

RESOLUTION NUMBER 40-18

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND
COMMUNITY SERVICES DISTRICT AMENDING THE DISTRICT'S CONFLICT
OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF
1974**

WHEREAS, the Legislature of the State of California has enacted the Political Reform act of 1974, Government Code Section 81000 et. Seq. (Act), which requires all public agencies, including but not limited to the Groveland Community Services District (District) to adopt and keep updated a conflict of interest code; and

WHEREAS, the District has a Conflict of Interest Code which has been reviewed on a biennial basis and was last reviewed in September 2016 and which now requires updating; and

WHEREAS, the regulations implementing the Act provide that the District may adopt the terms of 2 Cal. Code of Regulations Section 18730 in order to adopt a conflict of interest code which will be self-updating as the regulations are updated; and

WHEREAS, at the same time as the District adopts Section 18730, the District must also update and adopt a designation of employees covered by the conflict of interest code and the disclosure categories for each employee as set out in Appendix A to this Policy adopting Section 18730 by reference; and

WHEREAS, such designation and disclosures for each designated employee and Consultant are set out in the Appendix A to this Policy; and

WHEREAS, the designated employees shall file forms with the District's Board Secretary, who shall maintain the files for public viewing; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the District being restrained or prevented from acting in cases where the provisions of the Act may have been violated.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Groveland Community Services District does hereby amend and adopt the Conflict of Interest Code as presented.

BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall become effective immediately and that the Board Secretary shall provide a copy of such Code to the Tuolumne County Clerk of the Board of Supervisors, the code reviewing body. This Resolution shall take effect upon its adoption.

GROVELAND COMMUNITY SERVICES DISTRICT

CONFLICT-OF-INTEREST CODE

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 the Groveland Community Services District.

Individuals holding designated positions shall file their statements of economic interests with the Groveland Community Services District Board Secretary, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) All statements will be retained by the District.

CONFLICT-OF-INTEREST CODE

APPENDIX A-DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Category</u>
Members of the Board of Directors	1, 2
General Manager	1, 2
Consultants	*

*Consultants shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The General Manager 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 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. The 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).

CONFLICT-OF-INTEREST CODE

APPENDIX B-DISCLOSURE CATEGORIES

Disclosure Category 1

Designated positions assigned to this category shall report:

Interests in real property located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the District.

Disclosure Category 2

Designated positions assigned to this category shall report:

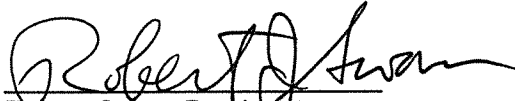
Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that provide services, supplies, materials, machinery, or equipment to the District. Such sources include but are not limited to architects, engineering and construction firms.

THE FOREGOING RESOLUTION was introduced at a regular meeting of the Board of Directors held on the 11th day of December, 2018, and was passed by the following vote:

AYES: Directors Armstrong, Mora, Kwiatkowski, Swan, & Edwards

NOES: 0

ABSTENTIONS: 0


Robert Swan, President

ATTEST: 
Jennifer L. Flores, Board Secretary

CERTIFICATE OF SECRETARY

I, Jennifer Flores, the duly appointed and acting Secretary of the Board of Directors of the Groveland Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Groveland Community Services District, duly called and held on December 11, 2018.

DATED: Dec. 11, 2018