BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of October 6, 2026

RESOLUTION NO. _____

RESOLUTION OF THE HUMBOLDT COUNTY BOARD OF SUPERVISORS RESCINDING RESOLUTION NO. 24-107 AND AMENDING CONFLICT OF INTEREST CODE FOR THE COUNTY OF HUMBOLDT

WHEREAS, the California Political Reform Act, California Government Code Sections 81000, *et seq*., requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the California Fair Political Practices Commission has adopted Section 18730 of Title 2 of the California Code of Regulations ("CCR"), which contains the terms of a standard conflict of interest code; and

WHEREAS, 2 CCR Section 18730 can be incorporated by reference, and amended by the California Fair Political Practices Commission after holding a properly noticed public hearing, in order to ensure conformance with the California Political Reform Act; and

WHEREAS, the conflict of interest code previously approved on October 1, 2024, by the Humboldt County Board of Supervisors through the adoption of Resolution No 24-107 is in need of revision; and

WHEREAS, all affected departments of the County of Humboldt have had an opportunity to review and comment on the proposed conflict of interest code.

NOW THEREFORE, THE HUMBOLDT COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES AS FOLLOWS:

1. Resolution No. 24-107, as adopted by the Humboldt County Board of Supervisors on October 1, 2024, is hereby rescinded.

2. The provisions of 2 CCR Section 18730, and any duly adopted amendments thereto, which are hereby incorporated by reference, along with the attached appendixes in which employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the County of Humboldt.

3. The Amended Conflict of Interest Code for the County of Humboldt, along with any and all appendixes attached thereto, as set forth herein and attached hereto, have been determined to comply with the requirements of the Political Reform Act of 1974.

4. The Amended Conflict of Interest Code for the County of Humboldt, along with any and all Appendixes thereto, as set forth herein and attached hereto, are hereby approved and adopted as authorized by 2 CCR Section 18730.

§18730. <u>Provisions of Conflict of Interest Codes</u>.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of California Government Code Section 87300 or the amendment of a conflict of interest code within the meaning of California Government Code Section 87306 if the terms of

this regulation are substituted for terms of a conflict of interest code already in effect. A conflict of interest code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, California Government Code Sections 81000, *et seq*. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in California Government Code Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, Regulations of the Fair Political Practices Commission (2 C.C.R. Sections 18110, *et seq*.), and any amendments to the Act or regulations, are hereby incorporated by reference into this Conflict of Interest Code.

Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

Section 3. Disclosure Categories.

This Conflict of Interest Code does not establish any disclosure obligation for those designated employees who are also specified in California Government Code Section 87200 if they are designated in this Code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, California Government Code Sections 87200, *et seq*.[1] In addition, this Conflict of Interest Code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

[1]Designated employees who are required to file Statements of Economic Interests under any other agency's Conflict of Interest Code, or under Article 2 for a different jurisdiction, may expand their Statement of Economic Interests to cover reportable interests in both jurisdictions, and file copies of this expanded Statement of Economic Interests with both entities in lieu of filing separate and distinct Statements, provided that each copy of such expanded Statement of Economic Interests filed in place of an original is signed and verified by the designated employee as if it were an original. See California Government Code Section 81004.

(B) The disclosure assigned in the conflict of interest code of the other agency is the same as that required under Article 2 of Chapter 7 of the Political Reform Act, California Government Code Section 87200; and

(C) The filing officer is the same for both agencies.

Such persons are covered by this Code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in the employee's Statement of Economic Interests those economic interests the employee has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which the employee foreseeably can affect materially through the conduct of the employee's office.

Section 4. Statements of Economic Interests – Place of Filing.

The code reviewing body shall instruct all designated employees within its Code to file Statements of Economic Interests with the agency or with the code reviewing body, as provided by the Code reviewing body in the agency's conflict of interest code or with the Fair Political Practices Commission using the Commission's electronic filing system as required under Section 87500.[2]

Section 5. Statements of Economic Interests – Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this Code, as originally adopted, promulgated and approved by the code reviewing body, shall file Statements within 30 days after the effective date of this Code. Thereafter, each person already in a position when it is designated by an amendment to this Code shall file an initial Statement within 30 calendar days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this Code shall file Statements of Economic Interests within 30days after assuming the designated positions, or if subject to State Senate confirmation, 30 calendar days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Service member's Civil Relief Act, the deadline for the annual Statement of Economic Interests is 30 days following the persons return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing

[2]See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of Statements and forward the originals to the filing officer.

deadline that the person is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of the persons military status.

(D) **Leaving Office Statements.** All persons who leave designated positions shall file Statements of Economic Interests within 30 days after leaving office.

Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office Statement of Economic Interests, is not deemed to have assumed office or left office, provided the person did not make or participate in the making of, or use the person's position to influence any decision and did not receive or become entitled to receive any form of payment as a result of the person's appointment. Such persons shall not file either an assuming or leaving office Statement of Economic Interests.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) **Contents of Initial Statements.** Initial statements shall disclose any reportable investments, interest in real property and business positions held on the effective date of this Conflict of Interest Code and income received during the 12 months prior to the effective date of the Code.

(B) **Contents of Assuming Office Statements.** Assuming office statements shall disclose any reportable investments, interest in real property and business positions held on the date of assuming office, or if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) **Contents of Annual Statements.** Annual Statements of Economic Interests shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual Statement of Economic Interests shall begin on

the effective date of this code or the date of assuming office whichever is later, or for a board or commission member subject to California Government Code Section 87302.6, the day after the closing date of the most recent Statement of Economic Interests filed by the member pursuant to 2 CCR Section 18754.

(D) Contents of Leaving Office Statements. Leaving office Statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

Section 7. Manner of Reporting.

Statements of Economic Interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investments and Real Property Disclosure. When an investment or an interest in real property[3] is required to be reported,[4] the Statement of Economic Interests shall contain the following:

(1) A statement of the nature of the investment or interest;

(2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

(3) The address or other precise location of the real property;

(4) A statement whether the fair market value of the investment or interest in real property equals or exceeds $2,000.00, exceeds $10,000.00, exceeds $100,000.00, or exceeds$1,000,000.00.

(B) Personal Income Disclosure. When personal income is required to be reported,[5] the Statement of Economic Interests shall contain:

(1) The name and address of each source of income aggregating $500.00 or more in value, or $50.00 or more in value if the income

[3]For purpose of disclosure only (not disqualification), an interest in real property does not include the principle residence of the filer.

[4]Investments and interests in real property which have a fair market value of less than $2,000.00 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10% or greater.

[5]A designated employee's income includes the employees community property interest in the income of his or her spouse, but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

was a gift, and a general description of the business activity, if any, of each source;

(2) A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was $1,000.00 or less, greater than $1,000.00, greater than $10,000.00, or greater than $100,000.00.

(3) A description of the consideration, if any, for which the income was received;

(4) In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

(5) In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) **Business Entity Income Disclosure.** When income of a business entity, including income of a sole proprietorship, is required to be reported,[6] the Statement of Economic Interests shall contain:

(1) The name, address, and a general description of the business activity of the business entity;

(2) The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than $10,000.00.

(D) **Business Position Disclosures.** When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which the employee is a director, officer, partner, trustee, employee, or in which employee holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

[6]Income of a business entity is reportable if the direct, indirect or beneficial interest of the designated employee and the designated employee's spouse in the business entity aggregates 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the designated employee.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

Section 8.1. Prohibition on Receipt of Gifts in Excess of $630.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than $630 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has

been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while the official holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

(1) Loans made to the campaign committee of an elected officer or candidate for elective office.

(2) Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

(3) Loans from a person which, in the aggregate, do not exceed $500 at any given time.

(4) Loans made, or offered in writing, before January 1, 1998.

Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of the officer's election to office through the date the officer vacates office, receive a personal loan of $500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

(1) Loans made to the campaign committee of the elected officer.

(2) Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

(3) Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

Section 8.4. <u>Personal Loans</u>.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

(1) If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

(2) If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

(a) The date the loan was made.

(b) The date the last payment of $100 or more was made on the loan.

(c) The date upon which the debtor has made payments on the loan aggregating to less than $250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

(1) A loan made to the campaign committee of an elected officer or a candidate for elective office.

(2) A loan that would otherwise not be a gift as defined in this title.

(3) A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

(4) A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business

considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

(5) A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use the employee's official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth $2,000.00or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth $2,000.00 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating $500.00 or more in value provided to, received by or promised to the designated employee within 12months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor, or any intermediary or agent for a donor of, a gift or gifts aggregating $630.00 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent the employee's participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make the employee's participation legally required for purposes of this section.

Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of Section 9, no state administrative official shall make, participate in making, or use the official's position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value $1,000.00 or more.

Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that the employee should not make a governmental decision because the employee has a disqualifying interest in it, the determination not to act must be accompanied by disclosure of the disqualifying interest.

Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this Code may request assistance from the Fair Political Practices Commission pursuant to California Government Code Section 83114, and Regulations 18329 and 18329.5. or from the attorney for the employee's agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

Section 12. Violations.

This Conflict of Interest Code has the force and effect of the law. Designated employees violating any provision of this Code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, California Government Code Sections 81000 through 91014. In addition, a decision in relation to which a violation of the disqualification provisions of this Conflict of Interest Code, or of California Government Code Sections 87100 or 87450, has occurred may be set aside as void pursuant to California Government Code Section 91003.

The following positions are not designated by the County of Humboldt Conflict of Interest Code because they are subject to Article 2, Chapter 7, Title 9 (commencing with Section 87200) of the California Government Code, and file Conflict of Interest Statements with the Registrar of Voters:

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of October 6, 2026

Members of the Board of Supervisors
District Attorney
County Administrative Officer
Planning Commissioners County Counsel
Treasurer-Tax Collector

Dated: _____, 2026

_____
Mike Wilson, Chair
Board of Supervisors County of Humboldt

Adopted on motion by Supervisor _____, seconded by Supervisor _____, and the following vote:

AYES: Supervisors
NOES: Supervisors
ABSENT: Supervisors
ABSTAIN: Supervisors

STATE OF CALIFORNIA

County of Humboldt

I, TRACY D'AMICO, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors

TRACY D'AMICO:

_____
Clerk of the Board of Supervisors of the
County of Humboldt, State of California