

**BEFORE THE BOARD OF DIRECTORS
INDIAN WELLS VALLEY GROUNDWATER AUTHORITY**

In the matter of:

Resolution No. 03-17


**RESOLUTION AMENDING RESOLUTION
NO. 01-16 (BYLAWS) TO ADD A CONFLICT
OF INTEREST CODE**

I, Lauren Duffy, Secretary of the Board of Directors for the Indian Wells Valley Groundwater Authority, do certify that the following resolution, on motion of Director Brown, seconded by Director Breeden, was duly passed and adopted by the Board of Directors at an official meeting this 20th day of July, 2017, by the following vote:

AYES: Breeden, Brown, Gleason, Harrington, Page

NOES: 0 _____

ABSENT: 0 _____



Secretary of the Board of Directors
Indian Wells Valley Groundwater Authority

RESOLUTION

Section 1. **WHEREAS:** On August 25, 2016, the Authority adopted a Conflict of Interest Code as required by law pursuant to Resolution No. 01-16. The Authority subsequently submitted this Resolution for review by the Fair Political Practices Commission.

Subsequently, on May 18, 2017, the Authority adopted Bylaws. At the time these Bylaws were adopted, the Fair Political Practices Commission was still reviewing the Conflict of Interest Code.

The Fair Political Practices Commission has completed its review of the Conflict of Interest Code and approved it. Accordingly, the following Resolution codifies the previously adopted Conflict of Interest Code into the previously reserved Article 15 of the Bylaws.

Section 2. **THEREFORE IT IS RESOLVED** by the Board of Directors of the Indian Wells Valley Groundwater Authority, as follows:

Article 15 of the Bylaws of the Indian Wells Valley Groundwater Authority hereby is revised as follows:

ARTICLE 15. CONFLICT OF INTEREST

15.1 **ADOPTION OF CONFLICT OF INTEREST CODE.** The terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with this Article 15, constitute the conflict of interest code of the Indian Wells Valley Groundwater Authority.

15.2 **DESIGNATED EMPLOYEES.** Designated employees and consultants shall file their statements with the Indian Wells Valley Groundwater Authority, which will make the statements available for public inspection and reproduction. (Govt. Code § 81008.) Statements for all designated employees will be retained by the agency.

15.2.1	<u>JOB TITLE</u>	<u>DISCLOSURE CATEGORY</u>
	General Counsel	1
	Volunteers	
	Consultants	

Volunteers and Consultants 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 limitations: The Board of Directors may determine in writing that a particular volunteer or consultant, 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 duties and, based upon that description, a statement of the extent of disclosure requirements. The Board'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.

15.2.2 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 section 87200.

15.3 **DISCLOSURE CATEGORIES**

Category 1: FULL DISCLOSURE. A designated employee in this category is treated as a mandatory/statutory filer and thus must report all reportable interests in real property within the Authority's jurisdiction, as well as reportable investments, business positions and sources of income, including gifts, loans and travel payments. For the purposes of

these provisions, the term jurisdiction includes: those lands within the Indian Wells Valley Groundwater Basin (Basin); those lands that rely on water from the Basin; those lands that are within two miles of the Basin; and, those lands that are within two miles of land that rely on water from the Basin.

Category 2: Full Disclosure (excluding interest in real property). A designated employee in this category must report all reportable investments, business positions and sources of income, including gifts, loans and travel payments.

Category 3: Interests in Real Property. A designated employee in this category must report all reportable interests in real property with the Authority's jurisdiction,

Category 4: General Contracting For Entire Authority. A designated employee in this category must report all reportable investments, business positions and income, including gifts, loans and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the Authority.

Category 5: General Contracting For Specific Department. All investments, business positions and income, including gifts, loans and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the employee's department or area of authority.

Section 3. Except as provided herein, the Bylaws of Indian Wells Valley Groundwater Authority is hereby reaffirmed and readopted.