

RECLAMATION DISTRICT NO. 2122
RESOLUTION NO. 2018- 01
ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, Reclamation District 2122 (the "District") is a California Reclamation District, located in Contra Costa County, organized and existing under the California Reclamation District Law (Water Code §§ 50000 et seq.); and,

WHEREAS, the District is unable to obtain any of its original formation documents, including its original Conflict of Interest Code; and,

WHEREAS, the District desires to adopt a new Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT 2122, as follows:

SECTION 1. The Conflict of Interest Code dated "2018," attached hereto as Exhibit A, and considered and discussed at this meeting is hereby adopted.

SECTION 2. The Secretary is directed to cause a copy of the 2018 Conflict of Interest Code to be delivered to the Board of Supervisors of the County of Contra Costa, as the "code reviewing body" under Section 87303 of the Government Code.

SECTION 3. The 2018 Conflict of Interest Code is to become effective upon the date of its approval by the Contra Costa County Board of Supervisors.


SECTION 4. The President of the District's Board of Trustees, as its chief executive officer, is authorized to declare, and does declare, on behalf of the District that the Code, as adopted, specifically enumerates each of the positions within the District which involve the making or participating in the making of decisions which may foreseeably have a material financial effect on any financial interest of the District.

PASSED AND ADOPTED by the Board of Trustees of Reclamation District 2122 on April 20, 2018, by the following vote:

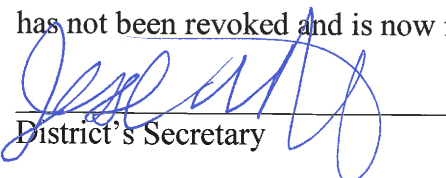
AYES: 3

NOES: 0

ABSENT: 0


Doug Rischbieter, President

I hereby certify that the foregoing is a full, true, and correct copy of a resolution passed and adopted by the Board of Trustees of Reclamation District 2122 at a meeting held on April 20, 2018, and that this Resolution has not been revoked and is now in full force and effect.


District's Secretary

Date: 4-20-18

**CONFLICT OF INTEREST CODE FOR
RECLAMATION DISTRICT 2122
(2018)**

The Political Reform Act, Government Code Sections 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, which contains the terms of a standard conflict of interest code. The regulation can be incorporated by reference and may be amended by the Fair Political Practices Commission, after public notice and hearings, to conform to amendments to the Political Reform Act. Therefore, the terms of 2 California Code of Regulations, Section 18730, and any amendments thereto duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference and, along with the attached Appendices in which officers, employees and consultants are designated and disclosure categories are set forth, constitute the conflict of interest code of Reclamation District 2122.

Recognizing that different positions have different levels of power and responsibility, this Conflict of Interest Code establishes categories of disclosure to which positions are assigned based on the scope of their decision making authority. Positions with no significant decision making responsibility are classified as exempt and are not required to file statements under this Code.

The job titles of the officers, employees, and consultants of this governmental entity and the categories to which they are assigned are set forth in **Appendix A** attached hereto and incorporated herein by reference. The specific disclosure and reporting requirements of each category are set forth in **Appendix B** attached hereto and incorporated herein by reference.

Consultants are also subject to the disclosure requirements of this conflict of interest code if they are in a position to make decisions or influence decisions that could have an effect on their financial interest.

Designated employees shall file statements of economic interest with the Secretary of Reclamation District 2122 before April first of each year. The Secretary shall make the statements available for public inspection and reproduction when appropriate pursuant to Government Code section 81008.

In any event, all Reclamation District 2122 designated employees are disqualified and shall not make, participate in making or in any way attempt to use their official positions to influence the making of any governmental decisions which they know or have reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, upon such designated employee, or a member of his or her immediate family.

A copy of the California Code of Regulations is available for review at the Contra Costa County Library.

**CONFLICT OF INTEREST CODE FOR
RECLAMATION DISTRICT 2122
COUNTY OF CONTRA COSTA**

- A. The political Reform Act of 1974, Government Code §8100, 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 §18730, which contains terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations §18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of RECLAMATION DISTRICT 2122.
- B. Pursuant to Government Code §81008 and 2 California Code of Regulations §18730 (b) (4), all designated employees shall file Statements of Economic Interest (FPPC Form 700) with RECLAMATION DISTRICT 2122. Statements for all designated employees shall be retained by the agency which shall make the statements available for public inspection and reproduction.
- C. Designated employees are set forth in Appendix A, attached hereto and incorporated herein by reference. Disclosure categories are set forth in Appendix B, attached hereto and incorporated herein by this reference.

APPENDIX A: DESIGNATED POSITIONS

List of Designated Positions
Consultants

Assigned Disclosure Categories
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1. For purposes of the Code, a “consultant” is any natural person who provides, under contract, information, advice, recommendation, or counsel to RECLAMATION DISTRICT 2122; provided however, that “consultant” shall not include a person who:
- (a) Conducts research and arrives at a conclusion with respect to his/her rendition of information, advice, recommendation or counsel independent of the control and direction of the agency or of any agency official, other than normal contract monitoring; and
 - (b) Possesses no authority with respect to any agency decision beyond the rendition of information, advice, recommendation, or counsel.

Consultants to the District shall be subject to disclosure under Category 1, subject to the following limitation:

The Board of Trustees may determine in writing that a particular consultant, although a "Designated Employee," 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 of Category 1. In such cases, the Board of Trustees may designate a different disclosure requirement. Such designation must be made in writing and based upon that description, a statement to the extent of the consultant's disclosure requirements. The Board of Directors' designation must be filed in advance of the disclosure by the consultant, with RECLAMATION DISTRICT 2122's Conflict of Interest Code and also filed with the County and must be delivered to the consultant along with a copy of the Conflict of Interest Code and the manual and forms for disclosure (FPPC Form 700).

APPENDIX B: DISCLOSURE CATEGORIES

Disclosure Category 1:

Designated Employees must report the following information in the Form 700 Statements of Economic Interests, if the economic interest is within the Reclamation District 2122 boundary or within two (2) miles of the District boundaries:

- a) All investments and business positions in business entities and sources of income.
 - When disclosing investments and sources of income, the person disclosing shall disclose investments in business entities and sources of income that do business within Reclamation District 2122 or within two miles of District boundaries, or have done business in the jurisdiction within the past two (2) years. In addition to the other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. Such businesses may include, but not be limited to, the following examples:
 1. Irrigation equipment and supplies, or pipes, valves, fittings, pumps, meters, etc.
 2. Herbicide or applicator firms
 3. Well drilling equipment and supplies
 4. Construction, land leveling, ditch construction or maintenance
 5. Engineering or surveying firms and services
 6. Insurance companies or brokerages, including title insurance companies
 7. Accounting or auditing firms or services
 8. Banks

9. Real estate selling, development or appraising

- b) All interests in real property in the jurisdiction, which was acquired by, leased, or otherwise used by Reclamation District 2122.
- When disclosing interests in real property, the person disclosing shall disclose the type of real property if it is located in whole or in part within, or not more than two (2) miles outside the boundaries of the jurisdiction, or within two (2) miles of any land owned or used by Reclamation District 2122.
- c) His/her status as director, officer, partner, trustee, employee, or holder of a management position in any business entity in the jurisdiction.
- When disclosing a business position, the person disclosing shall disclose positions in business entities that do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two (2) years.

Adopted by RECLAMATION DISTRICT 2122 Board of Trustees on April 20, 2018.

Dated: _____

20 APR '18



President
Reclamation District 2122
Board of Trustees