

**BOARD OF DIRECTORS**

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Emil Cavagnolo

**ORLAND-ARTOIS WATER DISTRICT**

(A UNIT OF THE SACRAMENTO VALLEY CANALS)

P. O. BOX 218 ORLAND, CALIFORNIA 95963

Telephone (530) 865-4304 • Fax (530) 865-8497

July 30, 2020

Glenn County Board of Supervisors  
525 West Sycamore Street, Suite B1  
Willows, CA 95988

Re: Orland-Artois Water District 2020 Local Agency Conflict of Interest Code Biennial Notice.

Please find enclosed the signed and dated Orland-Artois Water District 2020 Local Agency Conflict of Interest Code Biennial Notice. The District's Conflict of Interest Code was reviewed by the District Board of Directors and Counsel and found sufficient and no changes were made. The last revisions to the code was approved by the Glenn County Board of Supervisors in 2012.

Sincerely,



Emil Cavagnolo  
General Manager

## 2020 Local Agency Biennial Notice

Name of Agency: Orland-Artois Water District  
Mailing Address: P.O. Box 218 Orland, CA 95963  
Contact Person: Emil Cavagnolo Phone No. 530-865-4304  
Email: ecavagnolo@oawd.org Alternate Email: kosborn@oawd.org

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

**An amendment is required. The following amendments are necessary:**

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) \_\_\_\_\_

**The code is currently under review by the code reviewing body.**

**No amendment is required.** (If your code is over five years old, amendments may be necessary.)

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### Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

07/30/2020

\_\_\_\_\_  
*Signature of Chief Executive Officer*

\_\_\_\_\_  
*Date*

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2020**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

**ORLAND-ARTOIS WATER DISTRICT**

**CONFLICT OF INTEREST CODE**

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 Cal. Code of Regs., section 18730), which contains the terms of a standard conflict of interest, can be incorporated by reference in an agency's code. After public notice and hearing, the regulation 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 cover sheet, the regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Orland-Artois Water District.

Individuals holding designated positions shall file their statements of economic interests with the Orland-Artois Water District, which will make the statements available for public inspection and reproduction in accordance with Government Code Section 81008. Statements for all designated employees will be retained by Orland-Artois Water District.

**APPENDIX A**

**DESIGNATED POSITIONS**

**Designated Positions.** The officers and employees of the Orland-Artois Water District listed below are designated as persons who are deemed to make, or participate in the making of, decisions that may have a material effect on a financial interest. Persons holding designated positions listed below will disclose interests and investments in accordance with the corresponding disclosure categories as defined below.

<u>Designated Position</u>	<u>Assigned Disclosure Categories</u>
Legal Counsel	1, 2
Consultants	**

\*\*“Consultants” are included in the list of designated positions and must disclose interests and investments in accordance with the broadest disclosure category in the District’s conflict of interest code, subject to the following limitation: The General Manager may determine in writing that a particular consultant, although a “consultant” and “designated position,” nevertheless is hired or retained to perform a range of duties that is limited in scope and therefore is not required to comply with any or some of the disclosure requirements described in this appendix. The General Manager’s written determination will include a description of the consultant’s duties, and, based on that description, a statement of the extent of disclosure requirements. The written determination is a public record and will be retained for public inspection in the same manner and location as the District’s conflict of interest code in accordance with Government Code section 81008.

**Consultants.** “Consultant” means an individual who, pursuant to a contract with the District, either: (1) makes a governmental decision whether to: (a) approve a rate, rule, or regulation; (b) adopt or enforce a law; (c) issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement; (d) authorize the District to enter into, modify, or renew a contract provided it is the type of contract that requires District approval; (e) grant District approval to a contract that requires District approval and to which the District is a party, or to the specifications for such a contract; (f) grant District approval to a plan, design, report, study, or similar item; or (g) adopt or grant District approval of policies,

standards, or guidelines for the District, or for any subdivision thereof; or (2) serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in California Code of Regulations, title 2, section 18702.2 or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's conflict of interest code under Government Code section 87302. (2 Cal. Code of Regs., section 18701(a)(2).)<sup>1</sup>

**Officials Who Manage Public Investments.** Officials who manage public investments are deemed to be "statutory filers" within the meaning of Government Code section 87200 and California Code of Regulations, title 2, section 18720 because they must file statements of economic interest (FPPC Form 700) pursuant to the state Political Reform Act instead of the District's conflict of interest code. As a result, such persons are not designated in this code and are listed here for information only.

The District's statutory filers are:

- Members of the Board of Directors
- General Manager
- Assessor/Treasurer/Tax Collector

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 Government Code section 87200.

**New Position Added or New Consultant Hired Without Code Revision.** If the Orland-Artois Water District creates a new position that requires disclosure or hires a new Consultant with reporting obligations without simultaneously amending this conflict of interest code, the new employee or Consultant will file a Form 700 assuming office statement and thereafter file annual Form 700 disclosure of economic interest statements each year using the broadest disclosure

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<sup>1</sup> A consultant serves in a staff capacity only if he or she has an on-going relationship with the District. A consultant who works on one project or a limited range of projects for the District is not deemed a consultant subject to the reporting requirements of this code unless the project or projects extend over a substantial period of time, generally more than one year. (See *Smith* Advice Letter, FPPC No. I-99-316; *Travis* Advice Letter, FPPC No. A-96-053; *Randolph* Advice Letter, FPPC No. A-95-045.)

*CURRENT OAWD CODE : LAST UPDATED 2012*

category until the District amends the code to designate the position. Alternatively, the General Manager may designate narrower disclosure obligations in writing using a FPPC Form 804 or Form 805 as appropriate, for any such position or Consultant. (See 2 Cal. Code of Regs., section 18734.)

**APPENDIX B**

**DISCLOSURE CATEGORIES**

**Category 1:** Investments and business positions in business entities and income, including receipt of gifts, loans, and travel payments, from sources that are contractors engaged in the performance of work or services of the type utilized by the District, or that manufacture, sell or provide supplies, machinery, services or equipment of the type utilized by the District.

**Category 2:** Interests in real property located in whole or in part within the District's jurisdiction or within two miles of any property owned or used by the District.

**Category 3:** Investments, business positions in business entities, and sources of income, including receipt of gifts, loans and travel payments, from entities that provide services and supplies of the type utilized by the designated position's division or department.