

MEMORANDUM

TO: Local Agency Formation Commission

FROM: Stephen Lucas, Executive Officer
Jill Broderon, Management Analyst

SUBJECT: Agenda Item 4.3 – Resolution Amending the Butte Local Agency Formation Commission Conflict of Interest Code

DATE: August 28, 2018 for the Meeting of September 6, 2018

The Political Reform Act, Government Code Section 81000, *et seq.*, requires state and local government agencies adopt a conflict of interest code. In addition, it requires that the code be reviewed biennially to determine accuracy, or alternatively, if it needs to be amended. Each individual holding positions designated in the Code must file an annual Statement of Economic Interests (Form 700), as described in the attached resolution.

Under law, the Butte County Board of Supervisors are technically the "code reviewing body"; however, LAFCO Legal Counsel recommends that the Commission adopt its own code and that it be reviewed biennially. Should the Commission choose to make amendments during its biennial review, said amendments will be coordinated with the Clerk of the Board of Supervisors.

ACTION REQUESTED:

Adopt Resolution No. 03 2018/19 and authorize Chair to sign.

Attachments:

1. Resolution No. 03 2018/19



**RESOLUTION OF THE
BUTTE LOCAL AGENCY FORMATION COMMISSION
ADOPTING A CONFLICT OF INTEREST CODE**

The Political Reform Act, Government Code Section 81000, *et seq.*, requires state and local government agencies to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission has adopted a regulation, 2, Cal. Code of Regs, Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public hearing notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendices consisting of Appendix A, designated positions and disclosure category; Appendix B, designated committees and commissions and disclosure categories; Appendix C, identifying disclosure category; and Appendix D, which specifies the place of filing of Statements of Economic Interests, shall constitute the Conflict of Interest Code of the Butte Local Agency Formation Commission.

Pursuant to the standard conflict of interest code, adopted and incorporated by reference herein as the Conflict of Interest Code of the Butte Local Agency Formation Commission, designated employees and designated members shall file Statements of Economic Interests with the agency. Upon receipt of the statements of various designated employees and members, the agency shall make and retain a copy and forward the original of these statements to the filing place, as indicated in Appendix D.

This Resolution shall become effective on September 6, 2018.

PASSED AND ADOPTED by the Butte Local Agency Formation Commission this 6th day of September 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINS:

Carl Leverenz, Chair
Butte Local Agency Formation Commission

ATTEST:

Stephen Lucas, Executive Officer

APPENDIX A - DESIGNATED POSITIONS

Under the provisions of the Political Reform Act (Gov. Code Sections 87300 et seq.) designated employees shall file Statements of Economic Interests with the Butte County Clerk of the Board of Supervisors, 25 County Center Drive, Oroville, CA 95965. The following is a list of the designated employee positions for the Butte Local Agency Formation Commission and the appropriate category for filing such statements:

<u>Designated Positions</u>	<u>Disclosure Category</u>
Executive Officer	1
Deputy Executive Officer	1

APPENDIX B - COMMITTEES AND COMMISSIONS

Under the provisions of the Standard Code, all voting members and persons with contracting power or purchasing power shall file Statements of Economic Interest. The following is a list of the positions and appropriate disclosure categories for filing such statements:

<u>Designated Positions</u>	<u>Disclosure Category</u>
Members	1
Alternate Members	1
Legal Counsel	1

APPENDIX C - DISCLOSURE CATEGORY

Category 1

Designated positions in this category shall disclose all sources of income, interests in real property, investments and business positions in business entities located in or doing business in Butte County, including gifts, loans and travel payments. Designated positions in this category shall complete all schedules of Form 700, if applicable.

APPENDIX D - PLACE OF FILING STATEMENTS OF ECONOMIC INTERESTS

Designated Positions & Committees and Commission

Where: Clerk of the Board of Supervisors
Butte County Administration
25 County Center Drive
Oroville, CA 95965

The Clerk of the Butte County Board of Supervisors shall furnish to each designated member upon his or her appointment and termination, a Form 700 - Statement of Economic Interests. The member shall submit the completed statement to the Clerk of the Butte County Board of Supervisors where it shall be held on file as a public document.