



**NAPA-VALLEJO WASTE
MANAGEMENT AUTHORITY**

Agenda Date: 12/4/2008

Agenda Placement: 6C

Napa-Vallejo Waste Management Authority Board Agenda Letter

TO: Board of Directors
FROM: Martha Burdick for Trent Cave - Manager
Napa-Vallejo Waste Management Authority
REPORT BY: SUSAN ALTMAN, ATTORNEY II - 299-1479
SUBJECT: Notice of Intent to Amend the COI

RECOMMENDATION

CONFLICT OF INTEREST CODE

REQUESTED ACTION: Approval to open a 45 day comment period for Napa Vallejo Waste Management Authority employees regarding the Board's intention to adopt an amended Conflict of Interest Code and to continue adoption of the amended Code to February 5, 2009.

EXECUTIVE SUMMARY

On October 2, 2008, this Board approved a Resolution of Intent to Adopt an Amended Conflict of Interest Code and opened a 45 day comment period. No comments were received during that period. However, it came to the attention of staff that not all Authority employees referenced in the Code were given notice of the Intent to Amend. Therefore, it is being requested to open an additional 45 day comment period in order for all Authority employees to review and comment on the revised Code. The Fair Political Practices Commission (FPPC) has been advised of this additional comment period.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

On October 2, 2008, this Board approved a Resolution of Intent to Adopt an Amended Conflict of Interest Code and opened a 45 day comment period. On October 13, 2008, the Napa Valley Register and the Vallejo Times Herald published a Notice of Intention to Amend Conflict of Interest Code establishing a comment period beginning on Tuesday October 14, 2008 and ending on November 28, 2008. The Authority received no written comments or requests for a public hearing.

It recently came to staff's attention that not all Napa Vallejo Waste Management Authority (NVWMA) employees received the Notice of Intent to Amend the Conflict of Interest Code and therefore may not have had the opportunity to comment on the proposed Code amendments. Staff is recommending all Authority employees be given such notice, that the Board approve opening a second 45 day comment period for employees, and that the Board continue the item for adoption to its February 5, 2009 meeting. The public comment period will run from December 15, 2008 to January 29, 2009.

The FPPC has been advised of this additional comment period and as the Authority properly noticed the FPPC of its intent to amend its Code within the specified timeframe, this additional comment period has no adverse effect.

SUPPORTING DOCUMENTS

A . Notice of Intent

Manager: Approve
Reviewed By: Martha Burdick