

CASITAS MUNICIPAL WATER DISTRICT  
EXECUTIVE COMMITTEE

Agenda

Baggerly/Brennan  
**August 14, 2020 - 10:00 A.M.**

The meeting will be held via teleconference.  
To attend the meeting please call US Toll Free  
(888) 788-0099 or (877) 852-5247  
Enter Meeting ID 996 9056 2191#

1. Roll Call
2. Public Comments
3. Board Comments
4. General Manager Comments
5. Discussion of LAFCo request for electronic submission of LAFCo election materials.
6. 2020 Biennial Review of the Conflict of Interest Code.

Right to be heard: Members of the public have a right to address the Board directly on any item of interest to the public which is within the subject matter jurisdiction of the Board. The request to be heard should be made immediately before the Board's consideration of the item. No action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of §54954.2 of the Government Code. If you require special accommodations for attendance at or participation in this meeting, please notify our office in advance (805) 649-2251 ext. 113. (Govt. Code Section 65954.1 and 54954.2(a)). Please be advised that members of the Board of Directors of Casitas who are not members of this standing committee may attend the committee meeting referred to above only in the capacity of observers, and may not otherwise take part in the meeting. (Govt. Code Sections 54952.2(c)(6))



## VENTURA LOCAL AGENCY FORMATION COMMISSION

801 S. VICTORIA AVENUE, SUITE 301 • VENTURA, CA 93003

TEL (805) 654-2576 • FAX (805) 477-7101

WWW.VENTURA.LAFCO.CA.GOV

July 30, 2020

Mike Flood  
Casitas Municipal Water District  
1055 Ventura Avenue  
Oak View, CA 93022

RE: Preference for Delivery of Mailed Ballot Materials Associated with the Selection of  
Special District Representatives to LAFCo

Dear Mike Flood:

The purpose of this letter is to request your consent to use electronic mail to transmit election materials used to appoint special district members to LAFCo. State law provides that the appointment of special district members to LAFCo shall be performed by the Independent Special District Selection Committee (ISDSC) which, in Ventura County, is comprised of the presiding officer of the legislative body of each of the 29 independent special districts. However, attempts to achieve a quorum of the Ventura County ISDSC have proven to be challenging in past years. It is for this reason that special district representatives have historically been selected through mailed ballot elections, which are allowed by law if the LAFCo Executive Officer determines that a meeting of the ISDSC is not feasible.

Unfortunately, there have been issues with the election-by-mail process. In particular, there have been instances of resolutions of nomination and/or completed ballots that were lost in the mail and thus not received by LAFCo in time to be counted. Fortunately, the law allows for the LAFCo Executive Officer, with the prior concurrence of the district, to use electronic mail as an alternative mode of delivery for the ballot and voting instructions. Further, if the Executive Officer has transmitted the ballot and voting instructions by electronic mail, the district may return the ballots by electronic mail, provided that the Executive Officer retains written evidence of the receipt of the ballot. Based on these provisions, I am contacting you to request your concurrence to use electronic mail to transmit all materials related to any future elections to appoint special district representatives to LAFCo. For your convenience, a form on which to state your preference is enclosed. If you indicate that your district does not wish to receive these materials by electronic mail, LAFCo will transmit them by U.S.P.S mail.

We are also taking this opportunity to update our records regarding contact information for your agency. Please review the contact information noted on the form and make any corrections as necessary. Thank you for your time and assistance with this matter. If you have any questions or wish to discuss further, please call me at 654-2575.

Sincerely,

Kai Luoma  
Executive Officer



# VENTURA LOCAL AGENCY FORMATION COMMISSION

801 S. VICTORIA AVENUE, SUITE 301 • VENTURA, CA 93003

TEL (805) 654-2576 • FAX (805) 477-7101

WWW.VENTURA.LAFCO.CA.GOV

Date \_\_\_\_\_

**PREFERENCE FOR DELIVERY OF MAILED BALLOT MATERIALS ASSOCIATED WITH THE APPOINTMENT OF SPECIAL DISTRICT REPRESENTATIVES TO LAFCo**

Casitas Municipal Water District \_\_\_\_\_

1055 Ventura Avenue \_\_\_\_\_

Oak View, CA 93022 \_\_\_\_\_

(805) 642-8538 \_\_\_\_\_

MFlood@casitaswater.com \_\_\_\_\_

**Please note any contact information corrections to the right.**

**ON BEHALF OF THE CASITAS MUNICIPAL WATER DISTRICT, I HEREBY:**

*(Mark Only One)*

**Consent** *(Please be sure that this form includes a correct e-mail address for your district.)*

**Do Not Consent**

to the use of electronic mail by LAFCo to transmit all materials associated with any future elections that may be conducted to appoint special district representatives to LAFCo. I understand that this election may be changed at any time by contacting LAFCo in writing.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

If the "Consent" box above is checked, please indicate the e-mail address to which ballot materials should be sent. Only one address can be accepted although it may be different from the general contact e-mail address listed at the top of this form.

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**CASITAS MUNICIPAL WATER DISTRICT  
MEMORANDUM**

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**TO:** EXECUTIVE COMMITTEE

**FROM:** MICHAEL L. FLOOD, GENERAL MANAGER

**SUBJECT:** 2020 BIENNIAL REVIEW OF CONFLICT OF INTEREST CODE

**DATE:** AUGUST 10, 2020

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**RECOMMENDATION:**

The District received notice from the County of Ventura of the 2020 Local Agency Biennial Review of the Conflict of Interest Code. It is recommended that the code be amended changing the title of Administrative Manager to Chief Financial Officer and be moved to an upcoming Board Meeting agenda for adoption of a revised Conflict of Interest Code.

**BACKGROUND:**

All public agencies are required by the Political Reform Act to adopt a Conflict of Interest Code designating individuals who are subject to the annual filing requirements.

The County of Ventura is conducting a biennial review of the Conflict of Interest Codes for all agencies in the County and has requested that the District modify as necessary and readopt the Conflict of Interest Code. In reviewing the District's Conflict of Interest Code it was determined that the title of Administrative Manager needs to be changed to Chief Financial Officer.

County of Ventura  
SEP 28 2018  
Clerk of the Board

CASITAS MUNICIPAL WATER DISTRICT

RESOLUTION NO. 18-22

RESOLUTION ADOPTING THE DISTRICT'S CONFLICT OF INTEREST CODE

The Political Reform Act, Government Code section 8100 et seq., requires local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 CAL. Code Regs., §18730) which contains the terms of a standard Conflict of Interest Code, which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearing.

The terms of California Code of Regulations, Title 2, Section 18730, and any amendment to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Conflict of Interest Code for the Casitas Municipal Water District, and along with the attached Exhibit A, which designates positions requiring disclosure and Exhibit B, which sets forth disclosure categories for each designated position, constitute the Conflict of Interest Code of the Casitas Municipal Water District. Persons holding positions designated in Exhibit A shall file Form 700 Statements of Economic Interests with the Filing Officer specified for that position in Exhibit A.

**IN PREPARING THE FORM 700, DESIGNATED FILERS NEED ONLY DISCLOSE THOSE FINANCIAL INTERESTS FALLING WITHIN THE DISCLOSURE CATEGORIES DESIGNATED FOR THAT FILER'S POSITION AS STATED IN EXHIBITS A AND B.**

APPROVED AND ADOPTED this 26<sup>th</sup> day of September, 2018.

  
Bill Hicks, Vice President

Attest:

  
Mary Bergen, Secretary

## EXHIBIT A – DESIGNATED POSITIONS AND FILING OFFICERS

Persons occupying the following positions are designated employees and must disclose financial interests in those categories described in Appendix B which are listed opposite their respective designated positions.

<u>Designated Employees</u>	<u>Disclosure Categories</u>	<u>Filing Officer</u>
Board of Directors	1	County COB
General Manager	1	County COB
District's Attorney	1	Local Agency COB
Assistant General Manager	1	Local Agency COB
Administrative Manager	1	Local Agency COB
Division Officer	1	Local Agency COB
Executive Administrator	1	Local Agency COB
Fisheries Manager	1	Local Agency COB
Human Resources Manager	1	Local Agency COB
Operation & Maintenance Manager	1	Local Agency COB
Principal Civil Engineer	1	Local Agency COB
Park Services Manager	1	Local Agency COB
Public Affairs/Resource Manager	1	Local Agency COB
Safety Manager	1	Local Agency COB
Buyer	4	Local Agency COB
Consultants*	1	Local Agency COB

\*The disclosure, if any, required of a consultant will be determined on a case-by-case basis by the head of the agency or designee. The determination of whether a consultant has disclosure requirements should be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the consultant's duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.

## **EXHIBIT B – DISCLOSURE CATEGORIES**

The terms *italicized* below have specific meaning under the Political Reform Act. In addition, the financial interests of a spouse, domestic partner and dependent children of the public official holding the designated position may require reporting. Consult the instructions and reference pamphlet of the Form 700 for explanation.

### **Category 1 – BROADEST DISCLOSURE**

See Form 700 Schedules A-1, A-2, B, C, D, and E

1. All sources of *income, gifts, loans and travel payments*;
2. All *interests in real property*; and
3. All *investments and business positions in business entities*.

### **Category 2 – REAL PROPERTY**

See Form 700 Schedule B

All *interests in real property*, including *interests in real property* held by *business entities* and trusts in which the public official holds a business position or has an investment or other financial interest.

### **Category 3 – LAND DEVELOPMENT, CONSTRUCTION AND TRANSACTION**

See Form 700 Schedules A-1, A-2, C, D and E

All *investments, business positions* and sources of *income, gifts, loans and travel payments*, from sources which engage in land development, construction, or real property acquisition or sale.

### **Category 4 - PROCUREMENT**

See Form 700 Schedules A-1, A-2, C, D, and E

All *investments, business positions* and sources of *income, gifts, loans and travel payments*, from sources which provide services, supplies, materials, machinery or equipment which the designated position procures or assists in procuring on behalf of their agency or department.

### **Category 5 – REGULATION AND PERMITTING**

See Form 700 Schedules A-1, A-2, C, D, and E

All *investments, business positions* and sources of *income, gifts, loans and travel payments*, from sources which are subject to the regulatory, permitting or licensing authority of, or have an application or license pending before, the designated position's agency or department.

### **Category 6 – FUNDING**

See Form 700 Schedules A-1, A-2, C, D, and E

All *investments, business positions* and sources of *income, gifts, loans and travel payments*, from sources which receive grants or other funding from or through the designated position's agency or department.

## **ADDENDUM DESIGNATING OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

Pursuant to Government Code Section 87200 Et Seq., certain city and county officials, as well as all "other officials who manage public investment." are required to disclose their economic interests in accordance with the Political Reform Act. This Addendum provides the relevant definitions for determining which public officials qualify as "other officials who manage public investments," designates the agency's positions which qualify as such, and states the Filing Officer for each designated position.

### **APPLICABLE DEFINITIONS**

As set forth in 2 California Code of Regulations section 18701, the following definitions apply for the purposes of Government Code Section 87200:

- (1) "Other public officials who manage public investment" means:
  - a. Members of boards and commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;
  - b. High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and
  - c. Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions that would otherwise be performed by the public officials described in subdivision (1) b above.
- (2) "Public investments" means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.
- (3) "Public moneys" means all moneys belonging to, received by, or held by, the state, or any city, county, town, district, or public agency therein, or by an officer thereof acting in his or her official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement system, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a party.
- (4) "Management of public investment" means the following nonministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.



## DESIGNATED POSITIONS AND FILING OFFICERS

Based on the foregoing, the following agency positions and/or consultants qualify as "other officials who manage public investments" and shall file Statements of Economic Interests (Form 700) pursuant to Government Code section 87200 et seq. with the below-designated Filing Officers.

<u>Position Title/Consultant</u>	<u>Filing Officer</u>
Board of Directors	County Clerk of the Board
General Manager	County Clerk of the Board
Administrative Manager/Treasurer	Local Agency Clerk of the Board



**BOARD MINUTES  
BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA**

**SUPERVISORS STEVE BENNETT, LINDA PARKS,  
KELLY LONG, PETER C. FOY AND JOHN C. ZARAGOZA  
December 4, 2018 at 8:30 a.m.**

**CONSENT – COUNTY EXECUTIVE OFFICE – Adoption of Conflict of Interest  
Codes for 118 Local Agencies; and Receive and File 2018 Biennial Notices.**

- (X) All Board members are present.
  
- (X) Upon motion of Supervisor Long, seconded by Supervisor Zaragoza, and duly carried, the Board hereby approves the recommendations as stated in the respective Board letters for Consent Items 12 - 33.

By: *Lori Gaines*  
Lori Gaines  
Deputy Clerk of the Board