



MEMORANDUM

OFFICE OF THE PLACER COUNTY COUNSEL

TO: Honorable Board of Supervisors

FROM: Karin E. Schwab, County Counsel

DATE: January 26, 2021

SUBJECT: Approval of Placer Conservation Authority Conflict of Interest Code

Action Requested

Adopt a resolution approving the Placer Conservation Authority Conflict of Interest Code.

Background

The Placer County Board of Supervisors is the conflict of interest code-reviewing body for local agencies, other than cities, that are located wholly within Placer County. As the code-reviewing body, the Board is charged with reviewing these codes to ensure compliance with the requirements of the Political Reform Act.

The Placer Conservation Authority (“PCA”) was formed in early 2020 and a “Notice of Joint Powers Agreement” was filed with the California Secretary of State on May 8, 2020. The PCA Board adopted their Conflict of Interest Code (“Code”) by resolution (Resolution No. 2020-003) during a noticed public hearing on November 4, 2020. The PCA subsequently submitted this to the County for review.

The PCA Code is legally adequate. County Counsel requests the Board approve the same by resolution as the conflict of interest code-reviewing body.

Fiscal Impact

There is no fiscal impact associated with this request.

Attachment I: Resolution

Exhibit A – PCA Conflict of Interest Code

Exhibit B – Amended Local Agency Conflict of Interest Codes List.

Before the Board of Supervisors County of Placer, State of California

In the matter of:

Resolution No.: _____

**A RESOLUTION APPROVING THE PLACER
CONSERVATION AUTHORITY CONFLICT OF
INTEREST CODE.**

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:

Clerk of said Board

WHEREAS, the Political Reform Act requires local government agencies to maintain a conflict of interest code; and

WHEREAS, pursuant to Government Code Section 82011, the Placer County Board of Supervisors is the "code reviewing body" for local agencies, except cities, located wholly within the boundaries of Placer County; and

WHEREAS, any new or amended local agency conflict of interest code will only take effect upon the Board's approval; and

WHEREAS, the Placer Conservation Authority ("PCA") Board formally adopted their Conflict of Interest Code ("Code") on November 4, 2020 (Resolution 2020-003), attached hereto as Exhibit A; and

WHEREAS, the Board has reviewed the PCA Code and concluded that it is legally adequate.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Placer, State of California acknowledges receipt of and hereby approves the Placer Conservation Agency Conflict of Interest Code as “currently adequate” and as set forth in Exhibit A.

BE IT FURTHER RESOLVED that the Board directs the PCA Code be added to the list maintained by Elections for local agencies as set forth in Exhibit B.

BE IT FURTHER RESOLVED that this Resolution shall take immediate effect.

Attachment: Exhibits A and B

EXHIBIT A

CONFLICT OF INTEREST CODE
OF THE
PLACER CONSERVATION AUTHORITY

This code, including the attached appendices designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Placer Conservation Authority.

The Political Reform Act (Government Code Section 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code section 87100, and to other state or local laws pertaining to conflicts of interest.

The Fair Political Practices Commission ("FPPC") has adopted a regulation (2 California Code of Regulations section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the FPPC may amend the standard conflict of interest code to conform to amendments in the Political Reform Act.

The terms of 2 California Code of Regulations section 18730 and any amendments duly adopted by the FPPC are hereby incorporated herein by reference.

The code reviewing body for the Placer Conservation Authority conflict of interest code is the Board of Supervisors for the County of Placer ("Board of Supervisors"). (See Gov. Code, § 82011(b) and § 87303.) The Board of Supervisors is therefore the filing officer for statements of economic interest required by this code. (See Gov. Code, § 87500 (k).) The County Clerk for the County of Placer is the official responsible for receiving and retaining statements of economic interests and making the statements available for public inspection and reproduction. (See Gov. Code, § 81008; 2 Cal. Code of Regs. § 18227.)

Individuals holding designated positions shall file their statements of economic interests with the Placer Conservation Authority, which will make and retain a copy and forward the original to the County Clerk for the County of Placer.

Appendix of Designated Positions

List of Designated Positions for the Placer Conservation Authority and Correlating Financial Disclosure Categories

Each person holding any position listed below must file statements disclosing the kinds of financial interests shown for the designated employee's position. Statements must be filed at the times and on the forms prescribed by law. Failure to file statements on time may result in penalties including but not limited to, late fines.

Designated Employees	Disclosure Category
Member of Board of Directors	1, 2, 3, 4
Alternate Member of Board of Directors	1, 2, 3, 4
Executive Director	1, 2, 3, 4
General Counsel	1, 2, 3, 4
Consultants*	1, 2, 3, 4

*The Executive Director, after consultation with the General Counsel, shall review the duties and authority of all consultants retained by the Placer Conservation Authority. Those consultants who, within the meaning of 2 Cal. Code of Regs. Section 18700, et seq., are required to file statements of economic interests shall do so. During each calendar year, the Placer Conservation Authority shall maintain a list of such consultants for public inspection in the same manner and location as this Conflict of Interest Code. Nothing herein excuses any consultant from any other provision of the Conflict of Interest Code, specifically those dealing with disqualification.

Appendix of Disclosure Categories

Category 1:

A designated person assigned to Category 1 shall disclose all investments which may foreseeably be materially affected by any decision made or participated in by the designated employee.

Category 2:

A designated person assigned to Category 2 shall disclose all interests in real property which may foreseeably be materially affected by any decision made or participated in by the designated employee.

Category 3:

A designated person assigned to Category 3 shall disclose all income, including receipt of loans, gifts, and travel payments, which may foreseeably be materially affected by any decision made or participated in by the designated employee.

Category 4:

A designated person assigned to Category 4 shall disclose all business positions which may foreseeably be materially affected by any decision made or participated in by the designated employee.

EXHIBIT B

<u>Local Agency</u>	<u>Status of Code</u>	<u>Date Amended</u>
Ackerman Charter School District	Currently Adequate	October 2020
Alpine Springs County Water District	Adequate with Revisions	August 2020
Alta-Dutch Flat Union Elementary School District	Currently Adequate	October 2020
Alta Fire Protection District	Currently Adequate	September 2020
Auburn Area Recreation and Park District	Currently Adequate	September 2020
Auburn Public Cemetery District	Currently Adequate	September 2020
Auburn Union School District	Currently Adequate	November 2020
Auburn Valley Community Services District	Currently Adequate	October 2020
Bizz Johnson Highway Interchange JPA	Under Review	December 2006
Christian Valley Park Community Services District	Currently Adequate	November 2020
Colfax Cemetery District	Currently Adequate	November 2020
Colfax Elementary School District	Currently Adequate	September 2020
Creekside Charter Management	Currently Adequate	November 2020
Eureka Union School District	Currently Adequate	September 2020
First 5 Placer Children & Families Commission	Currently Adequate	October 2020
Foresthill Fire Protection District	Currently Adequate	November 2020
Foresthill Public Utility District	Currently Adequate	November 2020
Foresthill Union School District	Currently Adequate	October 2020
Harvest Ridge Schools	Currently Adequate	September 2020
Heather Glen Community Services District	Under Review	September 2020
Loomis Union School District	Currently Adequate	October 2020
Meadow Vista County Water District	Currently Adequate	August 2014
Mid-Placer Public Schools Transportation Agency	Currently Adequate	October 2020
Middle Fork Project Finance Authority	Currently Adequate	February 2006
Midway Heights County Water District	Currently Adequate	September 2020
Newcastle Elementary School District	Currently Adequate	October 2020
Newcastle Fire Protection District	Currently Adequate	November 2020
Newcastle-Rocklin-Gold Hill Cemetery District	Currently Adequate	September 2020
North Tahoe Fire Protection District	Currently Adequate	August 2020
North Tahoe Public Utility District	Adequate with Revisions	August 2020
Northstar Community Services District	Adequate with Revisions	August 2020
Penryn Fire Protection District	Currently Adequate	November 2020
Pioneer Community Energy	Currently Adequate	July 2020
Placer Academy	Currently Adequate	February 2018
Placer Conservation Authority	Currently Adequate	January 2021
Placer County Air Pollution Control District	Currently Adequate	August 2018
Placer County Cemetery District #1	Currently Adequate	September 2020
Placer County Consolidated Oversight Board	Currently Adequate	August 2018
Placer County Flood Control and Water Conservation District	Currently Adequate	October 2020
Placer County In-Home Supportive Services Public Authority	Currently Adequate	Unknown
Placer County Law Library	Currently Adequate	September 2020
Placer County Office of Education	Currently Adequate	July 2019
Placer Local Agency Formation Commission	Currently Adequate	October 2020
Placer County Resource Conservation District	Currently Adequate	October 2020
Placer County Transportation Planning Agency	Currently Adequate	September 2020
Placer County Water Agency	Currently Adequate	September 2020
Placer Mosquito & Vector Control District	Currently Adequate	October 2020

Placer Hills Fire Protection District	Currently Adequate	October 2020
Placer Hills Union School District	Currently Adequate	July 2016
Placer Union High School District	Currently Adequate	September 2020
Rocklin Unified School District	Currently Adequate	September 2020
Roseville City School District	Currently Adequate	June 2020
Roseville Public Cemetery District	Currently Adequate	October 2020
Sierra Lakes County Water District	Currently Adequate	September 2020
South Placer Fire District	Currently Adequate	September 2020
South Placer Municipal Utility District	Currently Adequate	July 2016
South Placer Regional Transportation Authority	Currently Adequate	September 2020
South Placer Wastewater Authority	Currently Adequate	May 2015
Squaw Valley Public Service District	Currently Adequate	September 2020
Tahoe City Cemetery District	Currently Adequate	October 2020
Talmon Resort Improvement District	Currently Adequate	October 2020
Western Placer Unified School District	Currently Adequate	June 2018
Western Placer Waste Management Authority	Currently Adequate	September 2020

