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COUNTY OF NEVADA

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October 11, 2012

Honorable Board of Supervisors  
Eric Rood Administrative Center  
950 Maidu Avenue  
Nevada City, CA 95959

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OCT 16 2012

NEVADA COUNTY  
BOARD SUPERVISORS

**DATE OF MEETING:** October 23, 2012

**SUBJECT:** Introduction and Waive Further Reading of An Ordinance Amending Appendix I of Section A-II 22.3 of Article 22 of Chapter II of the Nevada County Administrative Code Regarding the County's Conflict of Interest Code

**RECOMMENDATION:** Introduce and waive further reading of the attached Ordinance Amending Appendix I to Article 22 of Chapter II of the Nevada County Administrative Code regarding the County's Conflict of Interest Code

**FUNDING:** Not applicable.

**BACKGROUND:** The California Political Reform Act requires that the County adopt a Conflict of Interest Code to designate positions which are required to file an annual Form 700 Statement of Economic Interest and identify the types of disclosures that each position must provide. The Code is reviewed biennially to determine whether certain job classifications should be added or deleted from the list of covered positions, and whether the categories of disclosure should be defined or assigned differently.

Staff has completed its biennial review of the County's Conflict of Interest Code and recommends that the list of Designated Employees be updated to reflect the County's current organizational structure. The proposed ordinance adds, deletes and modifies position titles consistent with the County's personnel staffing resolutions and makes minor corrections to the current Code. The recommended changes are set forth in Appendix I to the attached ordinance.

/

Honorable Board of Supervisors  
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The Board members, County Executive Officer, County Counsel, District Attorney, Treasurer-Tax Collector and all Planning Commissioners are required to file a Form 700 under State law and are listed in the County's Conflict of Interest Code for convenience.

Respectfully submitted,



Alison A. Barratt-Green  
County Counsel

Attachments:

1. Appendix I to the County's Conflict of Interest Code with redlined changes
2. Proposed Ordinance Amending and Updating Appendix I



# **ORDINANCE No. \_\_\_\_\_**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

### **AN ORDINANCE AMENDING APPENDIX I OF SECTION A-II 22.3 OF ARTICLE 22 OF CHAPTER II OF THE COUNTY OF NEVADA ADMINISTRATIVE CODE REGARDING THE COUNTY'S CONFLICT OF INTEREST CODE**

The Board of Supervisors of the County of Nevada, State of California, ordains as follows:

#### SECTION I:

Appendix I of Section A-II 22.3 of Article 22 of Chapter II of the Administrative Code of the County of Nevada is hereby amended to read as set forth in Exhibit A attached hereto and incorporated herein by this reference.

EXHIBIT A

APPENDIX I

DISCLOSURE CATEGORIES (Adopted in accordance with Government Code Section 87300, *et seq.*, and Ca. Code Regs. Title 2, Section 18730, *et seq.*)

CATEGORY I:

All sources of income, interests in real property, and investments and financial interests in business entities located or doing business in Nevada County.

CATEGORY II:

All sources of income, and investments and financial interests in business entities located or doing business in Nevada County.

CATEGORY III:

Investments in, sources of income from, and financial interests in business entities located or doing business in Nevada County which are of the type the County would contract with for services, supplies, books, machinery or equipment (employees with broad and general purchasing or contracting duties).

CATEGORY IV:

Investments in, sources of income from and financial interests in business entities located or doing business in Nevada County which are of the type the designated employee's Department would contract with for services, supplies, books, machinery or equipment (employees who contract or purchase on behalf of their department for a limited type of goods).

CATEGORY V:

Investments in, sources of income from, and financial interests in business entities located or doing business in Nevada County which provide agricultural business related services, supplies, materials, machinery or equipment; and interests in agricultural real property located within Nevada County.

CATEGORY VI:

Investments in, sources of income from, and financial interests in business entities located or doing business in Nevada County which provide services, supplies, materials, machinery or equipment of the type utilized by or doing business with or at the Nevada County Airport; interests in services provided by or property leased from the airport; and real property located adjacent to or which may be materially affected by its proximity to airport facilities.

CATEGORY VII:

Investments in, sources of income from, and business interests in business entities located or doing business in Nevada County which provide solid waste disposal and/or recycling-related services, supplies, materials, machinery or equipment; and interests in real property which may be materially affected by its proximity to the McCourtney Road Landfill and Transfer Station or any County transfer station located within Nevada County.

CATEGORY VIII:

Investments in, sources of income from, and financial interests in business entities located or doing business in Nevada County which provide goods and/or services relating to health and human services, and all interests in real property where any such services are provided or which may be materially affected by decisions made by the designated employee, or his/her department, or a governing council.

DISCLOSURE REQUIREMENTS FOR DESIGNATED EMPLOYEES AND COMMITTEES/COMMISSIONS

CATEGORY I:

Those designated employees who are within the Category I disclosure requirements are the following:

APPRAISER I, II, and III  
ASSESSOR  
ASSISTANT ASSESSOR  
ASSISTANT COUNTY COUNSEL  
ASSISTANT COUNTY EXECUTIVE OFFICER  
ASSISTANT DIRECTOR OF CHILD SUPPORT SERVICES  
ASSISTANT DISTRICT ATTORNEY  
ASSISTANT PUBLIC DEFENDER  
ASSISTANT TREASURER/TAX COLLECTOR  
ATTORNEY I - CIVIL  
ATTORNEY II – CIVIL  
ATTORNEY III – CIVIL  
ATTORNEY I – CRIMINAL (DISTRICT ATTORNEY & CHILD SUPPORT/COLLECTIONS)  
ATTORNEY II – CRIMINAL (DISTRICT ATTORNEY & CHILD SUPPORT/COLLECTIONS)  
ATTORNEY III – CRIMINAL (DISTRICT ATTORNEY & CHILD SUPPORT/COLLECTIONS)  
AUDITOR APPRAISER I  
AUDITOR APPRAISER II  
AUDITOR-CONTROLLER  
BOARD OF SUPERVISORS, MEMBERS OF (per Govt. Code Sec. 87200)  
BOARD OF SUPERVISORS SENIOR ADMINISTRATIVE ANALYST  
BOARD OF SUPERVISORS ADMINISTRATIVE ANALYST I  
BOARD OF SUPERVISORS ADMINISTRATIVE ANALYST II  
BUYER  
CHIEF APPRAISER  
CHIEF FISCAL ADMINISTRATIVE OFFICER  
CLERK OF THE BOARD OF SUPERVISORS  
CLERK-RECORDER/REGISTRAR OF VOTERS  
CODE ENFORCEMENT OFFICER  
COUNTY COUNSEL (per Govt. Code Sec. 87200)  
COUNTY EXECUTIVE OFFICER (per Govt. Code Sec. 87200)  
DEPUTY COUNTY EXECUTIVE OFFICER  
DIRECTOR OF BEHAVIORAL HEALTH  
DIRECTOR OF BUILDING DEPARTMENT  
DIRECTOR OF CHILD SUPPORT SERVICES  
DIRECTOR OF COMMUNITY DEVELOPMENT AGENCY  
DIRECTOR OF ENVIRONMENTAL HEALTH  
DIRECTOR OF HEALTH AND HUMAN SERVICES AGENCY  
DIRECTOR OF PLANNING

DIRECTOR OF PUBLIC WORKS DIRECTOR OF SOCIAL SERVICES  
DISTRICT ATTORNEY (per Govt. Code Sec. 87200)  
ESTATE ADMINISTRATOR PRINCIPAL PLANNER  
PROGRAM MANAGER  
PUBLIC DEFENDER  
PUBLIC HEALTH DIRECTOR/HEALTH OFFICER  
RISK MANAGER  
ROAD SUPERINTENDENT  
SENIOR APPRAISER  
SENIOR AUDITOR APPRAISER  
SHERIFF/CORONER/PUBLIC ADMINISTRATOR  
TRANSPORTATION PLANNER  
TREASURER/TAX COLLECTOR (per Govt. Code Sec. 87200)  
TREASURY MANAGER  
UNDERSHERIFF  
VETERANS SERVICE OFFICER

Those designated committees and commissions, the members of which are within the Category I disclosure requirements, are the following. A member who files a 700 form as a member of one board does not have to file additional 700 forms for memberships on any of the other following boards, committees and commissions:

ACCESSIBILITY STANDARDS BOARD OF APPEALS  
ASSESSMENT APPEALS BOARD  
BUILDING STANDARDS BOARD OF APPEALS  
GRAND JURY  
FISH AND WILDLIFE COMMISSION  
NEVADA COUNTY CHILDREN AND FAMILIES FIRST COMMISSION  
NEVADA COUNTY FINANCE AUTHORITY  
PLANNING COMMISSION (per Govt. Code Sec. 87200)  
SEWAGE DISPOSAL TECHNICAL ADVISORY GROUP

CATEGORY II:

Those designated employees who are within the Category II disclosure requirements are the following:

ADMINISTRATIVE SERVICES OFFICER  
ASSISTANT AUDITOR-CONTROLLER  
CHIEF INFORMATION OFFICER  
CHIEF PROBATION OFFICER  
COUNTY LIBRARIAN  
DIRECTOR OF HUMAN RESOURCES  
FACILITIES PROJECT MANAGER  
INFORMATION SYSTEM MANAGER II  
JUVENILE HALL SUPERINTENDENT  
PROJECT COORDINATOR

Those designated committees and commissions, the members of which are within the Category II disclosure requirements, are the following:

[None at this time.]

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CATEGORY III:

Those designated employees who are within the Category III disclosure requirements are the following:

[None at this time.]

Those designated committees and commissions, the members of which are within the Category III disclosure requirements, are the following:

[None at this time.]

CATEGORY IV:

Those designated employees who are within the Category IV disclosure requirements are the following:

WASTEWATER OPERATIONS MANAGER  
INFORMATION SYSTEMS MANAGER I

Those designated committees and commissions, the members of which are within the Category IV disclosure requirements, are the following:

[None at this time.]

CATEGORY V:

Those designated employees who are within the Category V disclosure requirements are the following:

AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS & MEASURES

Those designated committees and commissions, the members of which are within the Category V disclosure requirements, are the following:

AGRICULTURAL ADVISORY COMMISSION

CATEGORY VI:

Those designated employees who are within the Category VI disclosure requirements are the following:

AIRPORT MANAGER

Those designated committees and commissions, the members of which are within the Category VI disclosure requirements, are the following:

NEVADA COUNTY AIRPORT COMMISSION

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CATEGORY VII:

Those designated employees who are within the Category VII disclosure requirements are the following:

[None at this time.]

Those designated committees and commissions, the members of which are within the Category VII disclosure requirements, are the following:

NEVADA COUNTY SOLID AND HAZARDOUS WASTE COMMISSION  
SOLID WASTE INDEPENDENT HEARING PANEL

CATEGORY VIII:

Those designated employees who are within the Category VIII disclosure requirements are the following:

BEHAVIORAL HEALTH MEDICAL DIRECTOR  
CHILDREN'S MEDICAL SERVICES PROGRAM COORDINATOR  
DIRECTOR OF PUBLIC HEALTH NURSING

Those designated committees and commissions, the members of which are within the Category VIII disclosure requirements, are the following:

ADULT AND FAMILY SERVICES COMMISSION  
LOCAL CHILD CARE AND DEVELOPMENT PLANNING COUNCIL  
NEVADA SIERRA IN HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY  
GOVERNING BOARD

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category (Category I) in the code subject to the following limitation:

The County Executive Officer, or his/her designee, may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements 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 County Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as a disclosure form required by this Conflict of Interest Code.

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EXHIBIT A

APPENDIX I

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CATEGORY II:

All sources of income, and investments and financial interests in business entities located or doing business in Nevada County.

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Investments in, sources of income from, and financial interests in business entities located or doing business in Nevada County which are of the type the County would contract with for services, supplies, books, machinery or equipment (employees with broad and general purchasing or contracting duties).

CATEGORY IV:

Investments in, sources of income from and financial interests in business entities located or doing business in Nevada County which are of the type the designated employee's Department would contract with for services, supplies, books, machinery or equipment (employees who contract or purchase on behalf of their department for a limited type of goods).

CATEGORY V:

Investments in, sources of income from, and financial interests in business entities located or doing business in Nevada County which provide agricultural business related services, supplies, materials, machinery or equipment; and interests in agricultural real property located within Nevada County.

CATEGORY VI:

Investments in, sources of income from, and financial interests in business entities located or doing business in Nevada County which provide services, supplies, materials, machinery or equipment of the type utilized by or doing business with or at the Nevada County Airport; interests in services provided by or property leased from the airport; and real property located adjacent to or which may be materially affected by its proximity to airport facilities.

CATEGORY VII:

Investments in, sources of income from, and business interests in business entities located or doing business in Nevada County which provide solid waste disposal and/or recycling-related services, supplies, materials, machinery or equipment; and interests in real property which may be materially affected by its proximity to the McCourtney Road

Landfill and Transfer Station or any County transfer station located within Nevada County.

CATEGORY VIII:

Investments in, sources of income from, and financial interests in business entities located or doing business in Nevada County which provide goods and/or services relating to health and human services, and all interests in real property where any such services are provided or which may be materially affected by decisions made by the designated employee, or his/her department, or a governing council.

DISCLOSURE REQUIREMENTS FOR DESIGNATED EMPLOYEES AND COMMITTEES/COMMISSIONS

CATEGORY I:

Those designated employees who are within the Category I disclosure requirements are the following:

APPRAISER I, II, and III  
ASSESSOR  
ASSISTANT ASSESSOR  
ASSISTANT COUNTY COUNSEL  
ASSISTANT COUNTY EXECUTIVE OFFICER  
ASSISTANT DIRECTOR OF CHILD SUPPORT SERVICES  
ASSISTANT DISTRICT ATTORNEY  
ASSISTANT PUBLIC DEFENDER  
ASSISTANT TREASURER-TAX COLLECTOR  
ATTORNEY I - CIVIL  
ATTORNEY II - CIVIL  
ATTORNEY III - CIVIL  
ATTORNEY I - CRIMINAL (—DISTRICT ATTORNEY'S OFFICE & CHILD SUPPORT/COLLECTIONS)  
ATTORNEY II - CRIMINAL (—DISTRICT ATTORNEY'S OFFICE & CHILD SUPPORT/COLLECTIONS)  
ATTORNEY III - CRIMINAL (—DISTRICT ATTORNEY'S OFFICE & CHILD SUPPORT/COLLECTIONS)  
AUDITOR APPRAISER I  
AUDITOR APPRAISER and-II  
AUDITOR-CONTROLLER  
BOARD OF SUPERVISORS, MEMBERS OF (per Govt. Code Sec. 87200)  
BOARD OF SUPERVISORS SENIOR ADMINISTRATIVE ANALYST  
BOARD OF SUPERVISORS AND ——— ADMINISTRATIVE ANALYST I  
BOARD OF SUPERVISORS ADMINISTRATIVE ANALYST AND II  
BUYER  
CHIEF APPRAISER  
CHIEF FISCAL ADMINISTRATIVE OFFICER  
CLERK OF THE BOARD OF SUPERVISORS  
CLERK-RECORDER/REGISTRAR OF VOTERS  
CODE ENFORCEMENT OFFICER  
COUNTY COUNSEL (per Govt. Code Sec. 87200)  
COUNTY EXECUTIVE OFFICER (per Govt. Code Sec. 87200)  
DEPUTY COUNTY EXECUTIVE OFFICER

DIRECTOR OF BEHAVIORAL HEALTH  
DIRECTOR OF BUILDING DEPARTMENT  
DIRECTOR OF CHILD SUPPORT SERVICES  
DIRECTOR OF COMMUNITY DEVELOPMENT AGENCY  
DIRECTOR OF ENVIRONMENTAL HEALTH  
DIRECTOR OF HEALTH AND HUMAN SERVICES AGENCY  
DIRECTOR OF PLANNING  
DIRECTOR OF PUBLIC WORKS  
~~DIRECTOR OF SANITATION~~  
DIRECTOR OF SOCIAL SERVICES  
DISTRICT ATTORNEY (per Govt. Code Sec. 87200)  
ESTATE ADMINISTRATOR  
PRINCIPAL PLANNER  
~~HOUSING SPECIALIST~~  
~~HOUSING & COMMUNITY SERVICES PROGRAM SUPERVISOR~~  
PROGRAM MANAGER  
PUBLIC DEFENDER  
PUBLIC HEALTH DIRECTOR/HEALTH OFFICER  
RISK MANAGER  
ROAD SUPERINTENDENT  
SENIOR APPRAISER  
SENIOR AUDITOR APPRAISER  
SHERIFF/CORONER/PUBLIC ADMINISTRATOR  
~~TAX COLLECTION MANAGER~~  
TRANSPORTATION PLANNER  
TREASURER-TAX COLLECTOR (per Govt. Code Sec. 87200)  
TREASURY MANAGER  
UNDERSHERIFF  
VETERANS SERVICE OFFICER

Those designated committees and commissions, the members of which are within the Category I disclosure requirements, are the following. A member who files a 700 form as a member of one board does not have to file additional 700 forms for memberships on any of the other following boards, committees and commissions:

ACCESSIBILITY STANDARDS BOARD OF APPEALS  
ASSESSMENT APPEALS BOARD  
BUILDING STANDARDS BOARD OF APPEALS  
GRAND JURY  
FISH AND WILDLIFE COMMISSION  
NEVADA COUNTY CHILDREN AND FAMILIES FIRST COMMISSION  
NEVADA COUNTY FINANCE AUTHORITY  
PLANNING COMMISSION (per Govt. Code Sec. 87200)  
SEWAGE DISPOSAL TECHNICAL ADVISORY GROUP

CATEGORY II:

Those designated employees who are within the Category II disclosure requirements are the following:

ADMINISTRATIVE SERVICES OFFICER  
ASSISTANT AUDITOR/CONTROLLER  
CHIEF INFORMATION OFFICER  
CHIEF PROBATION OFFICER

COUNTY LIBRARIAN  
DIRECTOR OF HUMAN RESOURCES  
FACILITIES PROJECT MANAGER  
INFORMATION SYSTEM MANAGER II  
JUVENILE HALL SUPERINTENDENT  
PROJECT COORDINATOR  
~~TRANSPORTATION PROJECT MANAGER~~

Those designated committees and commissions, the members of which are within the Category II disclosure requirements, are the following:

[None at this time.]

CATEGORY III:

Those designated employees who are within the Category III disclosure requirements are the following:

[None at this time.]

Those designated committees and commissions, the members of which are within the Category III disclosure requirements, are the following:

[None at this time.]

CATEGORY IV:

Those designated employees who are within the Category IV disclosure requirements are the following:

WASTEWATER OPERATIONS MANAGER  
INFORMATION SYSTEMS MANAGER I

Those designated committees and commissions, the members of which are within the Category IV disclosure requirements, are the following:

[None at this time.]

CATEGORY V:

Those designated employees who are within the Category V disclosure requirements are the following:

AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS & MEASURES

Those designated committees and commissions, the members of which are within the Category V disclosure requirements, are the following:

AGRICULTURAL ADVISORY COMMISSION

CATEGORY VI:

Those designated employees who are within the Category VI disclosure requirements are the following:

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AIRPORT MANAGER

Those designated committees and commissions, the members of which are within the Category VI disclosure requirements, are the following:

NEVADA COUNTY AIRPORT COMMISSION

CATEGORY VII:

Those designated employees who are within the Category VIII disclosure requirements are the following:

| ~~LANDFILL OPERATIONS MANAGER~~ [None at this time.]

| Those designated committees and commissions, the members of which are within the Category VII~~l~~ disclosure requirements, are the following:

NEVADA COUNTY SOLID AND HAZARDOUS WASTE COMMISSION  
SOLID WASTE INDEPENDENT HEARING PANEL

CATEGORY VIII:

Those designated employees who are within the Category VIII disclosure requirements are the following:

BEHAVIORAL HEALTH MEDICAL DIRECTOR  
CHILDREN'S MEDICAL SERVICES PROGRAM COORDINATOR  
| DIRECTOR OF PUBLIC HEALTH NURSING  
| ~~HIV PREVENTION COORDINATOR~~

| Those designated committees and commissions, the members of which are within the Category ~~VIII~~IX disclosure requirements, are the following:

ADULT AND FAMILY SERVICES COMMISSION  
LOCAL CHILD CARE AND DEVELOPMENT PLANNING COUNCIL  
NEVADA SIERRA IN HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY  
GOVERNING BOARD

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category (Category I) in the code subject to the following limitation:

| The County Executive Officer, or his/her designee, may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements 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 County Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as at a disclosure form required by this Conflict of Interest Code.