 and terminating on December 28, 2009. Any interested person may present written comments concerning the proposed code no later than December 28, 2009 to the District representative at the address listed below. No public hearing on this matter will be held unless any interested person or his or her representative requests a public hearing no later than 15 days prior to the close of the written comment period.

The exact terms of the proposed Conflict of Interest Code, and all of the information upon which the Code is based, are available for inspection and copying by interested persons by contacting the District representative at the address listed below. The District has prepared a written explanation of the reasons for the designations and the disclosure responsibilities and has available all of the information upon which its proposed Conflict of Interest Code is based. Any general inquiries concerning the proposed Code should be directed to the District representative listed below.

Philip G. Kincaid
Clerk
Casa De La Playa Geologic Hazard
Abatement District
4878 Pescadero Avenue, #102
San Diego, CA 92107

Pub. November 11-00065923

DECLARATION OF THE CLERK OF
CASA DE LA PLAYA GEOLOGIC HAZARD ABATEMENT DISTRICT
REGARDING ADOPTION OF CONFLICT OF INTEREST CODE

I, Philip G. Kincaid, hereby declare:

I am the Clerk of Casa De La Playa Geologic Hazard Abatement District (the "District"), a California Geologic Hazard Abatement District.

On August 27, 2009, the Board of Directors of the District considered the proposed Conflict of Interest Code. The proposed Code designates the officials, officers and consultants who make governmental decisions and exercise responsibility for the management of the District's investments.

The Board of Directors set January 28, 2010, for a public hearing, if requested, and for final adoption of the Conflict of Interest Code. Thereafter, notice of intent to adopt the Conflict of Interest Code was published on November 11, 2009, in a newspaper of general circulation in San Diego County.

No comment on the proposed Code nor request for a public hearing were received by the Clerk on or before December 28, 2009. On January 28, 2010, at the time and place set forth in the notice, the Board of Directors adopted the Conflict of Interest Code and directed that it be submitted to the San Diego County Board of Supervisors as the code reviewing body.

Dated: 1/28, 2010

Clerk, Board of Directors
Casa De La Playa Geologic Hazard Abatement District

115260/000000/1147144.01

Casa De La Playa Geologic Hazard Abatement District Organization Chart as of February 2, 2010

Board of Directors

Douglas Fettel
Steven Texeira (Treasurer)
Thomas Bryan
Philip Golden Kincaid (Clerk)
Dr. James Ellis

General Counsel

Procopio, Cory, Hargreaves & Savitch LLP

1151232.1

Descriptions of Duties

Members of the Board of Directors

Members of the Board of Directors formulate general policy and programs of the Casa De La Playa Geologic Hazard Abatement District (the "District"), and each member of the Board of Directors therefore is designated.

Clerk

The Clerk participates in the administrative affairs of the District including, without limitation, giving notice of all meetings, preparing and maintaining the minutes of all meetings, and maintaining all administrative records. The Clerk is designated under the District's Conflict of Interest Code.

Treasurer

The Treasurer participates in the formulation of the District's general policies and programs in the areas finance and general office administration and therefore is designated.

General Counsel

General Counsel, currently hired on a contract basis, advises the District on its day-to-day activities and compliance with applicable laws and regulations. The General Counsel assists the District on as-needed basis, in the formulation and implementation of the policies and programs of the District and therefore is designated.