

Livermore-Amador Valley Water Management Agency

RESOLUTION NO. 23-02

RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE FOR THE LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY AND RESCINDING THE PRIOR CONFLICT OF INTEREST CODE

WHEREAS, the Livermore-Amador Valley Water Management Agency (“LAVWMA”) is a joint powers agency formed pursuant to the Amended and Restated Joint Exercise of Powers Agreement for the Livermore-Amador Valley Water Management Agency dated July 21, 1997; and

WHEREAS, the Political Reform Act of 1974, as amended (Gov’t Code §§ 81000 *et seq.*), requires every state or local agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Livermore-Amador Valley Water Management Agency (“LAVWMA”) most recently adopted a Conflict of Interest Code on August 15, 2016 and said Code was amended by LAVWMA’s code reviewing body, the Fair Political Practices Commission (“FPPC”) on February 7, 2018; and

WHEREAS, the Fair Political Practices Commission recommends updating Conflict of Interest Codes that are more than five (5) years old; and

WHEREAS, LAVWMA’s Board of Directors desires to rescind LAVWMA’s existing Conflict of Interest Code and adopt an updated Conflict of Interest Code to include a newly created position of Assistant Treasurer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Livermore-Amador Valley Water Management Agency hereby resolves as follows:

1. Resolution 23-02 and its Appendices, attached thereto, are hereby rescinded in their entirety.
2. The Conflict of Interest Code, attached hereto and incorporated herein by reference, is hereby adopted as the Conflict of Interest Code for the Livermore-Amador Valley Water Management Agency.
3. This Resolution shall become effective upon its adoption; provided, however, that the Conflict of Interest Code, as revised by this Resolution, shall become effective only after approval by the Fair Political Practices Commission.

DULY AND REGULARLY ADOPTED by LAVWMA this 15th day of February, 2023, by the following vote:

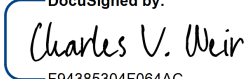
AYES: Directors Goel, Johnson, Nibert, Vice Chair Carling, and Chair Testa

NOES: None

ABSENT: None

DocuSigned by:

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Julie Testa, Chair

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ATTEST: Charles V. Weir, General Manager

**LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
CONFLICT-OF-INTEREST CODE**

Approved by Resolution No. 23-02 February 15, 2023

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. Code of Regs. Sec. 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 Appendix, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Livermore-Amador Valley Water Management Agency (Agency)**.

All designated positions must file their statements of economic interests electronically with the **Agency**. All statements must be made available for public inspection and reproduction under Government Code Section 81008.

APPENDIX A
DESIGNATED POSITIONS

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Directors (except Chair of the Board)	1, 2
Alternate Directors	1, 2
General Counsel	1, 2
Consultants/New Positions	*

Note: The General Counsel is an outside consultant that 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 limitation:

The 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 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 Sec. 81008).

GOVERNMENT CODE SECTION 87200 FILERS

The following positions are not covered by this Conflict of Interest Code because they file under Government Code section 87200 and, therefore, are listed for informational purposes only:

- Chair of the Board of Directors
- General Manager
- Treasurer
- Assistant Treasurer
- Consultant(s) who Manages Public Investments, if any

Individuals holding one of the above-listed positions may contact 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 a final determination as to whether or not a position is covered by Government Code section 87200.

APPENDIX B
DISCLOSURE CATEGORIES

Disclosure Categories

1. All interests in real property located in or within two miles of the service area of LAVWMA's member agencies or located within two miles of any LAVWMA facilities, including LAVWMA's existing pipeline and any facilities that are planned to be constructed as part of LAVWMA's Export Pipeline Facilities Project.
2. 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 District.

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