

LEGISLATIVE VERSION
(SHOWING CHANGES MADE)

APPENDIX B

CONFLICT OF INTEREST CODE
OF THE
EL DORADO LOCAL AGENCY
FORMATION COMMISSION

~~CONFLICT OF INTEREST POLICIES AND GUIDELINES~~
~~APPROVED 04-02-98 AMENDED 10-24-01~~

(Amended June 25, 2008)

‡. The Political Reform Act, Government Code Sections 81000 et seq. requires each state and local government agency to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations Section 18730, which 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 it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. This standard Code can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference herein. This incorporation page, Regulation 18730 and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the El Dorado Local Agency Formation Commission ("LAFCO").

All Officials and Designated Employees required to submit a statement of economic interests shall file their statements with the Clerk of the Commission as

LAFCO's Filing Officer. The Filing Officer shall make and retain a copy of all statements filed by Members of the Commission and the Executive Officer/Financial Officer, and forward the originals of such statements to the Clerk of the Board of Supervisors. The Filing Officer shall retain the originals of the statements of all other Designated Employees. The Filing Officer will make all retained statements available for public inspection and reproduction (Gov. Code Section 81008).

~~2. The following designated employees of the El Dorado Local Agency Formation Commission shall file Statements of Economic Interests: [This is specified in the body of the Code] the Executive Officer, LAFCO Policy Analyst/Senior Planner. [See Appendix Exhibit A for list of Designated Employees.]~~

~~3. Members of the Local Agency Formation Commission shall file Statements of Economic Interests as required by Government Code Section 87200 or this Conflict of Interest Code. [See Appendix Exhibit A for declaration and requirements of officials subject to Political Reform Act under Government Code Section 87200.]~~

~~4. Statements of Economic Interests shall provide disclosure in all of the following categories: All sources of income, interests in real property, and investments and business positions in business entities located in or doing business in El Dorado County. [See Appendix Exhibit B for Disclosure Categories; See Appendix Exhibit A for assignment of Disclosure Categories to Designated Employees.]~~

~~5. Individuals or firms contracting with the El Dorado Local Agency Formation Commission for the provision of goods and services are not required to file Statements of Economic Interests unless the Executive Officer of LAFCO determines in writing that the contractee has been hired to perform a range of duties that falls within the scope of 2 California Code of Regulations Section 18700 (c). Any such written determination shall include a description of the contractee's duties and, based upon that description, a statement of the extent of economic disclosure requirements. Such determination shall be a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. [See Consultant footnote at end of Appendix Exhibit A which requires full disclosure by Consultants, as defined, unless specifically narrowed or waived by the Executive Officer based on each contract.]~~

~~6. Statements of Economic Interests shall be filed with the El Dorado Local Agency Formation Commission. [See 2nd paragraph of incorporation page specifying the filing of SEIs with the Filing Officer and retention of SEIs.]~~

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(Amended June 25, 2008)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

LAFCO Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to LAFCO's Code, but are subject to the disclosure requirements of the Act. (Government Code Section 87200 et seq.). [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Commission and Alternates

Executive Officer/Financial Officer

Financial Consultant

¹ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
<u>General Counsel</u>	<u>1, 2</u>
<u>Office Manager/Clerk to the Commission</u>	<u>5</u>
<u>LAFCO Policy Analyst/Senior Planner</u>	<u>1, 2</u>
<u>Consultant²</u>	

² Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Executive Officer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, including gifts, loans and travel payments, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income located in, that do business in or own real property within the jurisdiction of LAFCO.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of LAFCO.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of LAFCO.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by LAFCO.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.