

**NAPA COUNTY GROUNDWATER SUSTAINABILITY AGENCY
RESOLUTION NO. 2025-**

**RESOLUTION TO AMEND THE CONFLICT OF INTEREST CODE
FOR THE NAPA COUNTY GROUNDWATER SUSTAINABILITY AGENCY**

WHEREAS, the Napa County Board of Supervisors adopted Resolution 2019-152 on December 17, 2019 electing to form the Napa County Groundwater Sustainability Agency (NCGSA) to undertake sustainable groundwater management of the Napa Valley Subbasin; and

WHEREAS, the Political Reform Act of 1974 (the “Act” Government Code Section 81000 et seq.) requires every state and local governmental agency to adopt a Conflict of Interest Code (Code); and

WHEREAS, the FPPC has adopted a regulation (Section 18730 of Title 2 of the California Code of Regulations) ("CCR") containing a standardized conflict of interest code which, if incorporated by reference and adopted by a local government agency along with a designation of employees and formulation of disclosure categories for the local government agency, will constitute the Code required by the Act when subsequently approved by the code reviewing body for the Agency; and

WHEREAS, the NCGSA adopted its Code at a regular meeting held on June 9, 2020; and

WHEREAS, on November 8, 2022 the NCGSA amended its Code to refine the list of designated employees required to file statements of economic interest and to add newly created positions; and

WHEREAS, from time to time, the list of designated positions requires amendment so as to update the titles of positions, add new positions which should be required to file disclosure statements, reevaluate the disclosure categories of various positions, and delete those positions or titles no longer in use; and

WHEREAS, the NCGSA has concluded that it is necessary to amend and readopt its Code to revise the list of designated employees, clarify the place of filing, and remove positions which have been determined to not make or participate in making decisions as part of the NCGSA and to clarify the place of filing.

NOW, THEREFORE, it is hereby resolved that the Conflict of Interest Code of the Board of Directors of the NCGSA is amended and readopted as follows:

1. **Incorporation of Standard Terms.** The terms of the standard conflict of interest code set forth in 2 CCR Section 18730, as such may be amended by the FPPC from time (“hereinafter referred to as “Model Code”), are adopted and incorporated by reference as if set forth fully herein.
2. **List of Designated Employees.** For purposes of the requirements of the Act and the provisions of the Model Code, the Designated Employees of the Agency shall be the persons holding those offices and/or positions set forth in the amended Appendix “A” and shall file statements of economic interests (Form 700), attached hereto and incorporated by reference herein.

3. List of Disclosure Categories. For purposes of the requirements of the Act and the provisions of the Model Code, the disclosure categories for the Designated Employees of the Agency shall be those categories set forth in the amended Appendix “B”, attached hereto and incorporated by reference herein.

4. Documents Comprising Conflict of Interest Code. For purposes of the Act, the provisions of this Resolution, the Model Code, and Appendices “A” and “B” shall together constitute the Conflict of Interest Code of the Agency on and after the date of confirmation of the Code by the Napa County Board of Supervisors as the code reviewing body for the Agency.

5. Effective Date of Code. The effective date of the Conflict of Interest Code for the Agency shall be the date of confirmation of this Code by the Napa County Board of Supervisors acting as the code reviewing body for the Agency.

6. Place of Filing. Designated Employees shall file the original Statements with the Elections Division of the Napa County Assessor-Clerk-Recorder-Registrar of Voters.
~~Statements with the NCGSA Secretary who shall retain copies of the original Statements and forward the original Statements to the Elections Division of the Napa County Assessor-Clerk-Recorder-Registrar of Voters.~~

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED

at a regular meeting of the NCGSA Board of Directors, held on the ____ day of _____, 2025 by the following vote:

AYES: DIRECTORS _____

NOES: DIRECTORS _____

ABSTAIN: DIRECTORS _____

ABSENT: DIRECTORS _____

By: _____
ANNE COTTRELL, Chair
Napa County Groundwater Sustainability Agency

APPROVED AS TO FORM Office of County Counsel By: <i>Chris R.Y. Apallas</i> Deputy County Counsel Date: Doc. No. 130226_2	APPROVED BY THE NCGSA BOARD OF DIRECTORS Date: _____ Processed By: _____ Deputy Clerk of the Board	ATTEST: NEHA HOSKINS Clerk of the Board of Directors By: _____
---	--	--

CONFLICT OF INTEREST

APPENDIX A

Designated Positions - Disclosure Categories 2025

DESIGNATED POSITIONS

DISCLOSURE CATEGORIES

AUDITOR-CONTROLLER

Auditor-Controller	2
Assistant Auditor-Controller	2
Accountant-Auditor Manager	
Deputy Auditor-Controller	2

COUNTY EXECUTIVE OFFICE

County Executive Office

Assistant County Executive Officer/ Chief Operating Officer	2
Deputy County Chief Executive Officer/ Chief Communications Officer	2
Principal /Senior Management Analyst	4
Management Analyst I/II	4
Administrative Manager/Clerk of the Board	2
Risk and Emergency Services Manager	2
Staff Services Analyst I/II (CEO)	5
Executive Assistant-CEO (secretary to Board/CEO/Assistant CEO)	6
Training and Organizational Development Officer	2

Central Services

Buyer I/II/III	5
Purchasing Manager	2

COUNTY COUNSEL

County Counsel	2
Chief Deputy County Counsel	2
Deputy County Counsel I/II/III/IV	2
Legal Office Manager	6

PLANNING, BUILDING & ENVIRONMENTAL SERVICES

Planning, Building, and Environmental Services

Director of Planning, Building & Environmental Services	2
Assistant Director of Planning, Building & Environmental Services	2
Chief Building Official	2
Engineering Manager	2
Deputy Director of Planning, Building & Environmental Services	2

Principal Planner	2
Planner I/II/III	2
Contractors and Consultants**	3, 7

Environmental Health

Environmental Health Manager	2
------------------------------	---

Natural Resources

Natural Resources Conservation Manager	2
--	---

~~Code Compliance/Process Improvement Manager~~ 2

Supervising Planner	2
---------------------	---

~~Planner I/II/III~~ 2

~~Engineering Supervisor~~ 3, 7

~~Assistant Engineer~~ 3, 7

~~Code Enforcement Supervisor~~ 2

~~Environmental Health Supervisor~~ 2

~~Environmental Health Coordinator~~ 2

~~Environmental Health Specialist I/II/Senior~~ 3

~~Senior Systems Support Analyst~~ 5

~~Staff Services Manager~~ 5

~~Staff Services Analyst I/II~~ 5

~~Administrative Secretary II~~ 2

~~(when serving as Planning Commission clerk)~~

~~Office Assistant II~~ 2

~~(when serving as Planning Commission clerk)~~

PUBLIC WORKS

Director of Public Works	2
--------------------------	---

General Services

~~Deputy Director of Public Works — General Services~~ 2

~~Public Works Administrative Manager~~ 2

~~Supervising Staff Services Analyst~~ 2

Flood Control & Water Resources

~~Deputy Director of Public Works — Flood Control and Water Resources~~ 2

~~Engineering Manager — Water Resources~~ 2

~~Watershed & Flood Control Operations Manager~~ 2

~~Contractors and Consultants*~~ 2**

TREASURER/TAX COLLECTOR

Assistant Treasurer Tax Collector	1
-----------------------------------	---

* The department head may determine in writing that a particular consultant, although holding a “designated position,” is hired to perform a range of duties that is limited in scope and is therefore not required to fully comply with the disclosure requirements of this section. Such written determination must include a description of the consultant's duties and the extent of disclosure, if any, required. The determination of the department head is a public record. It must be retained for public inspection in the same manner and location as this code.

**The department head may determine in writing that the broadest disclosure is not necessary and set interim disclosure requirements that are more tailored to positions with a limited range of duties. Such written determination must include a description of the consultant's duties and the extent of disclosure, if any, required. The determination of the department head is a public record. It must be retained for public inspection in the same manner and location as this code.

APPENDIX B

DISCLOSURE CATEGORIES¹

CATEGORY 1. Persons in this category shall disclose (i) all income including gifts, loans and travel payments as defined in Government Code Section 82030², (ii) all investments as defined in Government Code Section 82034³, (iii) interests in real property as defined in Government Code

¹ The terms contained herein which are defined in the following footnotes apply to all disclosure categories unless otherwise indicated.

² **“Income”** (a) “Income” means, except as provided in subdivision (b), a payment received, including but not limited to any salary, wage, advance, dividend, interest, rent, proceeds from any sale, gift, including any gift of food or beverage, loan, forgiveness or payment of indebtedness received by the filer, reimbursement for expenses, per diem, or contribution to an insurance or pension program paid by any person other than an employer, and including any community property interest in the income of a spouse. Income also includes an outstanding loan. Income of an individual also includes a pro rata share of any income of any business entity or trust in which the individual or spouse owns, directly, indirectly or beneficially, a 10-percent interest or greater. “Income,” other than a gift, does not include income received from any source outside the jurisdiction and not doing business within the jurisdiction, not planning to do business within the jurisdiction, or not having done business within the jurisdiction during the two years prior to the time any statement or other action is required under this title.

(b) “Income” also does not include:

(1) Campaign contributions required to be reported under Chapter 4 (commencing with Section 84100).

(2) Salary and reimbursement for expenses or per diem, and social security, disability, or other similar benefit payments received from a state, local, or federal government agency and reimbursement for travel expenses and per diem received from a bona fide nonprofit entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(3) Any devise or inheritance.

(4) Interest, dividends, or premiums on a time or demand deposit in a financial institution, shares in a credit union or any insurance policy, payments received under any insurance policy, or any bond or other debt instrument issued by any government or government agency.

(5) Dividends, interest, or any other return on a security which is registered with the Securities and Exchange Commission of the United States Government or a commodity future registered with the Commodity Futures Trading Commission of the United States Government, except proceeds from the sale of these securities and commodities futures.

(6) Redemption of a mutual fund.

(7) Alimony or child support payments.

(8) Any loan or loans from a commercial lending institution which are made in the lender's regular course of business on terms available to members of the public without regard to official status.

(9) Any loan from or payments received on a loan made to an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, uncle, aunt, or first cousin, or the spouse of any such person, provided that a loan or loan payment received from any such person shall be considered income if the individual is acting as an agent or intermediary for any person not covered by this paragraph.

(10) Any indebtedness created as part of a retail installment or credit card transaction if made in the lender's regular course of business on terms available to members of the public without regard to official status.

(11) Payments received under a defined benefit pension plan qualified under Internal Revenue Code Section 401(a).

(12) Proceeds from the sale of securities registered with the Securities and Exchange Commission of the United States Government or from the sale of commodities futures registered with the Commodity Futures Trading Commission of the United States Government if the filer sells the securities or the commodities futures on a stock or commodities exchange and does not know or have reason to know the identity of the purchaser.

³ **“Investment”** “Investment” means any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments and any partnership or other ownership interest owned directly, indirectly or beneficially by the public official, or other filer, or their immediate family, if the business entity or any parent, subsidiary or otherwise related business entity has an interest in real property in the jurisdiction, or does business or plans to do business in the jurisdiction, or has done business within the

Section 82033⁴, and (iv) all business positions as defined in the California Code of Regulations, Section 18730, Subsection (b)(7)(D)⁵.

CATEGORY 2. Persons in this category shall disclose (i) all income including gifts, loans and travel payments as defined in Government Code Section 82030, (ii) all investments as defined in Government Code Section 82034, (iii) interests in real property as defined in Government Code Section 82033, and (iv) all business positions as defined in Title 2 of the California Code of Regulations, Section 18730, Subsection (b)(7)(D). Gifts for purposes of this category shall not include gifts received from any source outside the jurisdiction and not doing business within the jurisdiction, not planning to do business within the jurisdiction, or not having done business within the jurisdiction during the previous two calendar years.

CATEGORY 3. Persons in this category shall disclose investments, income, including gifts, loans and travel payments, and business positions from sources that are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before, the Department to which the person is assigned.

CATEGORY 4. Persons in this category shall disclose investments, income, including gifts, loans and travel payments, and business positions from sources that provide education or training services that are approved by the County.

CATEGORY 5. Persons in this category shall disclose investments, business positions and income, including gifts, loans and travel payments, from sources that provide, or contract with the County or its Purchasing Agent to provide, or may foreseeably provide, goods, services, supplies, materials, machinery or equipment to Napa County, or has contracted with the County or its Purchasing Agent to supply goods, services, supplies, materials, machinery or equipment within the last two calendar years.

CATEGORY 6. Persons in this category shall disclose investments, business positions and income, including gifts, loans and travel payments, from sources that provide, or contract with the County to provide, or may foreseeably provide, goods, services, supplies, materials, machinery or equipment

jurisdiction at any time during the two years prior to the time any statement or other action is required under this title.

No asset shall be deemed an investment unless its fair market value equals or exceeds two thousand dollars (\$2,000).

The term “investment” does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, interest in a diversified mutual fund registered with the Securities and Exchange Commission under the Investment Company Act of 1940 or a common trust fund which is created pursuant to Section 1564 of the Financial Code, or any bond or other debt instrument issued by any government or government agency. Investments of an individual includes a pro rata share of investments of any business entity, mutual fund, or trust in which the individual or immediate family owns, directly, indirectly or beneficially, a 10-percent interest or greater. The term “parent, subsidiary or otherwise related business entity” shall be specifically defined by regulations of the commission.

⁴ “Interest in real property” “Interest in real property” includes any leasehold, beneficial or ownership interest or an option to acquire such an interest in real property located in the jurisdiction owned directly, indirectly or beneficially by the public official, or other filer, or their immediate family if the fair market value of the interest is two thousand dollars (\$2,000) or more. Interests in real property of an individual includes a pro rata share of interests in real property of any business entity or trust in which the individual or immediate family owns, directly, indirectly or beneficially, a 10-percent interest or greater.

⁵ “Business Position Disclosure” When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which the designated employee is a director, officer, partner, trustee, employee, or in which the designated employee holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

to the Department to which the person is assigned, or within the previous two calendar years has contracted with the County to supply goods, services, supplies, materials, machinery or equipment to the Department to which the person is assigned.

CATEGORY 7. Persons in this category shall disclose all interests in real property located in Napa County.

CATEGORY 8. Investments, positions held in business entities, and income from sources which may be the recipient of patient referrals for the delivery of health care services or supplies, or within the previous two calendar years have been the recipient of patient referrals for the delivery of health care services or supplies.