

EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY

Resolution 2019-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY  
AMENDING AND RESTATING THE AGENCY'S  
CONFLICT OF INTEREST CODE

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WHEREAS, the Board has heretofore adopted the Agency's Conflict of Interest Code (the "Code") pursuant to Government Code section 87300; and

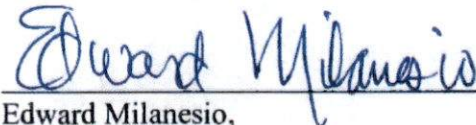
WHEREAS, Government Code section 87306 authorizes the Board to amend the Code when change is necessitated by changed circumstances; and

WHEREAS, the Board desires to amend and restate the Code because circumstances have changed;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY as follows:


1. Each of the matters set forth above is true and correct and the Board so finds and determines.
2. The Code shall be, and the same hereby is, amended and restated to read in the form attached as **Exhibit A** which, by this reference, is made a part hereof.
3. The Secretary of the Board is authorized and directed to forthwith transmit a certified copy with this resolution to the Clerk of the Board of Supervisors of the County of Tulare with a request that such board approve the amended and restated Code in the manner required by law.

PASSED, APPROVED and ADOPTED by the Board of Directors of EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY this 28<sup>th</sup> day of January 2019.



Edward Milanesio,  
President of the Board of Directors

ATTEST:

  
Michael Hagman,  
Secretary of the Board of Directors

EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY

SECRETARY'S CERTIFICATE

I, Michael Hagman, Secretary of the Board of Directors of EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY hereby certify that:

(a) the foregoing is a full, true and correct copy of Resolution 2019-01 duly adopted at a regular meeting of the Board duly and regularly held at the regular meeting place thereof on January 28, 2019;

(b) all directors had due notice of the meeting and a majority thereof were present;

(c) at the meeting such resolution was adopted by the following vote:

AYES: Buldo, Ferrara, Gobler, Milanesio, Roberts, Watson and Weddle

NOES: None

ABSENT: None

ABSTAIN: None

(d) I have compared such resolution with the original minutes of the meeting on file and of record in my office and that such resolution is a full, true and correct copy of the original thereof adopted at the meeting and entered in the minutes; and

(e) the original resolution has not been amended, modified or rescinded since the date of its adoption, and is now in full force and effect.

WITNESS my hand and the seal of EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY this 28<sup>th</sup> day of January 2019.

  
Michael Hagman,  
Secretary of the Board of Directors

**CONFLICT OF INTEREST CODE FOR  
EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY**

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) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code 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 Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY (the **Agency**).

Individuals holding designated positions shall file their statements of economic interests with the **Agency**, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) All statements will be retained by the **Agency**, unless otherwise noted.

Adopted by Agency:

Date: January 28, 2019

Approved by Tulare County Board of Supervisors:

Date: March 26, 2019

**CONFLICT OF INTEREST CODE FOR  
EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY**

**Appendix A**

**DESIGNATED POSITIONS**

<u>POSITION</u>	<u>DISCLOSURE CATEGORY</u>
Board Members & Alternates	1, 2, 3
Executive Director/General Manager	1, 2, 3
Engineer <sup>†</sup>	1, 2, 3
General Counsel <sup>†</sup>	1, 2, 3
Advisory Committee Members	1, 2, 3
Technical Advisory Committee Members	1, 2, 3
Consultants/New Positions	*

<sup>†</sup>Positions currently filled by outside consultants who serve in a staff capacity.

\*Consultants/ New Positions shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Executive Director/General Manager may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director/General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Section 81008; 2 CCR 18734, subd. (a).)



**CONFLICT OF INTEREST CODE FOR  
EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY**

**Appendix B**

**DISCLOSURE CATEGORIES**

**Category 1**

A designated employee in this category must report all investments and business positions in business entities and sources of income, including receipt of gifts, loans, and travel payments, from any source that provides leased facilities, services, supplies, materials or equipment of the type utilized by the Agency.

**Category 2**

A designated employee in this category must report all interests in real property located in whole or in part within the boundaries of the Agency or within two miles of the Agency, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

**Category 3**

A designated employee in this category must report all investments and business positions in business entities, and sources of income, including receipt of gifts, loans, and travel payments, from entities and sources that are subject to the regulatory, permit, or licensing authority of the Agency, or that have filed a claim or have a claim pending against the Agency.

**REQUEST FOR APPROVAL AND DECLARATION OF COMPLIANCE  
FOR CONFLICT-OF-INTEREST CODE AMENDMENT/ADOPTION**

EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY  
(Name of agency)

**TO: TULARE COUNTY BOARD OF SUPERVISORS, 2800 West Burrel Ave., Visalia, California.**

I, Michael Hagman, Executive Director, hereby certify that this agency adopted the attached conflict-of-  
(Printed Name and Position)  
interest code or amendment at a regular meeting held on January 28, 2019,  
(Date)

and that this agency complied with the following procedures:

1. This agency posted a NOTICE OF INTENTION TO ADOPT/AMEND A CONFLICT-OF-INTEREST CODE at least 45 days in advance of the proposed action, and a copy was provided to all employees of the agency affected by the proposed code or amendment;
2. Copies of the proposed code or amendment were made available to interested persons, and written comments concerning the proposed action were accepted. These comments (if any) are attached to this declaration;
3. A public hearing was requested:  yes  no  
If so, a public hearing was held:  yes  no  Inapplicable  
  
If a hearing was held, please describe any areas of controversy and the manner of their resolution (attach additional pages if necessary):
4. A determination has been made regarding all positions within the agency involving the making or participation in the making of decisions which may foreseeably have a material effect on a financial interest of the person(s) occupying those positions, and those positions have been designated and incorporated in the agency's conflict-of-interest code as adopted or amended;
5. Appropriate *disclosure categories* have been assigned to each of those positions which identify specific types of investments, business positions, interests in real property, and sources of income of the person holding the position which may be affected materially by any decision made or participated in by persons by virtue of such positions, and those disclosure categories have been incorporated in the conflict-of-interest code as adopted or amended;
6. Attached is the most current organizational chart of the agency; and
7. Attached are job descriptions for all designated employees, or employees newly designated by an amendment.

**I HEREBY REQUEST APPROVAL** of the attached conflict-of-interest code or amendment thereof on behalf of this agency. I have used all reasonable diligence in the preparation of this document, and to the best of my knowledge it is true and complete. I declare under penalty of perjury that the foregoing is true and correct.

Dated 1/30/2019

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(Signature)

Klein • DeNatale • Goldner

Tulare County  
February 20, 2019  
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We request that you present the amended and restated Code to the Board of Supervisors (the "Board") for its approval. Please provide us with a copy of the Board's minute order after the Board takes action on this request.

Thank you for your assistance with this. My direct contact information is listed above should you require any further information.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Darien Key", with a long horizontal flourish extending to the right.

Darien K. Key

DKK/sbh  
Enclosures

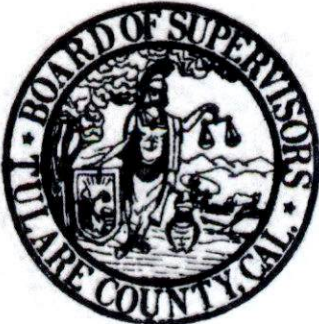


**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVAL OF )  
EAST KAWEAH GROUNDWATER ) Resolution No. 2019-0203  
SUSTAINABILITY AGENCY CONFLICT )  
OF INTEREST CODE )

UPON MOTION OF SUPERVISOR VANDER POEL, SECONDED BY SUPERVISOR SHUKLIAN, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD March 26, 2019, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS CROCKER, VANDER POEL, SHUKLIAN, VALERO AND TOWNSEND  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE



ATTEST: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: *Mercedes Gomez*  
Deputy Clerk

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Approved the amended Conflict of Interest Code adopted by East Kaweah Groundwater Sustainability Agency