



**COUNTY OF SAN LUIS OBISPO
BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Clerk-Recorder		(2) MEETING DATE 1/23/2018		(3) CONTACT/PHONE Elaina Cano, Assistant Clerk-Recorder 781-5144	
(4) SUBJECT Submittal of a resolution amending Appendix C of the County Uniform Conflict of Interest Code for County Agencies. All Districts.					
(5) RECOMMENDED ACTION It is recommended that the Board adopt the resolution submitted to amend Appendix C - Designated Position List - County Agencies of the County's Conflict of Interest Code.					
(6) FUNDING SOURCE(S) N/A		(7) CURRENT YEAR FINANCIAL IMPACT \$0.00		(8) ANNUAL FINANCIAL IMPACT \$0.00	
(9) BUDGETED? Yes					
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)					
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A					
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A				(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A		(15) BUSINESS IMPACT STATEMENT? No		(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW Nikki J. Schmidt					
(18) SUPERVISOR DISTRICT(S) All Districts					



COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Clerk-Recorder / Elaina Cano, Assistant Clerk-Recorder
781-5144

DATE: 1/23/2018

SUBJECT: Submittal of a resolution amending Appendix C of the County Uniform Conflict of Interest Code for County Agencies. All Districts.

RECOMMENDATION

It is recommended that the Board adopt the resolution submitted to amend Appendix C – Designated Position List – County Agencies of the County's Conflict of Interest Code.

The Political Reform Act (Gov. Code, § 81000 et seq.) requires that every local government agency adopt and promulgate a conflict of interest code. The Fair Political Practices Commission ("FPPC") is charged with enforcing the Political Reform Act and promulgating rules related thereto. As specified in Government Code section 82011, subdivision (b), the Board of Supervisors is the code reviewing body for all county agencies and all local government agencies, other than a city agency, whose jurisdiction is wholly within the county. Pursuant to Resolution 2010-86, the Board has designated the County Clerk-Recorder as the Local Code Administrator for Conflict of Interest Codes.

Local groundwater sustainability agencies ("GSAs") created pursuant to California Water Code section 10720.7 are required by Government Code section 87300 to adopt and promulgate a conflict of interest code which includes a "Designated Position List," identifying positions within the agency with authority to make governmental decisions or to participate in the making of governmental decisions which may have a material effect on a financial interest of the individual who holds the position. The individuals which hold a position listed in an agency's conflict of interest code must disclose all financial interests identified in the agency's conflict of interest code.

The following groundwater sustainability agencies are all new formed agencies established pursuant to Water Code section 10720.7: the Los Osos Basin Fringe Areas Groundwater Sustainability Agency, the Paso Basin – County of San Luis Obispo Groundwater Sustainability Agency, the San Luis Obispo Valley Basin – County of San Luis Obispo Groundwater Sustainability Agency and the Santa Maria Fringe Areas – County of San Luis Obispo Groundwater Sustainability Agency. Pursuant to Government Code section 87300 and 87303, as newly established agencies, these GSAs must each adopt a conflict of interest code and submit the code to the code reviewing body within six months of the agency's creation.

On March 8, 2016, your Board adopted a single County Conflict of Interest Code applicable to all county departments, local boards and commissions. The board adopted the "model code" promulgated by the FPPC (see e.g., Cal. Code Regs., tit. 2, § 18730) as the County Code. Because the governing boards of the GSAs listed above are comprised entirely of the Board of Supervisors, County Counsel has recommended that these agencies be included in the County's Conflict of Interest Code in order to comply with the requirements of the Political Reform Act and the FPPC's regulations that mandate that these agencies adopt a conflict of interest code. An amended version of Appendix C of the County Code, adding the aforementioned GSAs' designated positions and related disclosure categories, has been reviewed by the County Clerk-Recorder and County Counsel and is hereby submitted to your Board for approval.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed the amendments to Appendix C – Designated Position List of County Agencies of the County's Conflict of Interest Code, and has reviewed and approved the attached resolution for form and legal effect.

FINANCIAL CONSIDERATIONS

None.

RESULTS

The Government Code requires that all local agencies promulgate a conflict of interest code; that they make amendments to their codes as necessitated by changed circumstances from time to time; and that local agencies ensure that their codes are in compliance with the FPPC's regulations related to local agency conflict of interest codes. Adding the newly created GSAs of which the board of supervisors act as the governing boards ensures compliance with the Political Reform Act's requirements and the FPPC regulations governing the adoption and amendment of conflict of interest codes.

ATTACHMENTS

1. Appendix C of County Conflict of Interest Code - Redline Version
2. Appendix C of County Conflict of Interest Code - Clean Version
3. Resolution