



## OFFICE OF THE PLACER COUNTY COUNSEL

**KARIN E. SCHWAB**  
COUNTY COUNSEL

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June 2, 2020

Gillian Lofrano  
Newcastle Fire Protection District  
Post Office Box 262  
Newcastle, CA 95658

Re: 2020 Biennial Agency Conflict of Interest Code Review

Dear Ms. Lofrano:

The Political Reform Act requires every local government agency to review its Conflict of Interest Code every two (2) years to determine if it complies with current law, accurately depicts the appropriate list of designated employees and the appropriate disclosure level, and clearly indicates the agency filing officer. If the code does not adequately address these requirements, then the code must be amended. Each local agency within the County must submit to the County Board of Supervisors a Biennial Notice indicating whether or not an amendment is necessary.

Enclosed is the notice from the California Fair Political Practices Commission (FPPC) regarding this requirement, along with the 2020 Local Agency Biennial Notice. The FPPC offers an online workshop for agencies on this topic that is highly recommended.

Please note that, as required by law, we will be reviewing mainly for three elements in your Codes and Appendices:

- 1) Designation of Filing Officer;
- 2) Designation of Employees; and
- 3) Degree of disclosure required for each employee position.

If these three elements are not clearly designated in your Conflict of Interest Code or Appendix, we will be asking you to amend them accordingly.

**You are hereby notified that you are to review your Conflict of Interest Code and submit the enclosed Biennial Notice indicating that either amendments are required, or no amendments are necessary, along with a copy of your code. Please provide both documents to this office no later than **August 3, 2020**. The Biennial Notice is available as a fillable form at [www.fppc.ca.gov](http://www.fppc.ca.gov). You may fill out the Biennial Notice online and submit it, along with your Conflict of Interest Code, electronically to [CountyCounsel@placer.ca.gov](mailto:CountyCounsel@placer.ca.gov).**

It would be most helpful if you returned the notice and your code as soon as possible to enable this office to do its work in the most efficient manner possible. Please do not hesitate to call if you have any questions.

Very truly yours,

OFFICE OF THE PLACER COUNTY COUNSEL

By Michael E. Profant

Michael Profant  
Deputy County Counsel

MP/jp  
Enclosures

## 2020 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, 2020**, or by the date specified by your agency, if earlier, to:

*Michael Profant  
Office of the Placer County Counsel  
175 Fulweiler Avenue  
Auburn, CA 95603*

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

## 2020 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, 2020:** The code reviewing body must notify agencies and special districts within its jurisdiction to review their conflict of interest codes.

**By October 1, 2020:** The biennial notice must be filed with the agency's code reviewing body.

The FPPC has prepared a 2020 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](#).