

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # \*A-5

Urgent

Routine

AGENDA DATE December 9, 2008

CEO Concur with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Adopt the Conflict of Interest Code for Wendt Ranch Reclamation District

STAFF RECOMMENDATIONS:

Adopt the Conflict of Interest Code for Wendt Ranch Reclamation District.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2008-819

On motion of Supervisor Monteith, Seconded by Supervisor Grover  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, and Vice Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: Mayfield

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

**SUBJECT:** Approval to Adopt the Conflict of Interest Code for Wendt Ranch Reclamation District  
District  
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**DISCUSSION:**

As the Conflict of Interest Code Reviewing Body for all local government agencies within Stanislaus County the Board of Supervisors must approve an agency's Conflict of Interest Code. The Wendt Ranch Reclamation District held a public meeting where they adopted their Conflict of Interest Code. After an agency adopts their Code they must submit it to the Board of Supervisors. Upon receiving the Conflict of Interest Code from the agencies the Board of Supervisors places the code on their agenda for approval.

**POLICY ISSUE:**

The Board of Supervisors is the Conflict of Interest Code Reviewing Body for all agencies whose boundaries are solely within Stanislaus County.

**STAFFING IMPACTS:**

There are no staffing impacts associated with this item.



**NEUMILLER & BEARDSLEE**

A PROFESSIONAL CORPORATION • ATTORNEYS & COUNSELORS

BOARD OF SUPERVISORS

ESTABLISHED 1903

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93071-35012

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November 24, 2008

Board of Supervisors  
Stanislaus County  
1010 10th Street  
Suite 6500  
Modesto, CA 95254

Re: Wendt Ranch Reclamation District

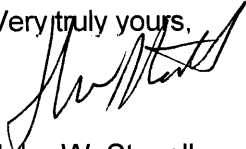
Honorable Board of Supervisors:

Wendt Ranch Reclamation District located in Stanislaus County near Riverbank, has been successfully formed and the initial Board of Trustees appointed, and the District held its first organizational meeting on November 10, 2008.

At that meeting, as is required by law, the Board of Trustees adopted a Conflict of Interest Code. The Board of Supervisors of Stanislaus County is the code reviewing body for the adoption of such Conflict of Interest Code by the reclamation district, and enclosed is a certified true and correct copy of the resolution and conflict of interest code; the undersigned as attorney and secretary for Wendt Ranch Reclamation District respectfully requests that the Board of Supervisors approve the Conflict of Interest Code.

In the event the Board of Supervisors does so approve, may I respectfully request that a copy of the action approving be forwarded to John W. Stovall, Secretary, Wendt Ranch Reclamation District, P.O. Box 20, Stockton, CA 95201-3020.

Very truly yours,

  
John W. Stovall  
Attorney at Law  
JWS/cmp  
Enclosure

cc: Joseph A. Barkett, Trustee  
Anthony M. Barkett, President/Trustee  
Joseph W. Barkett, Trustee

**WENDT RANCH RECLAMATION DISTRICT  
RESOLUTION 08-03**

**RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act of 1974, Government Code §81000 et seq., requires state and local government agencies to adopt and promulgate a Conflict of Interest Code;

WHEREAS, the Fair Political Practices Commission has adopted a regulation found at California Code of Regulations, Title 2, Section 18730, which contains the terms of a standard Conflict of Interest Code; and

WHEREAS, after public notice and hearing, the Conflict of Interest Code found in the California Code of Regulations may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act of 1974.

NOW, THEREFORE, BE IT RESOLVED that the terms of California Code of Regulations, Title 2, Section 18730, and any amendments thereto duly adopted by the Fair Political Practices Commission are hereby incorporated into this resolution by reference;

BE IT FURTHER RESOLVED that this resolution and the attached Appendix A designating officials and employees and establishing disclosure categories shall constitute the Conflict of Interest Code of Wendt Ranch Reclamation District; and

BE IT FURTHER RESOLVED that designated employees shall file their statements with the Secretary of Wendt Ranch Reclamation District and such statements are available for public inspection and reproduction; and

BE IT FURTHER RESOLVED that statements for all designated employees shall be retained by Wendt Ranch Reclamation District; and

BE IT FURTHER RESOLVED that persons holding designated positions shall file a Fair Political Practices Commission Form 700, or such other form as may be prescribed.

PASSED AND ADOPTED by the Board of Trustees of Wendt Ranch Reclamation District, at a meeting thereof, held on November 10, 2008, by the following vote:

AYES:	<u>    3    </u>
NOES:	<u>    0    </u>
ABSENT:	<u>    0    </u>
ABSTENTION:	<u>    0    </u>

WENDT RANCH RECLAMATION DISTRICT  
A Political Subdivision of the  
State of California

By: 

PRESIDENT


ATTEST:

  
SECRETARY

CERTIFICATION

I, JOHN W. STOWALL, Secretary of Wendt Ranch Reclamation District, do hereby certify that the foregoing is a full, true and correct copy of a resolution of Wendt Ranch Reclamation District duly passed and adopted at a regular meeting of the Board of Trustees thereof held on the 10th day of November, 2008.

Dated: 11/23, 2008

  
SECRETARY  
Wendt Ranch Reclamation District

## DISCLOSURE CATEGORIES

All investments and business positions in business entities, and all sources of income and interests in real property as set forth below. This category is known as full disclosure.

1. Investments in or income from persons or businesses engaged in the business of providing services or supplies, including, but not limited to, equipment, machinery, or office supplies, to Wendt Ranch Reclamation District, or which could foreseeably provide services or supplies to the Wendt Ranch Reclamation District.
2. Interests in real property located in whole or in part within the boundaries of Wendt Ranch Reclamation District, or within a two-mile radius of Wendt Ranch Reclamation District, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property if the fair market value of the interest is greater than \$2,000.00.
3. Business positions, including, but not limited to, status as a director, officer, sole owner, partner, trustee, employee, or holder of a position of management in any business entity which, in the prior two years has contracted with, or in the future may contract with Wendt Ranch Reclamation District to provide services or supplies to Wendt Ranch Reclamation District.

**APPENDIX A**  
**DESIGNATED POSITIONS**

<u>Designated Positions</u> <u>Categories</u>	<u>Disclosure</u>
Trustees	All
Secretary of the Board	All
Attorney	All
Levee Superintendent	All
Consultants*	All

\* Consultants 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 President of the Board of Trustees 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 a 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 President's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.