

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

DEPT: Board of Supervisors

BOARD AGENDA # \*A-3

Urgent

Routine

*[Handwritten signature]*

AGENDA DATE March 19, 2013

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval of Amendment to the Conflict of Interest Code for Reclamation District No. 2091

STAFF RECOMMENDATIONS:

Adopt amendment to the Conflict of Interest Code for Reclamation District No. 2091.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2013-110

On motion of Supervisor Withrow, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Withrow, De Martini and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: Monteith

Abstaining: Supervisor: None

1) X Approved as recommended

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

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

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

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

**SUBJECT:** Approval of Amendment to the Conflict of Interest Code for Reclamation District No. 2091  
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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 amendments to an agency's Conflict of Interest Code. After holding a public meeting the Reclamation District No. 2091 approved an amendment to their Conflict of Interest Codes. After an agency adopts an amendment to their Code they must submit it to the Board of Supervisors. Upon receiving the amendment to a Conflict of Interest Code from an agency the Board of Supervisors places the amendment 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.

**CONTACT PERSON:**

Christine Ferraro Tallman      Phone Number: 209-525-4494

RECLAMATION DISTRICT NO. 2091  
RESOLUTION 2013-07

RESOLUTION AMMENDING THE CONFLICT OF INTEREST CODE

WHEREAS, Reclamation District No. 2091 provides a benefit and service to the land located within the District by the repair, upgrading, maintenance and operation of the reclamation works of the District in that such works serve to prevent the flooding of the land within the District; and

WHEREAS, the Clerk of the Board of Supervisors of Stanislaus County has requested that Reclamation District 2091 amend its Conflict of Interest Code,

WHEREAS, the Clerk of the Board of Supervisors of Stanislaus County has provided a document with proposed language,

WHEREAS, the Board of Trustees of Reclamation District 2091 wish to comply with the Clerk of the Board of Supervisor's request,

NOW, THEREFORE, BE IT RESOLVED, AND IT IS HEREBY RESOLVED, by the Board of Trustees of Reclamation District 2091 that: the District amends its Conflict of Interest Code with the proposed language.

PASSED AND ADOPTED by the Board of Trustees of Reclamation District No. 2091 at a meeting thereof held on this 25 day of February 2013, by the following vote, TO WIT:

AYES: 3  
NOES: 0  
ABSTENTION: 0  
ABSENT: 0

BOARD OF SUPERVISORS  
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**ATTACHMENT A**  
**CONFLICT OF INTEREST CODE**  
**OF RECLAMATION DISTRICT NO. 2091**

The Political Reform Act, Government Code Section 81000, et seq., requires each state and local government agency to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs., Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs., Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and along with the attached Appendix consisting of this Attachment A and Attachments B through D, in which members and employees are designated and disclosure categories are set forth, and the place of filing is specified, shall constitute the Conflict of Interest Code of Reclamation District No. 2091.

Designated employees shall file statements of economic interests with the agency. Upon receipt of the statements of the various designated members and employees, the designated agency shall retain the original of these statements to the place filing, as indicated on Attachment D.

BOARD OF SUPERVISORS

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**ATTACHMENT B**  
**CONFLICT OF INTEREST CODE**  
**OF RECLAMATION DISTRICT NO. 2091**  
**DESIGNATED EMPLOYEES/POSITIONS**

Under provisions of the Standard Code, designated employees/positions shall file statements of economic interests. Listed below are the designated employees/positions for Reclamation District No. 2091 and the appropriate schedules for filing:

<b><u>POSITIONS:</u></b>	<b><u>DISCLOSURE CATEGORY:</u></b>
All Directors	I, II
Secretary	I, II
Consultant(s)	III

**ATTACHMENT C**  
**CONFLICT OF INTEREST CODE**  
**OF RECLAMATION DISTRICT NO. 2091**  
**DISCLOSURE CATEGORIES FOR DESIGNATED EMPLOYEES/POSITIONS**

**CATEGORY I**

Investments and business positions in any business entity or sources of income which provide services, supplies, materials, machinery, or equipment of the type utilized by the District if: (a) within the previous two (2) years the business entity in which the investment or business position is held, or the source of income, is of the type which has contracted with the District; or (b) within the previous two (2) years, the business entity in which the investment or business position is held, or the source of income, is of the type which has contracted for supplies or services as subcontractors in any contract with the District.

**CATEGORY II**

Any investments or business positions in any business entity or source of income which are (1) private water companies, (2) entities or persons engaged in farming, real estate development, or owners of real estate, and (3) interests in real property are disclosable if held, regardless of any contractual relationship with the District at any time.

**CATEGORY III**

Consultants shall disclose, pursuant to Category I and II, subject to the following limitation:

Reclamation District No. 2091 may determine, in writing, that a particular consultant, although a "designated position", is hired to perform a range of duties that are 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 is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

**ATTACHMENT D**  
**CONFLICT OF INTEREST CODE**  
**OF RECLAMATION DISTRICT NO. 2091**  
**PLACE OF FILING**

**DESIGNATED EMPLOYEES/POSITIONS:**

**Where:** Reclamation District No. 2091

The District shall maintain the original of each "Statement of Financial Interests" form at the District office at: Schmidt, Bettencourt & Medeiros, LLP, 865 Geer Rd. Turlock, CA 95380.