



A Tradition of Stewardship  
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Agenda Date: 12/20/2016

Agenda Placement: 6Z

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Alice Hughey for Leanne Link - County Executive Officer  
County Executive Office  
**REPORT BY:** Gladys Coil, Administrative Manager-Clerk of the Board - 253-4196  
**SUBJECT:** Amended Conflict of Interest Codes for Local Agencies

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### **RECOMMENDATION**

Clerk of the Board and County Counsel request approval of recently amended conflict of interest codes for various local agencies.

### **EXECUTIVE SUMMARY**

Pursuant to the Political Reform Act of 1974, each local agency has reviewed its conflict of interest code and, if changes were needed due to changed circumstances, they have submitted an amended code to the code-reviewing body for approval.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

There is no Environmental Impact for this item.

### **BACKGROUND AND DISCUSSION**

In 1974, the voters of California approved the Political Reform Act of 1974 (Act), Government Code Section 81000 et

seq. Among other things, the Act requires every agency to adopt and promulgate a conflict of interest code (Government Code Section 87300). For this purpose, "agency" includes any local government agency. An agency may adopt its code by incorporating by reference the model conflict of interest code set forth in Section 18730 of Title 2 of the California Code of Regulations.

In each county, the Board of Supervisors is the "code-reviewing body" of any local agency, other than a city located entirely within the boundaries of the county, per Government Code Section 82011(b).

Government Code Section 87306.5 provides that no later than July 1 of every even-numbered year, the code-reviewing body must direct each local agency that has adopted a conflict of interest code to review its code and submit an amended code to the code-reviewing body if changes are needed due to changed circumstances. Finally, Government Code Section 87303 provides that no conflict of interest code is effective until it has been approved by the code-reviewing body.

In a memorandum dated June 29, 2016, the Clerk of the Board asked each local agency in the County, pursuant to Government Code Section 87306.5, to review its own conflict of interest code and to report whether an amendment is necessary no later than September 5, 2016.

The Clerk has now received responses from all thirty-one (31) local agencies. See the entitled Conflict of Interest Code tracking sheet referenced as Attachment A. Twenty-three (23) of the thirty-one (31) agencies report no changes requiring amendments to their conflict of interest code have occurred. Therefore, no further action is required by the Board.

Eight (8) other local agencies report that they have amended their conflict of interest codes in response to changed circumstances. As to these, the Board must review the amended codes and either approve or disapprove them. If the Board disapproves any code, the Board must return the code to the local agency for further review. Resolutions or other documentation from agencies with amended codes are attached.

On the Board's behalf, County Counsel has reviewed and considered the proposed amendments for the entities that County Counsel represents. County Counsel has determined that the amended codes comply with the Political Reform Act. Therefore, County Counsel recommends the Board approve the amended conflict of interest codes of the following local agencies:

1. Local Agency Formation Commission
2. Napa County Flood Control and Water Conservation District (FCD) including Measure A Technical Advisory Panel (TAP)
3. Napa County Office of Education/Superintendent of Schools
4. Napa River Reclamation District
5. Napa Valley Transportation Authority
6. Napa Sanitation District
7. Napa Valley Unified School District

County Counsel further recommends that the Board direct the Clerk to give notice of your action to the affected local agencies.

## **SUPPORTING DOCUMENTS**

A . 2016 Conflict of Interest Tracking Sheet

- B . Local Agency Formation Commission
- C . Napa County Flood Control and Water Conservation Dist. including Measure A TAP
- D . Napa County Office of Education/Supt. of Schools
- E . Napa River Reclamation District
- F . Napa Valley Transportation Authority
- G . Napa Sanitation District
- H . Napa Valley Unified School District

CEO Recommendation: Approve

Reviewed By: Molly Rattigan