



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 12/2/2009

Agenda Placement: 9E

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: CHRIS APALLAS, ATTORNEY II - 259-8248
SUBJECT: Consideration and Adoption of the Commission's Conflict of Interest Code

RECOMMENDATION

RESOLUTION OF INTENT TO ADOPT PLANNING COMMISSION CONFLICT OF INTEREST CODE

CEQA Status: 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.

Request: Adoption of a Commission Conflict of Interest Code as required by Chapter 3, Division 1 of Title 7 of the Government Code which requires Commission members and specific staff to disclose certain investments, income, interest in real property and business positions that would disqualify them from making or participating in the making of governmental decisions affecting those interests.

Staff Recommendation: Adopt attached Commission Conflict of Interest Code.

Staff Contact: Laura Anderson, 259-8252 or laura.anderson@CountyofNapa.org, or Chris Apallas, 259-8248 or chris.apallas@CountyofNapa.org

EXECUTIVE SUMMARY

Proposed Action:

1. That the Conservation, Development and Planning Commission adopts the attached Commission Conflict of Interest Code.

Discussion:

The Napa County Conservation, Development and Planning Commission is required by Government Code section 87200 to adopt a Conflict of Interest Code. The Commission previously adopted a resolution of intent to adopt a

Conflict of Interest Code and published notice of its intent providing for a 10 day public comment period. The comment period is now closed and Staff requests adoption of the Code.

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

The Napa County Conservation, Development and Planning Commission is a planning agency having such powers and duties as are prescribed by Chapter 3, Division 1 of Title 7 of the Government Code (commencing with Section 65100) and, in addition, such other powers and duties as assigned to the agency by the board of supervisors. The Political Reform Act of 1974 requires local government agencies to adopt a conflict of interest code (code). Such a code requires commission members and specific staff to disclose certain investments, income, interest in real property and business positions that would disqualify them from making or participating in the making of governmental decisions affecting those interests. The proposed code is based on the same template used for other agencies and covers designated officers and contractors of the Commission (including the Commissioners, Secretary, Legal Counsel and Auditor-Controller, and their deputies). The type of information all covered officers are required to disclose include:

1. All income, including gifts, loans and travel payments as defined in Government Code section 82030;
2. All investments as defined in Government Code section 82034;
3. Interests in real property as defined in Government Code, section 82033; and
4. All business positions as defined in California Code of Regulations, section 18730, Subsection (b)(7)(D).

The Commission provided public notice of its intent to adopt the code and provided a 10 day public comment period. The Commission should consider any public comments it may have received and then proceed to adopt the code. If approved, the code will be filed with the Napa County Board of Supervisors, as the code reviewing body for the Commission. The code will become effective once it has been confirmed by the Board of Supervisors.

SUPPORTING DOCUMENTS

A . Resolution Adopting Conflict Code

Napa County Planning Commission: Approve

Reviewed By: John McDowell