

TUOLUMNE CITY SANITARY DISTRICT

TCSD
18050 BOX FACTORY ROAD
TUOLUMNE, CA 95379

REGULAR MEETING STAFF REPORT JUNE 7, 2023

PHONE: 209.928.3517
FAX: 209.928.4550
EMAIL: brendatsd@frontier.com

Agenda Item No. 4

To: Board of Directors
From: Dave Andres, General Manager
Subject: Potential Conflict-of-Interest
Date: May 24, 2023

Background: Director Nick Ohler requested staff to refer a conflict-of-interest analysis request to our Legal Counsel for an opinion. The issue is whether Director Ohler has a conflict of interest in respect to voting on pay raises for all employees when one of our employees is a Director on the Fire District Board of Directors and can potentially vote for wage and benefit increases for the Fire Chief.

Discussion: Legal Counsel has prepared an analysis of the potential conflict-of-interest. It is important to point out that the proposed Cost-of Living-Adjustment (COLA) is for a general wage increase for all employees and not a specific special increase for an individual employee. Director Ohler can choose to recuse himself from the vote, or he can vote on the item. This decision is always left to the individual Director to decide.

Fiscal Impact: No direct or indirect costs anticipated for the District other than the cost of the legal review by Counsel.

Attachment(s): None

Recommendation: None

Recommended Motion: None required.

BOARD ACTION:

| | | |
|--|--|------------------|
| <input type="checkbox"/> Resolution No _____ | Moved by: _____ | Second by: _____ |
| _____ AYES | _____ NOES | _____ ABSTAINED |
| _____ ABSENT | <input type="checkbox"/> No Action Taken | |