

RESOLUTION NO. 652

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
WHATCOM COUNTY, WASHINGTON,
ADOPTING CODE OF CONDUCT

WHEREAS, the Board of Commissioners desires to adopt a code of conduct for elected officials, employees and agents of the Birch Bay Water & Sewer District ("District") pertaining to projects involving federal funds; and

WHEREAS, the purpose of this code of conduct is to ensure the efficient, fair and professional administration of federal grant funds in compliance with 24 CFR Section 85.36(b)(3) and other applicable federal and state laws; and

WHEREAS, this code of conduct shall apply to all elected officials, employees or agents of the District; and

WHEREAS, the foregoing recitals are a material part of this resolution;

NOW THEREFORE, be it resolved by the Board of Commissioners of Birch Bay Water & Sewer District, Whatcom County, Washington that the following provisions are hereby adopted and hereinafter known as the "Code of Conduct" for the District;

Section 1. No elected official, employee or agent of the District shall participate in the selection, award or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following individuals or entities has a financial or other interest in the firm selected for award:

- the employee, elected official, or agent;
- any member of his/her family ("family" shall include parents, children, grandparents, grandchildren, nieces, nephews, aunts, uncles and first cousins);
- his/her partner (business or domestic); or
- an organization which employs or is about to employ any of the above.

District elected officials, employees or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors or subcontractors.

Section 2. To the extent permitted by federal, state or local laws or regulations, violation of these standards may cause penalties, sanctions or other disciplinary actions to be taken against District elected officials, employees or agents, or the contractors, potential contractors, subcontractors or their agents.

Section 3. If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution: The Board hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this Resolution should be declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

Section 4. This Resolution shall be effective immediately.

PASSED by the Board of Commissioners of Birch Bay Water & Sewer District, Whatcom County, Washington, at a regular meeting held the 25th day of August, 2005.


COMMISSIONER


COMMISSIONER


COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 652 of Birch Bay Water & Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on August 25, 2005.


SECRETARY