MERCED SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY
RESOLUTION NO. 2018-03

RESOLUTION OF THE MERCED SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation (Title 2, Cal. Code Regs. Sec. 18730), which contains the terms of a standard conflict of interest code, which can be incorporated by reference in any agency's code.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Merced Subbasin Groundwater Sustainability Agency as follows:

1. The terms of Title 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.

2. This regulation and the attached exhibits and appendices designating positions and establishing disclosure categories, shall constitute the conflict of interest code for the MERCED SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY.

3. All officials and designated employees shall file their statements with Merced Subbasin Groundwater Sustainability Agency no later than April 1 of each year, which will make the Statements available for public inspection and reproduction. (Gov. Code Section 81008.) All statements will be retained by the County of Merced which will maintain the statement on the Agency's behalf.

PASSED AND ADOPTED at a regular meeting of the Governing Board at Merced, California on this 26th day of April, 2018 by the following vote:

AYES: Farmer, Kelley, Marchini, Park

NOES: None

ABSENT: Espinoza

ABSTAINING: None

MERCED SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY

By: Robert D Kelley
Chair

ATTEST:

_____ Secretary

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EXHIBIT A

CONFLICT OF INTEREST CODE FOR THE MERCED SUBBASIN 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 requirements, shall constitute the conflict of interest code of **Merced Subbasin Groundwater Sustainability Agency** (**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 County of Merced which will maintain the statements on the Agency's behalf.

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APPENDIX A-Designated Positions

Position	Disclosure Category
Members and Alternates of the Governing Board	1, 2
Legal Counsel	1, 2
Consultants/New Positions	*

Note: The position Legal Counsel is filled by an outside consultant who acts in a staff capacity for the Agency.

*Consultants/new positions 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 limitations:

The Agency 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 Agency'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)

Public Officials Who Manage Public Investments

The following positions are not covered by the code because they must file a statement of economic interests under Government Code Section 87200 and therefore, are listed for informational purposes only:

- Secretary

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 whether a position is covered by Government Code Section 87200.

CONFLICT OF INTEREST CODE FOR THE MERCED SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY

APPENDIX B-Disclosure Categories

1. Investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources of the type that provide services, supplies, materials, machinery, or equipment of the type utilized by the Agency.

2. Interests in real property located within the jurisdiction of the District, or within two miles of the jurisdictional boundaries of the Agency, or within two miles of any land owned or used by the Agency.