



**Clerk of the Board
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: March 26, 2019

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Melinda Benton PHONE: 636-5000

SUBJECT: Approval of East Kaweah Groundwater Sustainability Agency
Conflict of Interest Code

REQUEST(S):
That the Board of Supervisors:
Approve the amended Conflict of Interest Code adopted by East Kaweah Groundwater Sustainability Agency

SUMMARY:
The Political Reform Act, Administered by the State Fair Political Practice Commission (FPPC), requires local governmental agencies to adopt a Conflict of Interest Code and update it from time-to-time to reflect changes in decision-making positions within the Agency. This includes newly added positions, deleted positions, or changes in the title or decision-making duties assigned to positions. This also includes changes in disclosure categories for designated positions.

In addition, a local government agency is required to conduct a review of its Conflict of Interest Code every even numbered year. A local government agency includes a special district of any kind, school districts, or any local board, committee, commission or agency established by State of Federal statute that has a separate legal status. Pursuant to the Act, the Tulare County Board of Supervisors is the code-reviewing body for all local government agencies whose territorial boundaries are wholly in Tulare County, and has the responsibility to see that such agencies meet conflict of interest code requirements.

A Conflict of Interest Code is designated to cover members of boards, commissions, committees, districts and similar bodies, and administrative employees that make, or participate in making government decisions. The purpose

SUBJECT: Approval of East Kaweah Groundwater Sustainability Agency Conflict of Interest Code

DATE: March 26, 2019

of the Code is to prevent such officials from engaging in government decision-making in which the official may have a personal financial interest. Officials designated in an agency's code are required to file a Form 700-Statement of Economic Interests upon appointment to a designated position, upon leaving the position and on a yearly basis while performing the official functions of that position. For this reason, positions designated in the local agency's code must also be assigned a disclosure category. Disclosure categories describe the types of personal financial interests that the official must disclose in his or her Form 700-Statement of Economic Interests.

In July 2018, written notices were sent to all local government agencies within Tulare County of their obligation to conduct a Biennial Review of the agency's Conflict of Interest Code as required by law. By law, the Board of Supervisors must approve all amended or new Conflict of Interest Codes.

The East Kaweah Groundwater Sustainability Agency responded that they have amended their respective Conflict of Interest Codes since 2016 and have provided the County with the necessary supporting documents for review. These amended codes meet the requirements of the Political Reform Act and can be recommended to this Board for approval. Declaration by the representative of this special district confirming compliance with applicable requirements for amending the agency's code are attached for your review.


FISCAL IMPACT/FINANCING:

There is no County cost associated with this request.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The approval of the Conflict of Interest Codes helps fulfill the Organization Performance initiative by ensuring that the County and the local agencies are in compliance with the law.

ADMINISTRATIVE SIGN-OFF:



Melinda Benton, Chief Clerk
Clerk of the Board

cc: County Administrative Office

Attachment(s) Attachment A- East Kaweah Groundwater Sustainability Agency Conflict of Interest Code

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

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

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

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

BY: _____
Deputy Clerk

* * * * *

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

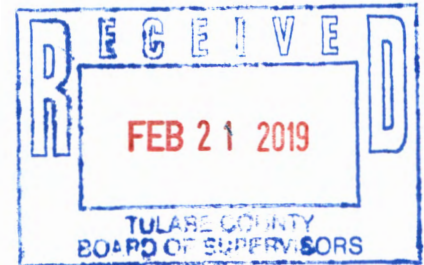
Klein · DeNatale · Goldner

ATTORNEYS AT LAW

Darien K. Key 661-328-5207 DKey@kleinlaw.com

4550 California Ave., Second Floor, Bakersfield, CA 93309
p. 661-395-1000 f. 661-326-0418 www.kleinlaw.com

February 20, 2019



VIA OVERNIGHT MAIL

Tulare County
Clerk of the Board of Supervisors
2800 West Burrel Avenue
Visalia, CA 93291

RE: East Kaweah Groundwater Sustainability Agency
Conflict of Interest Code

To Whom It May Concern:

This office is legal counsel for the East Kaweah Groundwater Sustainability Agency (the "Agency"), an agency whose territorial jurisdiction is located entirely within Tulare County.

On behalf of the Agency, I am submitting an amended conflict of interest code for approval. The proposed code makes two changes to the previous version.

First, the revised code removes the designations of the directors as "public officials who manager public investments," required to file Form 700s pursuant to Government Code 87200. Upon review, we have concluded that no current directors or staff qualify as "public officials who manage public investments," as that term is defined by FPPC regulations. (2 CCR 18700.3.) In particular, directors and staff are not asked to make investment decisions for the purpose of generating financial returns. (2 CCR 18700.3, subd. (c).)

Second, the revised code includes updated disclosure categories that were suggested by the FPPC in previous preliminary reviews for similarly situated districts also represented by this office.

Enclosed with this letter are (1) original signed Request for Approval and Declaration of Compliance, (2) three copies of the amended code in clean version, (3) copy of the notice of the proposed code amendment, (4) copy of the amended code in redline version, and (5) original signed Resolution adopting the amended Code.

The Agency noticed a comment period for the proposed code from November 28, 2018 to January 28, 2019, and held a public meeting to adopt the proposed code on January 28, 2019. Attached is a copy of the notice that was posted. No written or oral comments were received from the public.

**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-interest code or amendment at a regular meeting held on January 28, 2019,
(Printed Name and Position) (Date)

and that this agency complied with the following procedures:

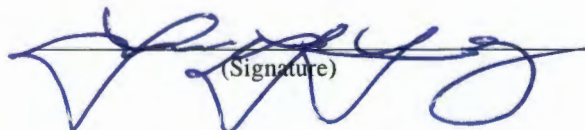
1. This agency posted a NOTICE OF INTENTION TO ADOPT/AMEND A CONFLICT-OF-INTEREST CODE at least 45 days in advance of the proposed action, and a copy was provided to all employees of the agency affected by the proposed code or amendment;
2. Copies of the proposed code or amendment were made available 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


(Signature)

Tulare County
February 20, 2019
Page 2

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,



Darien K. Key

DKK/sbh
Enclosures

**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: _____

**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 ⁺	1, 2, 3
General Counsel ⁺	1, 2, 3
Advisory Committee Members	1, 2, 3
Technical Advisory Committee Members	1, 2, 3
Consultants/New Positions	*

⁺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.

**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: _____

**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 ⁺	1, 2, 3
General Counsel ⁺	1, 2, 3
Advisory Committee Members	1, 2, 3
Technical Advisory Committee Members	1, 2, 3
Consultants/New Positions	*

⁺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.

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: _____

**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 ⁺	1, 2, 3
General Counsel ⁺	1, 2, 3
Advisory Committee Members	1, 2, 3
Technical Advisory Committee Members	1, 2, 3
Consultants/New Positions	*

⁺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.

**NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE OF
EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY**

NOTICE IS HEREBY GIVEN that East Kaweah Groundwater Sustainability Agency (the "Authority") proposes to amend the Authority's Conflict of Interest Code.¹

Copies of the proposed conflict of interest code are available to interested persons and may be obtained either from the office for the Lindmore Irrigation District, located at 315 E Lindmore St, Lindsay, CA 93247, or by request to the person listed below.

The proposed amended code would remove designations of certain officials as subject to Government Code 87200, but would not affect the manner, timing, or extent of any public officials' disclosure obligations.

Any interested person may submit written comments relating to the proposed amendment no later than January 28, 2019 at noon. At this time, no public hearing on the proposed amendment is scheduled, but will be scheduled if requested by any member of the public on or before January 14, 2019.

Comments may be submitted either to the Authority's office or to the person listed below.

Inquiries and comments concerning the proposed amendment may be directed to:

Michael D. Hagman
Executive Director, East Kaweah Groundwater Sustainability Agency
mhagman@lindmoreid.com

¹ This notice is provided pursuant to Government Code § 87306 and California Code of Regulations, Title 2, § 18750.

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 ~~Cal.~~California Code of ~~Regs.~~Regulations Section 18730, ~~which~~ that contains the terms of a standard conflict of interest code. ~~It, which~~ can be incorporated by reference, ~~and in an agency's code. After public notice and hearing, the standard code~~ may be amended by the Fair Political ~~Practice~~Practices Commission ~~after public notice and hearings~~ to conform to amendments in the Political Reform Act. Therefore, the terms of 2 ~~Cal.~~California Code of ~~Regs.~~Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and, ~~along with~~ the attached ~~Appendix A and B, in which members and employees are designated and~~ Appendices, designating positions and establishing disclosure categories are set forth, shall constitute the conflict of interest code of the ~~East Kaweah Groundwater Sustainability~~ EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY (the Agency ("the Authority"))).

~~Designated employees~~Individuals holding designated positions shall file their statements of economic interests with the ~~Authority~~Agency, which will make the statements available for public inspection and reproduction. (Gov. Code ~~Section~~Sec. 81008) ~~Statements for all designated employees.) All statements~~ will be retained by the ~~Authority for no less than seven years~~Agency, unless otherwise noted.

Adopted by ~~Authority~~Agency: _____
~~2017~~January 28, 2019

Date: April 24,

Approved by Tulare County Board of Supervisors:

Date: _____

APPENDIX

CONFLICT OF INTEREST CODE FOR

EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY

Appendix A

DESIGNATED EMPLOYEES POSITIONS

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

⁺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 Authority 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 Authority's 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.))

~~**The following positions are NOT covered by the code because they must file under section 87200 and, therefore, are listed for informational purposes only:~~

~~All Directors and alternate Directors
General Manger~~

~~An individual holding one of the above listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination as to whether a position is covered by section 87200.~~

DRAFT

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

Appendix B

DISCLOSURE CATEGORIES

Category 1: Full Disclosure

AHA 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 entirely in whole or partly in part within the Authority's jurisdiction or boundaries, of the Agency or within two miles of this Authority's jurisdiction, or boundaries or of any land owned or used by this Authority. Such interests include the Agency, including any leasehold, beneficial or ownership interest, or option to acquire such interest in real property.

All investments, business positions, and sources of income, including gifts, loans, and travel payments.

Category 2: General Contracting For Entire District

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 sources that provide, or have provided in the last two years, leased facilities, goods, supplies, materials, equipment, vehicles, machinery, services, or the like, including training or consulting services, of the type utilized by the Authority.

Category 3: General Contracting For Specific Department

All investments, business positions, and sources of income, including gifts, loans and travel payments, from sources that provide, or have provided in the last two years, leased facilities, goods, supplies, materials, equipment, vehicles, machinery, services, or the like,

~~including training or consulting services, of the type utilized by the employee's department within the Authority.~~

~~Category 4: Regulatory, Permit, or Licensing Duties~~

~~All investments, business positions, entities and sources of income, including gifts, loans and travel payments, from sources that are subject to the regulatory, permit, or licensing authority of the Agency, or that have an application for filed a license claim or permit have a claim pending before, against the Authority. Agency.~~

DRAFT

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

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

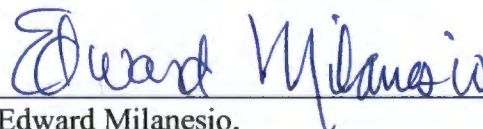
WHEREAS, Government Code section 87306 authorizes the Board to amend the Code when change is necessitated by changed circumstances; and

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:

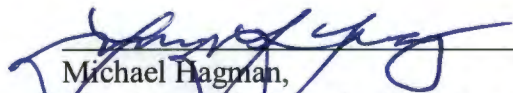
1. Each of the matters set forth above is true and correct and the Board so finds and determines.
2. The Code shall be, and the same hereby is, amended and restated to read in the form attached as **Exhibit A** which, by this reference, is made a part hereof.
3. The Secretary of the Board is authorized 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 28th 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

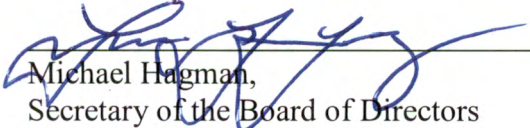
ABSENT: None

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 28th day of January 2019.



Michael Hagman,
Secretary of the Board of Directors