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ANDREW BURTON – Member-At-Large
CAROLYN WALLACE DEE – Truckee Town Council
ANN GUERRA – Member-At-Large, Chair
DAN MILLER – Nevada County Board of Supervisors
VALERIE MOBERG – Nevada City City Council
ED SCOFIELD – Nevada County Board of Supervisors, Vice-Chair



DANIEL LANDON, Executive Director
MICHAEL WOODMAN, Deputy Executive Director


Grass Valley • Nevada City

Nevada County • Truckee

File: 800.1

MEMORANDUM

TO: Nevada County Transportation Commission

FROM: Daniel B. Landon, Executive Director 

SUBJECT: Amended Conflict of Interest Code, Resolution 18-34

DATE: September 19, 2018

RECOMMENDATION: Adopt Resolution 18-34, approving the amended Conflict of Interest Code for Nevada County Transportation Commission.

BACKGROUND: Under the Political Reform Act, all public agencies are required to adopt a Conflict of Interest Code. The code designates positions required to file Statements of Economic Interests (Form 700) and assigns disclosure categories specifying the types of interest to be reported. The Form 700 is a public document intended to alert public officials and members of the public to the types of financial interests that may create conflicts of interests.

The amended Designations described below will be included in the 2018 Biennial Notice that must be submitted by December 31, 2018.

DESIGNATIONS

The Members of the Board, Executive Director, Deputy Executive Director and Consultants (except as otherwise determined by the Chairperson or Executive Director) are designated as positions subject to the Conflict of Interest Code since they have substantial responsibility relative to the decision-making processes or policies of the Nevada County Transportation Commission (the "Commission"). These positions are required to disclose interests under Category 1, as described below.

The Administrative Services Officer has a more limited role related to the Commission's business operations and does not have substantial responsibility relative to the Commission's decision-making processes or policies. Accordingly, this position is only required to disclose interests under Category 2, as described below.

DISCLOSURE RESPONSIBILITIES

Disclosure Category 1

Persons designated in this category shall disclose (a) all sources of income, (b) all interests in real property located in whole or in part within or not more than two (2) miles outside the jurisdiction of the Commission, and (c) all investments and business positions in business entities.

Disclosure Category 2

Persons designated in this category shall disclose investments and business positions in business entities and sources of income, which provide services, supplies, materials, machinery or equipment of the type utilized by the Commission.

attachments

EXHIBIT A

CONFLICT OF INTEREST CODE FOR THE NEVADA COUNTY TRANSPORTATION COMMISSION

The Political Reform Act, Government Code section 81000 *et seq.*, requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission ("Standard Code") are hereby incorporated by reference and, along with the attached Appendix in which members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the Nevada County Transportation Commission (the "Commission").

Pursuant to Section 4 of the Standard Code, Designated Employees, as described in the attached Appendix ("Designated Employees"), shall file statements of economic interests with the Commission. Upon receipt of the statements of the Designated Employees and/or consultants, the Commission shall make and retain copies and forward the originals of these statements to the County of Nevada, Clerk of the Board of Supervisors.

APPENDIX

DESIGNATED EMPLOYEES

DISCLOSURE CATEGORIES

Commission Members	1
Executive Director	1
Deputy Executive Director	1
Administrative Services Officer	2
Consultants*	1

*Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the disclosure category in the Code subject to the following limitation:

The Chairperson of the Commission ("Chairperson"), or the Executive Director, 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 described in this Appendix. Such written determination shall include a description and a statement of the extent of disclosure requirements. The Chairperson's or the Executive Director determination is a public record and shall be retained for public inspection in the same manner and location as this Code.

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Disclosure Category 1

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Disclosure Category 2

Persons designated in this category shall disclose investments and business positions in business entities, and sources of income, which provide services, supplies, materials, machinery or equipment of the type utilized by the Commission.