

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

(1) DEPARTMENT Administration		(2) MEETING DATE August 15, 2006		(3) CONTACT/PHONE Kristi Gutierrez 781-1334	
(4) SUBJECT Submittal of a Resolution reviewing Conflict of Interest Code Amendments for the Local Agency Formation Commission (LAFCO).					
(5) SUMMARY OF REQUEST The Local Agency Formation Commission (LAFCO) has made changes to their conflict of interest codes. As required by Government Code, the Board of Supervisors acts as the "Code Reviewing Body" for LAFCO as a ministerial function.					
(6) RECOMMENDED ACTION It is recommended that your Board approve the attached resolution reviewing the Conflict of Interest Code amendments submitted by LAFCO.					
(7) FUNDING SOURCE(S) n/a		(8) CURRENT YEAR COST n/a		(9) ANNUAL COST n/a	
(10) BUDGETED? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): Clerk Recorder					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) <input type="checkbox"/> 1st, <input type="checkbox"/> 2nd, <input type="checkbox"/> 3rd, <input type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input checked="" type="checkbox"/> All			(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		(15) Maddy Act Appointments Signed-off by Clerk of the Board <i>n/a</i>
(16) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(17) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(18) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(19) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) _____			(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		(22) Agenda Item History <input checked="" type="checkbox"/> N/A Date _____
(23) ADMINISTRATIVE OFFICE REVIEW <i>OK - Jim Grant</i>					

*8-15-06
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County of San Luis Obispo

COUNTY GOVERNMENT CENTER, RM. 370 • SAN LUIS OBISPO, CALIFORNIA 93408 • (805) 781-5011



DAVID EDGE
COUNTY ADMINISTRATOR

TO: BOARD OF SUPERVISORS

FROM: DAVID EDGE, COUNTY ADMINISTRATOR

DATE: 8/15/2006

SUBJECT: SUBMITTAL OF A RESOLUTION REVIEWING THE CONFLICT OF INTEREST CODES FOR THE LOCAL AGENCY FORMATION COMMISSION (LAFCO).

Recommendation

It is recommended that your Board approve the attached resolution reviewing the Conflict of Interest Code submitted by the Local Agency Formation Commission (LAFCO).

Discussion

The Local Agency Formation Commission (LAFCO) has made changes to their conflict of interest codes. As required by Government Code, the Board of Supervisors acts as the "Code Reviewing Body" for LAFCO as a ministerial function.

Other Agency Involvement/Impact

County Clerk-Recorder, Elections Division.

Financial Considerations

None.

Results

The Government Code requires the periodic review and update of government agencies' Conflict of Interest Codes and position designations. Today's action keeps the agency in compliance with the Government Code.

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IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 2006

PRESENT:

ABSENT:

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN LUIS OBISPO
REVIEWING CONFLICT OF INTEREST CODES
OF THOSE LOCAL GOVERNMENTS AGENCIES
WHOLLY LOCATED WITHIN THE COUNTY**

The following resolution is now offered and read:

WHEREAS, Government Code section 87300 requires every local governmental agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, Government Code section 87303 requires all Conflict of Interest Codes to be approved by the agency's code reviewing body; and

WHEREAS, Government Code section 82011(b) provides that the Board of Supervisors is the code reviewing body of the local government agency with jurisdiction wholly within the County of San Luis Obispo; and

WHEREAS, it is necessary that the Board of Supervisors as code reviewing body approve said codes; and

WHEREAS, the County Administrative Officer as the local code administrator in accordance with the provisions of Resolution #77-41 of the Board of Supervisors has reviewed, preliminary to final approval by the Board of Supervisors, certain updated Conflict of Interest Codes submitted by Local Government Agencies.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California that the following Conflict of Interest Codes by special districts submitted on the dates indicated are hereby approved.

LOCAL GOVERNMENT AGENCY

The Local Agency Formation Commission

DATE OF SUBMISSION

July 12, 2006

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Upon motion of Supervisor _____, seconded by Supervisor

_____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

Chairman of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR
County Counsel

By: Amir Duggan
Deputy County Counsel

Dated: 7/26/06

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**IN THE LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA**

Thursday, June 15, 2006

PRESENT: Commissioners Shirley Bianchi, David Brooks, Richard Roberts, Allen Settle,
Chairwoman Barbara Mann, Alternate Commissioner Tom Murray, James R.
Patterson and Duane Picanco

ABSENT: Vice-Chairman Katcho Achadjian

RESOLUTION NO. 2006-10

**RESOLUTION ADDING A DESIGNATED POSITION (LEGAL COUNSEL) AND AMENDING
THE DISCLOSURE CATEGORIES FOR LAFCO'S CONFLICT OF INTEREST CODE**

The following resolution is now offered and read:

WHEREAS, the Executive Officer has given the notices required by law and forwarded copies of his report to officers, person and public agencies prescribed by law; and

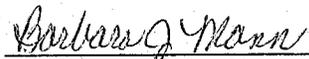
WHEREAS, the matter was set for public hearing at 9:00 a.m. in June 15, 2006, and a public hearing was duly conducted and determined and decision made on June 15, 2006; and

WHEREAS, at said hearing, this Commission heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said designated position and category numbers.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Local Agency Formation Commission of the County of San Luis Obispo, California, as follows:

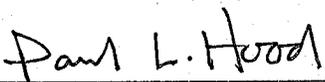
1. That the recitals set forth hereinabove are true, correct and valid.
2. That the Commission hereby authorizes the LAFCO Executive Officer to amend the Commission's Conflict of Interest Code and adds LAFCO's Legal Counsel to the list of designated positions and amends the Disclosure Categories for staff.

Upon a motion by Commissioner Bianchi, seconded by Commissioner Settle and on a unanimous voice vote the foregoing resolution is hereby adopted.



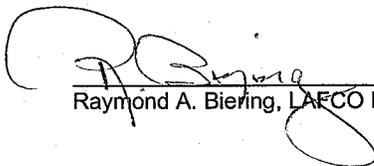
Chairwoman Barbara Mann
Local Agency Formation Commission

ATTEST:



Paul L. Hood, LAFCO Executive Officer

APPROVED AS TO FORM AND LEGAL EFFECT:



Raymond A. Biering, LAFCO Legal Counsel

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STATE OF CALIFORNIA

COUNTY OF SAN LUIS OBISPO

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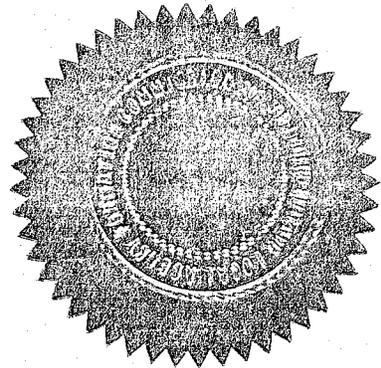
ss.

I, Paul Hood, Executive Officer of the Local Agency Formation Commission of the County and State do hereby certify the foregoing to be a full, true, and correct copy of the original on file in my office, and that I have carefully compared the same with the original.

WITNESS my hand this 6TH day of JULY, 2006.

Paul L. Hood

Paul L. Hood
Executive Officer



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Local Agency Formation Commission
Conflict of Interest Code

Exhibit A

Designations Positions List

<u>Designated Position</u>	<u>Disclosure Category Numbers</u>
Executive Officer	1, 3a, 3c, 4 1, 2, 3
Senior LAFCO Analyst	1, 3a, 3c, 4 1, 2, 3
LAFCO Legal Counsel	1, 2, 3
Board of Supervisors Member ¹	
Alternate Board of Supervisors Member ²	
City Member	1, 2, 3
Alternate City Member	1, 2, 3
Public Member	1, 2, 3
Alternate Public Member	1, 2, 3
Special District Member	1, 2, 3
Alternate Special District Member	1, 2, 3

¹ Board of Supervisors members report under Conflict of Interest Code for the Board of Supervisors

² Alternate Board of Supervisors members report under Conflict of Interest Code for the Board of Supervisors

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Local Agency Formation Commission
Conflict of Interest Code

Exhibit A

Designations Positions List

<u>Designated Position</u>	<u>Disclosure Category Numbers</u>
Executive Officer	1, 2, 3
LAFCO Analyst	1, 2, 3
LAFCO Legal Counsel	1, 2, 3
Board of Supervisors Member ¹	
Alternate Board of Supervisors Member ²	
City Member	1, 2, 3
Alternate City Member	1, 2, 3
Public Member	1, 2, 3
Alternate Public Member	1, 2, 3
Special District Member	1, 2, 3
Alternate Special District Member	1, 2, 3

¹ Board of Supervisors members report under Conflict of Interest Code for the Board of Supervisors

² Alternate Board of Supervisors members report under Conflict of Interest Code for the Board of Supervisors

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Local Agency Formation Commission
Conflict of Interest Code

Exhibit B

Disclosure Categories

The disclosure categories that relate to the numbers above are:

1. Interest in real property located within, or not more than one-half mile outside, the County boundary (does not include the principal place of residence).
2. Investments in, and income from, any business entity doing business within the County.
3. Investments in, and income from, any business entity doing business within the County and engaged in:
 - a. The acquisition, sale, lease, or development of real property.
 - b. Provision of insurance brokerage or consulting services;or
 - c. Providing consulting services of the type which have, in the past two years, or which with reasonable foreseeability, may be used in the next one year period by the filers division within the office.
4. Income of any business entity in which the filer or spouse owns a 10% interest or greater which is derived from client(s) or customer(s) who, within reasonable foreseeability, could be materially affected by the decisions made or participated in by the filer. Names of such client(s) or customer(s) must be reported under this category or the filer's pro rata share of fees from such client(s) or customer(s) was greater than \$10,000 for all types of businesses.

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