

February 11, 2015
Item No. 7

PLACER COUNTY
LOCAL AGENCY FORMATION COMMISSION

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STAFF REPORT

DATE: February 4, 2015

TO: Chairman Weygandt, Commissioners Allen, Holmes, Kirby, Rudd, Treabess, Uovich. Alternate Commissioners Duran, Gray, Nader, Sheehan.

FROM: Kris Berry, AICP, Executive Officer

SUBJECT: Fair Political Practices Commission Conflict of Interest Code.

RECOMMENDATION:

It is recommended that the Commission approve the attached Fair Political Practices Commission Conflict of Interest Code attached as Exhibit "1."

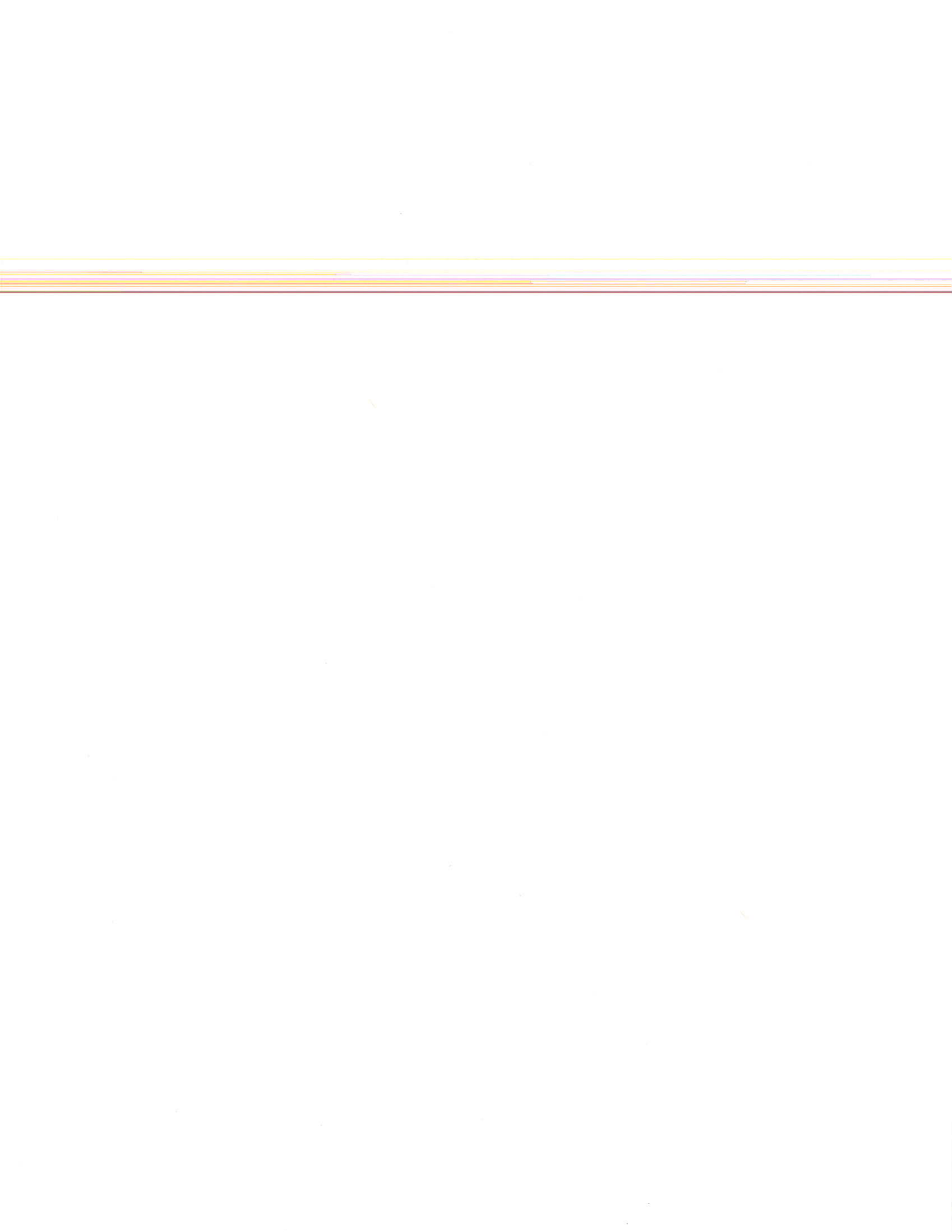
SUMMARY:

The Fair Political Practices Commission reform act of 1974 requires that each public agency adopt a local conflict of Interest Code. Although a code has previously been adopted by the Commission, it has not been modified by the Commission since its original adoption in 2002.

The Code must specify the positions that make or participate in making decisions and then assign disclosure categories specifying the types of financial interest to be disclosed. Our current code only specifies the Executive Officer, the Public Member and alternate Public Member, based on the fact that the other categories of membership in the Commission already file 700 forms for their respective agencies. When the code was written, Counsel was not included because LAFCO was represented by County Counsel, which already reported to the County.

To accurately portray the composition of the Commission and reflect the independence of the Commission, each category of Commissioner as well as the Executive Officer and Counsel have been designated as reporting individuals. The designated individuals are engaged in a high level of decision-making and authority and are considered to be in disclosure category number 1, the highest level of disclosure.

Exhibit "1" Proposed Conflict of Interest Code.



Resolution 2015 – 01

**RESOLUTION OF THE PLACER COUNTY LOCAL AGENCY FORMATION
COMMISSION ADOPTING THE FAIR POLITICAL PRACTICES COMMISSION
CONFLICT OF INTEREST CODE**

WHEREAS, The Political Reform Act of 1974, as amended (“the Act”), California Government Code §8100 et seq., requires in Government Code §97300 that each agency subject to the Act, including the Placer County Local Agency Formation Commission, adopt a local Conflict of Interest Code; and

WHEREAS, the act provides in §87302 that each such local Conflict of Interest Code shall designate positions within each agency subject to the Code and further designate the types of reportable interests which must be disclosed by any such designated employee; and

WHEREAS, the Fair Political Practices Commission in administering the Act has adopted a regulation (2 California Code of Regulations §18703) which permits agencies subject to the Act to adopt by reference the Model Conflict of Interest Code developed by the Fair Political Practices Commission; and

WHEREAS, the Commission now desires to adopt said Model Code;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Local Agency Formation Commission as follows:

1. That pursuant to the provisions of Government Code §87300 and (Title) 2 California Code of Regulations §18730, the Placer County Local Agency Formation Commission hereby adopts the Fair Political Practice Commission’s Model Conflict of Interest Code as set forth currently or as may hereafter be amended, as the local Conflict of Interest Code of the Commission (the “Code”).
2. That the Code shall apply and be applicable to those persons in the service of the Placer County Local Agency Formation Commission as listed below. Each person occupying each designated position shall be assigned to a disclosure category based on the descriptions also set forth below.
3. That each person in each designated position, as listed below, shall report, as required by the Code, all reportable interests for their particular disclosure category.

4. Designated Positions

Disclosure Category:

Executive Officer	All
Counsel	All
Board of Supervisors Member	All
Alternate Board of Supervisors Member	All
City Member	All
Alternate City Member	All
Special District Member	All
Alternate Special District Member	All
Public Member	All
Alternate Public Member	All

Disclosure Categories:

1. Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that provide services, supplies, materials, machinery, or equipment of the type utilized by the Commission.
2. Investments and business positions in business entities, governmental entities and non-profits that are regulated by the Commission.
3. Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that engage in the acquisition, disposal, or development of real property within the Commission's jurisdiction.
4. Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that regularly engage in the preparation of environmental impact statements or reports.
5. Interests in real property located within the jurisdiction of the Commission or within two miles of the boundaries of the jurisdiction of the Commission.
6. Investments and business positions in business entities, and sources of income including loans, gifts, and travel payments, from sources of the type that receive financial or technical assistance from the Commission.

Passed and adopted this February 11, 2015 upon a vote of the members of the Local Agency Formation Commission, then in attendance and regularly convened as follows:

Ayes;

Noes:

Abstain:

Absent:

Signed and approved after adoption:

Chair

Attest:

Kristina Berry, AICP, Executive Officer

