



## 2014 Biennial Notice for Clerks of the Board of Supervisors, County Clerks, and County Counsels

The Political Reform Act requires every local government agency to review its conflict of interest code biennially.

**JULY 1, 2014:** Notify county agencies and special districts in your jurisdiction to review their conflict of interest codes.

**NO LATER THAN OCTOBER 1, 2014:** Each agency must submit the biennial notice to the County Board of Supervisors.

Enclosed please find a sample 2014 Local Agency Biennial Notice that you may send to agencies and special districts. **This Biennial Notice is not forwarded to the FPPC.**

Within 90 days, county agencies and special districts must forward any amendments to the Board of Supervisors for approval.

### FORMS 804 & 805

The chart below illustrates how the designated positions in the conflict of interest code and Forms 804 and 805 relate to the Form 700 and who completes each form. Forms 804 and 805 may be used to identify new positions and consultants that will make or participate in making governmental decisions on behalf of the agency. These forms are also used to identify the new position's or consultant's disclosure requirements which should conform to the range of their duties.



**EXAMPLE 1:** An agency hires a new IT Specialist. This is a brand new position, thus not listed in the agency's conflict of interest code. This individual will make decisions on purchasing software so the position must be added to the code. The agency completes and retains the **Form 804** to provide the individual with limited disclosure relating to IT interests. The individual files Form 700 within 30 days of assuming office. The position will be added to the code when it is next amended.

**EXAMPLE 2:** An agency hires a firm to prepare an environmental impact report ("EIR") on airport expansion. It is determined that the consultant assigned to the project will participate in the decisions concerning where expansion may occur. The consultant who will prepare the EIR (not the consultant's firm) should be assigned a disclosure requirement that reflects the contract's scope of authority. A sample disclosure category in this case might include disclosure of "real property, investments and business positions in business entities, and income from only those sources engaging in air traffic or aviation goods or services." Alternatively, the agency may assign an existing disclosure category, if appropriate. The agency completes and retains the **Form 805** to provide the individual with limited disclosure relating to the appropriate interests. The consultant files Form 700 within 30 days of assuming office.