



Napa County

Board Agenda Letter

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Board of Supervisors

Agenda Date: 12/3/2024

File ID #: 24-1776

TO: Board of Supervisors
FROM: Neha Hoskins - Clerk of the Board
REPORT BY: Neha Hoskins - Clerk of the Board
SUBJECT: Amended Conflict of Interest Codes for Local Agencies

RECOMMENDATION

Approval of recently amended conflict of interest codes for various local agencies. (No Fiscal Impact)

BACKGROUND

In 1974, the voters of California approved the Political Reform Act of 1974 (Act), Government Code Section 81000 et seq. Among other things, the Act requires every agency to adopt and promulgate a conflict of interest code (Government Code Section 87300). For this purpose, “agency” includes any local government agency. An agency may adopt its code by incorporating by reference the model conflict of interest code set forth in Section 18730 of Title 2 of the California Code of Regulations.

In each county, the Board of Supervisors is the “code-reviewing body” of any local agency, other than a city located entirely within the boundaries of the county, per Government Code Section 82011(b).

Government Code Section 87306.5 provides that the code-reviewing body must direct each local agency that has adopted a conflict of interest code to review its code and submit an amended code to the code-reviewing body if changes are needed due to changed circumstances. Finally, Government Code Section 87303 provides that no conflict of interest code is effective until it has been approved by the code-reviewing body.

In an email memorandum dated July 15, 2024, the Clerk of the Board asked each local agency in the County to review its own conflict of interest code and to report whether an amendment is necessary no later than October 1, 2024.

The Clerk has received responses from nine local agencies indicating that they have amended their conflict of interest codes due to changed circumstances. The Board must review the amended codes and either approve or disapprove them. If the Board disapproves any code, the Board must return the code to the local agency for further review. Resolutions from agencies with amended codes are attached.

On the Board’s behalf, County Counsel has reviewed and considered the proposed amendments for the entities that County Counsel represents. County Counsel has determined that the amended codes comply with the Political Reform Act and recommends the Board approve the amended conflict of interest codes of the following local agencies:

1. Local Agency Formation Commission of Napa County;

2. Napa County Flood Control and Water Conservation District;
3. Napa County Office of Education;
4. Napa County Regional Park and Open Space District;
5. Napa Sanitation District;
6. Napa Valley Transportation Authority;
7. Napa Valley Transportation Authority-Tax Agency; and
8. Napa Valley Unified School District.

County Counsel further recommends that the Board direct the Clerk to give notice of your action to the affected local agencies.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.