

CONFLICT OF INTEREST CODE

COUNTY OF NEVADA

Article I: Purpose

Public officials, members, and Employees of the County of Nevada ("County") are expected to carry out their duties and responsibilities in the best interests of the County and under circumstances where they are free from conflicting loyalties. The purpose of this Conflict of Interest Code ("Code") is to protect the integrity of the County and its Employees, provide guidelines to Employees, and meet the requirement of State law.

This Code is comprised of, and incorporates herein, Government Code section 1090, *et seq.*, the Political Reform Act (Government Code sections 81000- 91015), and any other laws in California governing conflicts of interest, together with Appendices A-C specifying designated positions, the specific types of disclosure statements required for each position, and the procedures for filing.

Article II: Application

Except as otherwise provided herein, or in applicable memoranda of understanding, these policies and procedures shall apply to all public officials, members, Employees, or consultants of the County ("Employee[s]").

Article III: Policy

(1) It is the policy of the County that full disclosure shall be made of those interests and activities that may bring the County Employee into conflict with the mission and purposes of the County. Such disclosure is made to avoid the appearance of impropriety on the part of County Employees, and to reveal the extent of the economic and business interests of those Employees who make significant economic and business decisions on behalf of the County.

(2) County personnel shall not engage in any employment, activity, or enterprise for compensation that is inconsistent, incompatible, in conflict with, or hostile to, their duties as a County Employee, or with the duties, functions or responsibilities of the County. Full disclosure shall be made in writing to the Department Head or to the Human Resources Director where those outside activities of the County Employee are, or could appear to be, inconsistent, incompatible, or in conflict with their duties to the County.

Article IV: Guidelines

Activities that May Present a Conflict. It is not practical to list all the circumstances that could give rise to a conflict of interest or potential conflict of interest. County Employees must avoid placing themselves in a position in which personal interest (financial or non-financial) may come into conflict with their duty to the public, as well as avoiding even an appearance of impropriety. This Code

requires County Employees to use common sense and good judgment for the protection of the County's interests. The following is a non-exhaustive list of the types of activities that may present a conflict and must be disclosed.

1. **Adverse Interest.** Participation by a County Employee or their Family Member¹ in decisions or negotiations related to a contract, transaction, or other matter between County and: (i) the County Employee; (ii) an entity in which the County Employee or a Family Member of such person has a financial or business interest; or (iii) an entity with which the County Employee has an agency relationship.
2. **Competing Interests.** Participation by a County Employee, either directly or indirectly, with County in the purchase or sale of County property or County property rights, interests, or services.
3. **Use of Resources.** Use of the County's resources (for example, staff, contracts, vendor lists, or equipment) for personal purposes of the County Employee or a Family Member of such person.
4. **Inside Information.** Disclosure or exploitation by a County Employee of information pertaining to the County's business for the personal profit or advantage of such person or a Family Member of such person or a person/entity with whom the County Employee has an agency relationship.
5. **Outside Enterprises.** A County Employee's outside employment, activity, or enterprise may be considered a conflict if:
 - (a) It involves the use, for private gain or advantage, of their County time, facilities, equipment, uniform, or supplies, or the prestige or influence of their County employment.
 - (b) It involves the receipt or acceptance by the County Employee of any money or other consideration from anyone other than the County for the performance of an act which the Employee, if not performing such act, would be required or expected to render in the regular course of their usual County employment or a part of their duties as a County Employee.
 - (c) It involves the performance of an act in other than their capacity as a County Employee, which may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other Employee of the County.
6. **Extra Compensation (Gifts, Entertainment, Discounts, Etc.).** A County Employee must not accept, permit, or receive extra compensation

¹ Family Member includes a spouse or registered domestic partner, parents, minor or dependent children.

(compensation over and above that fixed by contract or by law) for services rendered, in whole or in part, or a contract entered into for a payment beyond the contract price, or for their performance of official duties, even if exceptional performance was rendered or if the job was far more difficult to render than anticipated.

County Employees must not accept gifts of cash or gifts that directly or indirectly imply an appearance of a transaction having some benefit or monetary value in return for rendering official County duties. This may include, but is not limited to, personal gifts, free or discounted transportation, lodging, tickets to sporting or entertainment events, or expensive meals, etc.

7. **Bribery.** Offering, giving, receiving, soliciting, or even the mere proposal of bribery is prohibited. Bribery is defined as anything of value or advantage, currently or in the future, or any promise or undertaking to give anything, asked, given, or accepted, with a corrupt intent to influence the actions of a public official, including any County Employee.
8. **Conflict of Interest Regarding Tax Sales.** Pursuant to Government Code section 1126, it shall be considered a conflict of interest for any Employee, spouse of an Employee, or dependent children of an Employee of the Nevada County Tax Collector's office, and for any of the professional staff of the County Counsel's, the Board of Supervisors', and the County Executive Officer's offices to bid on or purchase real property which is sold by the Tax Collector at a tax sale or to acquire any financial interest in the property within one year following the tax sale. "Financial interest" is defined as any interest worth one thousand dollars (\$1,000.00) or more. Any such sale to any of the parties set forth above shall be considered void, and the Employee shall be subject to the disciplinary procedures which apply to prohibited activities set forth in the Personnel Code of Nevada County.
9. **Conflict of Interest Regarding Surplus Property.** Pursuant to Government Code section 1126, it shall be considered a conflict of interest for any Employee, spouse of an Employee, or dependent children of an Employee of the Purchasing Unit of the Information and General Services Department or for the professional staff of the County Counsel's, the Board of Supervisors' and the County Executive Officer's offices, to bid on or purchase any property which is declared surplus and sold at auction. Any such sale to any of the parties set forth above shall be considered void, and the Employee shall be subject to the disciplinary procedures which apply to prohibited activities set forth in the Personnel Code of Nevada County.
10. **Conflict of Interest Regarding Sheriff's Sales.** Pursuant to Government Code section 1126, it shall be considered a conflict of interest for any Employee, spouse of an Employee or dependent child of an Employee of the Nevada County Sheriff's Office, and for any of the professional staff of

the County Counsel's, the Board of Supervisors' and the County Executive Officer's offices to bid on or purchase real or personal property which is sold by the Sheriff's Office, or to acquire any financial interest in the real or personal property within one year after the Sheriff's sale. "Financial interest" is defined as any interest worth one thousand dollars (\$1,000.00) or more. Any such sale to any of the parties set forth above shall be considered void, and the Employee shall be subject to the disciplinary procedures which apply to prohibited activities set forth in the Nevada County Personnel Code.

The situations described above may be acceptable if they benefit the County and if the County has considered the conflict in an objective and informed manner, which is determined on a case-by-case basis. However, when managed poorly, conflicts of interest may result in legal liability, loss of public confidence, and a damaged reputation. The County has, therefore, adopted this Code to avoid even the appearance of impropriety.

Article V: Disclosure and Disqualification Procedure

- (1)** A County Employee who may have an actual or potential conflict of interest must, at the earliest reasonable time, advise, in writing, their Department Head or the Human Resources Director of the possible conflict of interest.
- (2)** Questions regarding possible conflict of interest or outside employment, activity or enterprise should also be brought to the attention of their Department Head or to the Human Resources Director at the earliest possible time.
- (3)** County personnel shall disqualify themselves from making, participating in the making, or in any way attempting to use their official position to influence a governmental decision in which they know, or is reasonably foreseeable, that they have a conflict of interest or appearance of a conflict.
- (4)** Following disclosure of an actual or potential conflict of interest, the County Employee will have the opportunity to disclose the existence of any financial interest and any material facts to the County regarding the proposed transaction or arrangement. The County shall then determine whether an actual conflict of interest exists. Consideration of alternatives to the proposed transaction or arrangement to avoid the conflict of interest may be made.
- (5)** If the County determines that the County Employee is in violation of this Code, the County Employee shall be so informed in writing of the possible violation of this Code.
- (6)** Failure to disclose or discuss information of the type indicated above may lead to disciplinary action up to and including dismissal. Such disciplinary action shall be undertaken in accordance with County disciplinary policies and applicable collective bargaining agreements.

(7) The County is committed to the fair treatment of all County Employees and recognizes the responsibility under state and federal law to protect from punishment and harassment any person who reports a potential ethics issue, whether or not the allegation is found to have merit. The County shall not take any action or threaten any action against any Employee as a reprisal for making a disclosure under this Code unless the disclosure was made, or the information was disclosed, with knowledge that it was false or with willful disregard for its truth.

Article VI: Disclosure of Financial Interests

The Political Reform Act (Government Code sections 81000-91015), requires each state and local government agency to adopt and promulgate a Conflict of Interest Code. The Fair Political Practices Commission ("FPPC") has adopted a regulation found in Title 2, California Code of Regulations, section 18730, which contains the terms of a standard Conflict of Interest Code. This Code can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments of the Political Reform Act. The terms of the standard Conflict of Interest Code in Title 2, California Code of Regulations, section 18730, and any amendments to it duly adopted by the FPPC have been incorporated by reference by Resolution of the Board of Supervisors of Nevada County, along with attached Appendix A-C, in which members and Employees are designated and disclosure categories are set forth. Such terms and amendments and Appendix are incorporated into the Conflict of Interest Code of the County of Nevada.

Designated Positions. The positions listed in Appendix B are designated positions. Persons holding those positions are deemed to participate in the making of decisions which may foreseeably have a material effect on a financial interest.

Economic Disclosure Statements. Designated Employees shall file statements of economic interest with the agency. Upon receipt of the statements of the various designated members and Employees, the designated agency shall make and retain a copy and forward the original of these statements to the place of filing as indicated on Appendix C, attached. <https://www.fppc.ca.gov/Form700.html>

Article VII: Filing of Disclosure Statements; Enforcement; Fine

The Human Resources Department shall provide Conflict of Interest forms to designated Employees of the County, after which such completed forms shall be returned to the Human Resources Department for filing purposes. This procedure shall be subject to change upon written direction of the Human Resources Department.

The Clerk of the Board of Supervisors shall provide a Conflict of Interest form to each member of a committee, commission, agency, or authority where the County's Conflict of Interest Code requires each of these members to file a Conflict of Interest form. The Clerk of the Board of Supervisors shall provide a Conflict of Interest form to each member of the special districts operating within the County's boundaries. All such forms shall be completed and returned to the Clerk of the Board of Supervisors for filing purposes.

State law requires certain persons designated in Government Code section 87500

to file a Conflict of Interest form electronically using the website maintained by FPPC.

In accordance with Government Code section 91013, any person who files a Conflict of Interest Statement after its due date may be liable in the amount of \$10 per day from the day of the due date until the day the Statement is filed. The amount of the fine shall not exceed \$100.

The filing officer may waive the fine if they impartially determine that the late filing was not willful, and enforcement would not further the purposes of the Political Reform Act. No liability shall be waived if a Statement is not filed within 30 days of its due date.

Appendix A

DISCLOSURE CATEGORIES

DISCLOSURE CATEGORIES (Adopted in accordance with Government Code section 87300, et seq., and Cal. 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 that 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 that 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 that 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 that 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 that 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 that provide solid waste disposal and/or recycling-related services, supplies, materials, machinery, or equipment; and interests in real property that 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 that provide goods and/or services relating to health and human services, and all interests in real property where any such services are provided or that may be materially affected by decisions made by the designated Employee, or their department, or a governing council.

CATEGORY IX:

Investments in, sources of income from, and financial interests in business entities located or doing business in the designated area of responsibility for any Municipal Advisory Council that provides business-related services, supplies, materials, machinery, or equipment; and interests in real property located within that designated area of responsibility.

Appendix B

DISCLOSURE REQUIREMENTS FOR DESIGNATED EMPLOYEES AND COMMITTEES/COMMISSIONS

Under provisions of this Code, designated employees shall file statements of economic interests. The following are designated employees because their positions involve the making or participating in the making of decisions, which could affect private financial interests materially. The financial effect of a government decision is material if the decision will have a significant effect on a person's or business entity's real property or source of income in question. Any investments, interests in real property and sources of income held by the designated employee's spouse or dependent children must be reported as though held by the designated employee personally.

Consultants to the County of Nevada who hold designated positions under this Conflict of Interest Code are required to comply with the disclosure requirements described below. The County Executive Officer, or their designee, may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and thus not required to comply with the disclosure requirements described in these categories. Such 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 shall forward a copy of this determination to the Board of Supervisors. However, nothing herein will excuse any such consultant from any other provision of this Conflict of Interest Code.

CATEGORY I: Those designated employees, appointed officials and contractors who are within the Category I disclosure requirements are the following:

- APPRAISER I, II, and III
- ASSESSMENT ASSISTANTS I/II
- ASSESSOR
- ASSISTANT ASSESSOR
- ASSISTANT COUNTY CLERK-RECORDER
- ASSISTANT COUNTY COUNSEL
- ASSISTANT COUNTY EXECUTIVE OFFICER
- ASSISTANT DISTRICT ATTORNEY
- ASSISTANT PUBLIC DEFENDER
- ASSISTANT TREASURER-TAX COLLECTOR
- ATTORNEY I, II, and III-CIVIL
- ATTORNEY I, II, and III-CRIMINAL (DISTRICT ATTORNEY & CHILD SUPPORT/COLLECTIONS)
- AUDITOR APPRAISER I/II/III
- AUDITOR-CONTROLLER

BOARD OF SUPERVISORS, MEMBERS OF (Gov't Code § 87200)
BOARD OF SUPERVISORS SENIOR MANAGEMENT ANALYST
BOARD OF SUPERVISORS ADMINISTRATIVE ANALYST I/II
BUYER I/II
CHIEF APPRAISER
CHIEF DEPUTY CLERK OF THE BOARD OF SUPERVISORS
CHIEF FISCAL ADMINISTRATIVE OFFICER
CHIEF OF STAFF/CLERK OF THE BOARD OF SUPERVISORS
CLERK -RECORDER/REGISTRAR OF VOTERS
CODE COMPLIANCE OFFICER I/II
CODE COMPLIANCE OFFICER SENIOR
COUNTY COUNSEL (Gov't Code § 87200)
COUNTY EXECUTIVE OFFICER (Gov't Code § 87200)
DEPUTY COUNTY EXECUTIVE OFFICER/CHIEF FISCAL OFFICER
DIRECTOR OF BEHAVIORAL HEALTH
DIRECTOR OF BUILDING DEPARTMENT
DIRECTOR OF CHILD SUPPORT SERVICES
DIRECTOR OF CODE AND CANNABIS COMPLIANCE
DIRECTOR OF COMMUNITY DEVELOPMENT AGENCY
DIRECTOR OF ENVIRONMENTAL HEALTH
DIRECTOR OF EMERGENCY SERVICES
DIRECTOR OF FACILITIES
DIRECTOR OF HEALTH AND HUMAN SERVICES AGENCY
DIRECTOR OF PLANNING
DIRECTOR OF PUBLIC HEALTH
DIRECTOR OF PUBLIC WORKS
DIRECTOR OF SOCIAL SERVICES
DISTRICT ATTORNEY (Gov't Code § 87200)
HEARING OFFICERS (for Administrative Appeals)
MANAGING ACCOUNTANT AUDITOR
PRINCIPAL ACCOUNTANT AUDITOR
PRINCIPAL PLANNER
PRINCIPAL CIVIL ENGINEER
PROGRAM MANAGER
PUBLIC DEFENDER
PUBLIC HEALTH OFFICER
RISK MANAGER
ROAD SERVICES MANAGER
SENIOR ADMINISTRATIVE ANALYST (ASSESSOR'S OFFICE)
SENIOR ADMINISTRATIVE ANALYST (IGS)
SENIOR APPRAISER
SENIOR AUDITOR APPRAISER
SHERIFF/CORONER/PUBLIC ADMINISTRATOR
SUPERVISING CRIMINAL ATTORNEY (DA)
SUPERVISING CODE COMPLIANCE OFFICER
TRANSIT SERVICES MANAGER

TREASURER-TAX COLLECTOR (Gov't Code § 87200)
UNDERSHERIFF
VETERANS SERVICES 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:

ASSESSMENT APPEALS BOARD
BUILDING AND ACCESSIBILITY STANDARDS BOARD OF APPEALS
COMMERCIAL CANNABIS DISPENSARY APPLICATION EVALUATION
COMMITTEE
COUNTYWIDE OVERSIGHT BOARD FOR THE COUNTY OF NEVADA
FISH AND WILDLIFE COMMISSION
FIRST 5 NEVADA COUNTY CHILDREN AND FAMILIES FIRST
COMMISSION
HISTORICAL LANDMARKS COMMISSION
NEVADA COUNTY DEFERRED COMPENSATION PLAN COMMITTEE
NEVADA COUNTY FINANCE AUTHORITY
PLANNING COMMISSION (Gov't Code § 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 INFORMATION AND GENERAL SERVICES AGENCY
DIRECTOR OF HUMAN RESOURCES
EMERGENCY SERVICES PROGRAM MANAGER
FACILITIES PROJECT MANAGER
INFORMATION SYSTEMS MANAGER I/II
PROJECT ADMINISTRATOR
PROJECT COORDINATOR
PUBLIC INFORMATION OFFICER
PUBLIC WORKS PROJECT MANAGER

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

[None currently.]

CATEGORY III:

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

[None currently.]

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

[None currently.]

CATEGORY IV:

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

WASTEWATER OPERATIONS MANAGER

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

[None currently.]

CATEGORY V:

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

AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS &
MEASURES
FARM ADVISOR

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

CATEGORY VII:

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

[None currently.]

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
NEVADA-SIERRA CONNECTING POINT PUBLIC AUTHORITY
GOVERNING BOARD

CATEGORY VIII:

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

BEHAVIORAL HEALTH MEDICAL DIRECTOR
BEHAVIORAL HEALTH STAFF PSYCHIATRIST
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 PLANNING COUNCIL FOR CHILD CARE DEVELOPMENT FOR THE
COUNTY OF NEVADA

CATEGORY IX:

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

[None currently.]

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

PENN VALLEY AREA MUNICIPAL ADVISORY COUNCIL

SOUTH COUNTY AREA MUNICIPAL ADVISORY COUNCIL

CONSULTANTS:

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 their 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.

Appendix C PLACE OF FILING

PART I – GOVERNMENT CODE SECTION 87200 FILERS

Board of Supervisors (all Supervisors)
County Executive Officer
County Counsel
County Treasurer-Tax Collector
District Attorney
County Planning Commissioners

Where: File electronically using the website maintained by the FPPC:
https://www.fppc.ca.gov/Form700/Link_To_Efiling_Portal.html
(link last confirmed March 11, 2025)

PART II - DESIGNATED EMPLOYEES

Where: Human Resources Department
County of Nevada
Eric W. Rood Administrative Center
950 Maidu Ave., Suite 260
Nevada City, CA 95959

The Human Resources Department shall furnish to each designated employee upon their appointment and termination, and annually during such designated employee's tenure, a Form 700 - Statement of Economic Interests. The designated employees will submit the completed Form 700 Statement of Economic Interests to the Human Resource Department for filing.

PART III - BOARDS, COMMISSIONS AND COMMITTEES (and designated employees of same)

Where: County Clerk of the Board
County of Nevada
Eric W. Rood Administrative Center
950 Maidu Ave., Suite 200
Nevada City, CA 95959

The County Clerk of the Board shall furnish to each designated member upon their appointment and termination, and annually during such designated member's tenure, a Form 700 - Statement of Economic Interests. The members will submit the completed Form 700 - Statement of Economic Interests to the County Clerk of the Board for filing.

PART IV - CONSULTANTS

Where: Human Resources
County of Nevada
Eric W. Rood Administrative Center
950 Maidu Ave., Suite 260
Nevada City, CA 95959

The Human Resources Department shall make available to each designated Consultant upon their contract commencement and termination, and annually during such designated Consultants tenure, a Form 700 - Statement of Economic Interests. The Consultant will submit the completed Form 700 - Statement of Economic Interests to Human Resources for filing, except as provided above.