



# *The County of Yuba*

## *Clerk of the Board of Supervisors*

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MARY PASILLAS  
CLERK OF THE BOARD

NATALIE ALLEN  
BOARD CLERK

ESZY GARCIA  
BOARD CLERK

MARIANA OUJI  
OFFICE SPECIALIST

TO: Local Agencies in Yuba County

FROM: Mary Pasillas, Clerk of the Board of Supervisors  
Yuba County Board Of Supervisors

SUBJECT: Conflict of Interest – Local Agency Biennial Report

DATE: June 24, 2024

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. **No later than October 1, 2024** of each even-numbered year, each agency must submit to the Yuba County Board of Supervisors a notice indicating whether or not an amendment is necessary. The enclosed **2024 Local Biennial Notice form shall be returned to this office no later than October 1, 2024**. The Board of Supervisors is the code reviewing body for single-county agencies and the Fair Political Practices Commission is the code reviewing body for multi-county agencies.

If amendments to your agency's conflict of interest code are necessary, the amended code must be forwarded to the **Board of Supervisors for approval within 90 days**. For example, if you file the notice on October 1, 2024 indicating that an amendment is necessary, the amendment is due to the Board by December 30, 2024. An agency's amended code is not effective until it has been approved by the Board of Supervisors.

The Fair Political Practices Commission (FPPC) is available during the hours of 9:00 a.m. to 11:30 a.m. Call **1-866-ASK-FPPC** (this is a toll-free number) and press 2. You may write to the Fair Political Practices Commission at 428 J Street, Suite 620, Sacramento, California 95814 or email inquiries to: [advise@fppc.ca.gov](mailto:advise@fppc.ca.gov). Information is also available on their website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

Alternatively, if you have not already been granted an exemption, you may qualify for an exemption pursuant to Resolution No. 1992-38, a copy of which is attached.

37-2024

# 2024 Local Agency Biennial Notice

Name of Agency: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone No. \_\_\_\_\_

Email: \_\_\_\_\_ Alternate Email: \_\_\_\_\_

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

☐ **An amendment is required. The following amendments are necessary:**

(*Check all that apply.*)

- ☐ Include new positions
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ☐ Other (*describe*) \_\_\_\_\_

☐ **The code is currently under review by the code reviewing body.**

☐ **No amendment is required.** (If your code is over five years old, amendments may be necessary.)

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## Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

\_\_\_\_\_  
*Signature of Chief Executive Officer*

\_\_\_\_\_  
*Date*

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2024**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

## 2024 Conflict of Interest Code Biennial Notice Instructions for Local Agencies

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The Political Reform Act requires every local government agency to review its conflict of interest code biennially. A conflict of interest code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Statement of Economic Interests (Form 700).

By **July 1, 2024**: The code reviewing body must notify agencies and special districts within its jurisdiction to review their conflict of interest codes.

By **October 1, 2024**: The biennial notice must be filed with the agency's code reviewing body.

The FPPC has prepared a 2024 Local Agency Biennial Notice form for local agencies to complete or send to agencies within its jurisdiction to complete before submitting to the code reviewing body. The City Council is the code reviewing body for city agencies. The County Board of Supervisors is the code reviewing body for county agencies and any other local government agency whose jurisdiction is determined to be solely within the county (e.g., school districts, including certain charter schools). The FPPC is the code reviewing body for any agency with jurisdiction in **more than one county** and will contact them.

### **The Local Agency Biennial Notice is not forwarded to the FPPC.**

If amendments to an agency's conflict of interest code are necessary, the amended code must be forwarded to the code reviewing body for approval within 90 days. An agency's amended code is not effective until it has been approved by the code reviewing body.

**If you answer yes, to any of the questions below, your agency's code probably needs to be amended.**

- Is the current code more than five years old?
- Have there been any substantial changes to the agency's organizational structure since the last code was approved?
- Have any positions been eliminated or re-named since the last code was approved?
- Have any new positions been added since the last code was approved?
- Have there been any substantial changes in duties or responsibilities for any positions since the last code was approved?

If you have any questions or are still not sure if you should amend your agency's conflict of interest code, please contact the FPPC. Additional information including an online webinar regarding how to amend a conflict of interest code is available on [FPPC's website](https://www.fppc.ca.gov).



BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA

IN RE:	)	
	)	
RESOLUTION ESTABLISHING	)	RESOLUTION NO. <u>1992-38</u>
PROCEDURES AND STANDARDS	)	
EXEMPTING CERTAIN AGENCIES	)	
FROM PREPARATION OF A	)	
CONFLICT OF INTEREST CODE	)	

WHEREAS, section 87300 of the Government Code requires every local government agency, which includes counties, districts of any kind, school districts, or any department, division, bureau, office, board, commission or agency of the foregoing local government agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, pursuant to Government Code section 82011, the board of supervisors is the "code reviewing body" for any local government agency, other than a city, with jurisdiction wholly within the County of Yuba; and

WHEREAS, Title 2, California Code of Regulations, section 18751, authorizes code reviewing bodies to establish standards and procedures exempting certain agencies from preparation of a conflict of interest code.

NOW, THEREFORE, BE IT RESOLVED

1. Any agency required to submit a conflict of interest code to the Yuba County Board of Supervisors may submit a request for exemption from preparation of a conflict of interest code.

2. A request for exemption shall be approved if the board of supervisors finds:

(a) There would be no officer, employee, member or consultant whose position with the agency:

(1) is elective; or

(2) entails the making or participation in the making of decisions which may foreseeably have a material effect

on any financial interest of said officer, employee, member or consultant.

(b) The agency is, or soon will be, inoperative and nonfunctioning.

3. A request for exemption may be approved if the board of supervisors finds all of the following apply:

(a) The agency does not have regulatory, quasi-regulatory, permit, licensing or planning authority or functions;

(b) The agency will not acquire real property in the foreseeable future; and

(c) The annual operating budget, exclusive of salaries, for the agency is less than \$70,000.

4. In all other circumstances, the board of supervisors will consider the requests for exemption on a case by case basis.

5. All requests for exemption shall be signed by the chief executive officer or a legal representative of the agency on a form substantially similar to the Request for Exemption attached hereto and incorporated herein by this reference as Exhibit A.

6. The board of supervisors shall within 90 days of receiving the request for exemption:

- (a) Approve the request;
- (b) Deny the request; or
- (c) Return the request for additional information and resubmission within sixty (60) days. Upon resubmission, the board of supervisors shall, within sixty (60) days, either approve or deny the request.

7. When a request for exemption is approved, the clerk of the board of supervisors shall transmit a minute order to the requesting agency.

8. When a request for exemption is denied, the board of supervisors shall transmit a letter denying the request for exemption to the requesting agency, and advise in said letter of the new deadline established by the board of supervisors by which the agency shall submit a proposed Conflict of Interest Code for review by the board of supervisors.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Yuba, State of California on the third day of March, 1992 by the following vote:

AYES: Supervisors Saunders, Belza, Harper, Mathews.  
NOES: None  
ABSENT: Supervisor Mistler

Bill Harper  
CHAIRMAN

ATTEST: FRED MORAWCZNSKI  
Clerk of the Board of Supervisors

By: Terry A. Hansen  
Terry A. Hansen, Deputy

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY

By: Kathleen L. Burgess  
DANIEL G. MONTGOMERY  
COUNTY COUNSEL

**REQUEST FOR EXEMPTION  
CONFLICT OF INTEREST CODE**

Agency Name, Address and Telephone:

1. Attach a list of every position in your agency including each officer, employee, member and consultant.
2. Provide a job description for each position listed in response to question one (1) above.
3. Statute(s) which authorized creation of your agency:
4. Statute(s) which set forth duties and responsibilities of your agency:
5. Attach a copy of your agency's most recent conflict of interest code. If there is no conflict of interest code, please so indicate.
6. The date, time and place of last meeting of the agency:
7. If the agency is or soon will be inoperative and nonfunctioning, provide a detailed explanation of the reasons therefor.

I verify that none of the positions listed in question one (1) above are elected or involved in making decisions on behalf of \_\_\_\_\_ (agency) which may foreseeably have a material effect on any financial interest of said employee, officer, member or consultant. (See Government Code §82019.)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this \_\_\_\_ day of \_\_\_\_\_, 1992, at \_\_\_\_\_, California.

\_\_\_\_\_  
Chief Executive Officer or  
Legal Representative



## NOTICE TO REVIEW CONFLICT OF INTEREST CODES

**TO: ALL DISTRICTS, SCHOOL DISTRICTS, BOARDS AND COMMISSIONS  
LOCATED IN YUBA COUNTY.**

ALL LOCAL AGENCIES ARE HEREBY DIRECTED, pursuant to Government Code Sections 82003, 82011, 82041, 87300, and 87306.5 to review their conflict of interest codes and either submit, no later than October 1, 1992, revised codes to the board of supervisors for review; or submit, no later than October 1, 1992, a written statement that no change is required.

In the event your agency has no conflict of interest code and the agency believes it is entitled to an exemption under the provisions of Resolution No. 1992- 38 complete the Request for Exemption and submit it to the Board of Supervisors no later than October 1, 1992.

In the event your agency has no conflict of interest code and is not entitled to an exemption under the provisions of Resolution No. 1992- 38, submit your proposed conflict of interest code to the board of supervisors for review no later than October 1, 1992.

Dated:

FREDERICK J. MORAWCZNSKI  
Clerk of the Board of Supervisors

By: \_\_\_\_\_ Deputy

Government Code Section 87306.5 requires the board of supervisors, as the code reviewing body, no later than July 1 of each even-numbered year, to direct every local agency which has adopted a conflict of interest code to review their code.

If there have been changed circumstances requiring amendment to the conflict of interest code, the revised code must be submitted to the board of supervisors for review.

If no change to the code is required, the local agency head must submit a written statement to that effect to the board of supervisors no later than October 1st of that same year.

Section 87300 of the Government Code requires every "agency" to adopt and promulgate a conflict of interest code. "Agency" is defined in section 82003 of the Government Code as "any state agency or local government agency." "Local government agency" is defined in section 82041 as a "county, city or district of any kind including school district, or any other local or regional political subdivision, or any department, division, bureau, office, board, commission or other agency of the foregoing."

The board of supervisors is the "code reviewing body" for any local government agency, other than a city, with jurisdiction wholly within the county (Govt. Code, §82011).

The board of supervisors has adopted Resolution 1992- 38 establishing procedures and standards for exempting public agencies from the requirement to prepare a conflict of interest code.