

RESOLUTION N^o. 24-01

NAPA COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT

A RESOLUTION OF THE BOARD OF DIRECTORS ADOPTING AN AMENDED CONFLICT OF INTEREST CODE

WHEREAS, on November 7, 2006 the voters of Napa County established the Napa County Regional Park and Open Space District (“DISTRICT”) pursuant to the provisions of Article 3, Chapter 3 of Division 5 of the Public Resources Code (commencing with Section 5500) with responsibility for protecting and stewarding public open space resources and providing outdoor recreational and educational opportunities; and

WHEREAS, the Political Reform Act of 1974 (Government Code Section 81000 et seq., hereinafter referred to as “the Act”) and regulations promulgated thereunder require local government agencies having more than minimal annual revenues to adopt and promulgate conflict of interest codes, and the DISTRICT first did so in 2007; and

WHEREAS, DISTRICT now desires to adopt an Amended Conflict of Interest Code (“Amendment”) that revises and updates the Appendix A list of designated employees, employee positions, contract consultants, and public officials who manage public investments and adoption of such amended code is authorized and being carried out under the provisions of Government Code Sections 87300 through 87302; and

WHEREAS, the DISTRICT Board of Directors held a public hearing on the proposed Amendment at its regular meeting of April 8, 2024.

NOW, THEREFORE, the Napa County Regional Park and Open Space District hereby resolves as follows:

CONFLICT OF INTEREST CODE OF THE NAPA COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT

1. Incorporation of Standard Terms. The terms of the model code set forth in Section 18730 of Title 2 of the California Code of Regulations, as such may be amended from time to time by the FPPC, are adopted and incorporated by reference as if set forth fully herein. The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

2. List of Designated Employees. For purposes of the requirements of the Act and the provisions of the model code, the Designated Employees of the District shall be the persons

holding those offices and performing the functions of those positions set forth in Appendix “A”, attached hereto and incorporated by reference herein.

3. List of Disclosure Categories. For purposes of the requirements of the Act and the provisions of the model code, the disclosure categories for the Designated Employees of the District shall be those categories set forth in Appendix “B”, attached hereto and incorporated by reference herein.

4. Documents Comprising Conflict of Interest Code. For purposes of the Act, the provisions of this Resolution, the model code, and Appendices “A” and “B” shall together constitute the Conflict of Interest Code of the District on and after the date of confirmation by the Napa County Board of Supervisors.

5. Effective Date of Code. The effective date of the Conflict of Interest Code shall be the date of confirmation by the Napa County Board of Supervisors acting as code reviewing body for the District.

6. Documents to be filed with the Board of Supervisors. The District Secretary is hereby directed to file three certified copies of the Conflict of Interest Code approved by the District Board with the Napa County Board of Supervisors, the code reviewing body for the District, along with a brief description of the duties and terms of all consultants working for the District who have been determined by the District General Manager as of the effective date of this Conflict of Interest Code to be exempt from the Designated Employee “contract consultant” category for calendar year 2024, and the reasons for such exemption.

7. Time of Filing Statements of Economic Interests. All persons who are required, either by this Conflict of Interest Code or by virtue of their listing in Government Code section 87200 as public officials who manage public investments, to file Statements of Economic Interests (“Statements”) shall file initial Statements with the District Secretary for filing with the code reviewing body within thirty days after the effective date of the Code. When taking office after the time of such listing, such persons shall file assuming office Statements within 10 days after first assuming such positions if they fall under Government Code section 87200 as public officials who manage public investments and within 30 days if considered to be Designated Employees by the District’s Conflict of Interest Code. However, if they are re-elected or re-appointed without a break in service such persons need not file an assuming office Statement at the time of such re-election or re-appointment. Every such person shall thereafter file an annual Statement by April 1 of each year, covering reportable interests for the twelve-month period ending on the preceding December 31. Every such person who leaves office shall file, within 30 days of leaving office, a Statement disclosing reportable interests held or received at any time during the period between the closing date of the last Statement required to be filed and the date of leaving office.

8. Place of Filing. Designated Employees and those public officials of the District who are required to file Statements in consequence of Government Code section 87200 shall file the required Statements with the District Secretary who shall retain copies of the original Statements. For purpose of such filing with the District Secretary, the address of the District Secretary shall be 1195 Third Street, Second Floor, Napa, California 94559.

9. Public Inspection of Conflict of Interest Code and Statements. Commencing on the effective date of the Conflict of Interest Code or any amendment thereof, a copy of the Conflict of Interest Code and such amendments shall be maintained in the office of the District Secretary who shall make such copies and the copies of all Statements on file with the District Secretary available for public inspection and copying during regular business hours. No conditions whatsoever shall be imposed upon persons desiring to inspect the copy of the Conflict of Interest Code and amendments thereof, nor shall any information or identification be required from such persons. Copies shall be provided in accordance with and subject to charges imposed generally by the Public Records Act (Government Code sections 6250 et seq.) and District resolutions pertaining to copying of public records of the District.

10. Annual Review Statement.

(a) No later than October 1 of each even-numbered year, the District shall submit to the Napa County Board of Supervisors, as code reviewing body for the District, a written statement signed by the District General Manager or his/her designee, that either:

(1) The District has reviewed the Conflict of Interest Code, that the Conflict of Interest Code designates accurately all positions which make or participate in the making of governmental decisions for the District, that the disclosure assigned those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income which may foreseeably be affected materially by the decisions made by those designated positions, and that the Conflict of Interest Code contains the provisions required by Government Code section 87302; or

(2) The District has reviewed the Conflict of Interest Code and has determined that amendment is necessary to designate all positions which make or participate in the making of governmental decisions for the District, or to update the disclosure categories assigned to require the disclosure of all investments, business positions, interests in real property and sources of income which may be affected materially by the designated positions, or to include other provisions required by Government Code section 87302. If the statement contains this report, the District shall submit the amendment to the Napa County Board of Supervisors within 90 days of the report.

(b) Changed circumstances which require amendment of the Conflict of Interest Code shall include, but not be limited to:

(1) The creation of positions which involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest;

(2) The reclassification, renaming, or deletion of previously-designated positions;

(3) The addition, deletion, or modification of statutorily-required provisions of this Conflict of Interest Code; or

(4) The addition, deletion, or modification of the specific types of investments, business positions, interests in real property, and sources of income which are reportable unless such changes have been automatically incorporated into this Conflict of Interest Code as the result of inclusion of the changes into the model code by the Fair Political Practices Commission.

APPENDIX “A”

LIST OF DESIGNATED EMPLOYEES

Because of the nature of the powers and duties conferred on the District by the provisions of Chapter 3 of Division 5 of the Public Resources Code, the policies adopted by the Board of Directors of the District, and the terms of support services and consultant agreements approved by the Board of Directors, the following positions within the District may involve the making or participation in the making of decisions of the District which may foreseeably have a material effect on financial interests of the holders of the positions. Most of the positions listed are of long-term duration, although some are limited-term positions, but all are listed because their scope of District or work involves either making final decisions for the District which have financial consequences or developing and/or exercising such a level of expertise and ongoing relationship with those who make such decisions that the decision-makers can reasonably be expected to routinely trust and rely upon their advice.

For purposes of filing Statements of Economic Interests as required by this Conflict of Interest Code, the “Designated Employees” of the District shall be those persons who actually occupy or carry out the functions of the following positions, whether as elected or appointed officers, compensated employees, or contracted consultants or their employees or subcontractors:

Designated Employee Positions

Members of the Board of Directors

General Manager

Deputy General Manager

Park Manager (Napa County Park Steward, on contract to the District)

Management Analyst

Community Relations Specialist

District Legal Counsel (Napa County Counsel, serving ex-officio, including any deputy county counsel when assigned to advise and/or represent the District)

District Auditor (Napa County Auditor, serving ex-officio)

Contract Consultants for the District. Contract consultants shall be included in the list of Designated Employees and shall disclose their material financial interests in regard to all of the adopted disclosure categories, subject to the following limitation:

The General Manager may determine in writing that a particular contract consultant, although a “designated position”, is hired to perform a range of duties that is limited in

scope and thus is not required to comply or fully comply with all of the disclosure requirements described in Appendix "B". This written determination shall include a description of the contract consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. This determination is a public record and shall be retained for public inspection and be available for inspection and copying in the same location and manner as the District's copy of the Conflict of Interest Code.

As of the date of Board of Directors approval of this Code no contract consultants for the District are included in the list of Designated Employees.

PUBLIC OFFICIALS OF THE DISTRICT WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the District Treasurer (the Napa County Treasurer-Tax Collector serving ex-officio) manages public investments and therefore is required by statute to file a Statement of Economic Interests pursuant to Government Code section 87200.

APPENDIX "B"

DISCLOSURE CATEGORIES

Rationale. The decisions which the Designated Employees may make or participate in making for the District may involve exercising or directly influencing the exercise of any of the powers conferred on the District by Division 5 of the Public Resources Code, including the expenditure of funds for public recreation purposes.

Except where otherwise determined for specified contract consultants pursuant to Appendix "A", the decisions by the Designated Employees in the routine course of their work for the District may have the potential to impact at a level commonly recognized as "material" by the Political Reform Act of 1974, as amended, and the regulations adopted by the Fair Political Practices Commission ("FPPC") to implement that Act, any or all of those types of financial interests listed in all of the Disclosure Schedules of the Statement of Economic Interests Form approved by the FPPC.

For this reason, all of the Designated Employees under this Conflict of Interest Code, other than specified contract consultants whose disclosure responsibilities or exemption therefrom are determined in writing on a case-by-case basis as described in Exhibit "A", shall comply with the broadest possible Disclosure Category applicable under the then-current Statement Form and Schedules, disclosing all sources of income, interests in real property, and investments and business positions in business entities.

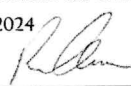
THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Directors of the Napa County Regional Park and Open Space District at a regular meeting of said Board on the 8th day of April, 2024 by the following vote:

AYES: 5 DIRECTORS Wagenknecht, Norris, Clarey, Heliotes, Christian

NOES: 0 DIRECTORS N/A

ABSENT: 0 DIRECTORS N/A

Date: April 8, 2024 Signed: 
Nancy Lewis-Heliotes, President

APPROVED BY THE NAPA COUNTY
REGIONAL PARK AND OPEN SPACE
DISTRICT BOARD OF DIRECTORS
Date: April 8, 2024
Processed by: 
District Secretary