

RESOLUTION NO. _____

A RESOLUTION OF THE SAMOA PENINSULA
ENHANCED INFRASTRUCTURE FINANCING
DISTRICT PUBLIC FINANCING AUTHORITY
DIRECTING THE PREPARATION OF AN
INFRASTRUCTURE FINANCING PLAN, ADOPTING
A CONFLICT OF INTEREST CODE, AND MAKING
VARIOUS APPOINTMENTS

RECITALS

- A. Pursuant to Resolution 21-68, the Board of Supervisors of Humboldt County (the “County”) authorized the initiation of proceedings to establish the Samoa Peninsula Enhanced Infrastructure Finance District (the “EIFD”) and established the Samoa Peninsula EIFD Public Financing Authority (the “Authority”);
- B. As part of the EIFD formation process, the Authority is required to direct the preparation of an infrastructure financing plan (IFP) for the EIFD;
- C. The Political Reform Act, Government Code section 81000, *et seq.*, requires every state or local government agency to adopt and promulgate a Conflict of Interest Code;
- D. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations section 18730, setting forth the terms of a standard model conflict of interest code, which can be incorporated by reference, and which will be amended by the Fair Political Practices Commission to conform to any amendments in the Political Reform Act after public notice and hearing pursuant to the Administrative Procedures Act, Government Code section 11370, *et seq.*;
- E. Incorporation by reference of the terms of the aforementioned regulation and amendments to it as the Conflict of Interest Code of the Authority will minimize the actions required to keep the Authority’s conflict of interest code in conformity with state statutes and regulations;
- F. The Authority also needs to make various appointments to facilitate the proper functioning of the EIFD.

NOW THEREFORE, BASED ON THE FACTS SET FORTH ABOVE, THE AUTHORITY RESOLVES AS FOLLOWS:

- Section 1. **Background Statements.** The Authority finds and determines that Recitals A through F are true.
- Section 2. **Direction to Prepare Infrastructure Financing Plan.** Pursuant to Government Code section 53398.62, the Authority hereby designates and directs the appropriate County engineer or other appropriate official to prepare and distribute the IFP, and directs the Executive Director of the Authority to correspond with said County employees in furtherance of preparing the IFP.
- Section 3. **Adoption of Conflict of Interest Code.** The terms of 2 Cal. Code of Regulations section 18730, along with any amendments to it which may be duly adopted by the Fair Political Practices Commission, and any Conflict of Interest Code adopted by the County of Humboldt, are hereby adopted by reference as the Conflict of Interest Code of the Authority.
- Section 4. **Designated Officials and Disclosure Categories.** The list of designated officials and disclosure categories specified in “Exhibit A” is hereby adopted as the Appendix of designated employees and disclosure categories referred to in 2 Cal. Code of Regulations section 18730(b)(2).
- Section 5. **Effective Date of Conflict of Interest Code.** This Conflict of Interest Code shall become effective upon the date of approval by the Authority
- Section 6. **Statement of Economic Interests.** Designated officials shall file Statements of Economic Interest electronically with the Secretary of the Authority within thirty (30) days after the effective date of this Conflict of Interest Code.
- Section 7. **Appointment of Chair.** The Authority hereby appoints the chosen member of the Authority to be the Chair of the Authority through December 31, 2021. Chair of the Authority shall be appointed annually thereafter on or before December 31st.

- Section 8. **Appointment of Vice-Chair.** The Authority hereby appoints the chosen member of the Authority to be the Vice-Chair of the Authority through December 31, 2021. Vice-Chair of the Authority shall be appointed annually thereafter on or before December 31st.
- Section 9. **Appointment of Executive Director.** The Authority hereby appoints the Director of the Economic Development Division or his or her designee to serve as Executive Director of the Authority.
- Section 10. **Effective Date.** This resolution shall take effect upon adoption.
- Section 11. **Severability.** If any section, subsection, phrase or clause of this Resolution is for any reason found to be invalid, such section, subsection, phrase or clause shall be severed from, and shall not affect the validity of, all remaining portions of this Resolution that can be given effect without the severed portion.
- Section 12. **General Authorization.** The Secretary of the Authority and all other officers and agents of the Authority are hereby authorized and directed to take all actions necessary or advisable to give effect to the transactions contemplated by this Resolution.
- Section 13. **Exhibit A:** The List of Designated Officials and Disclosure Categories, is part of this Resolution.

Chair of the Board of Supervisors,

Chair of the Board

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

AYES:

NAYS:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt)

The Samoa Peninsula Enhanced Infrastructure Financing District Public Financing Authority

I, KATHY HAYES, 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.

KATHY HAYES
Clerk of the Board of Supervisors of the County of Humboldt, State of California

Attachments:

1. Exhibit A – Conflict of Interest Code

EXHIBIT A

SAMOA PENINSULA ENHANCED INFRASTRUCTURE FINANCING DISTRICT
CONFLICT OF INTEREST CODE

I. **Designated Officials.**

The positions listed below constitute the list of designated officials required by Section 18730. The individual occupying each position is deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest of that individual. Designated officials shall disclose their economic interests in accordance with the corresponding disclosure categories, defined in section III below.

<u>Designated Official</u>	<u>Disclosure Categories</u>
Member of the Board of Supervisors	1
Public Members of PFA	2
Secretary of the Authority	2
Treasurer	2
Legal Counsel	2
Consultant	3

II. **Disclosure Categories.**

1. Designated positions in this category must file according to the requirements of California Government Code section 87200

2. Designated positions in this category must disclose all investments, business positions in business entities, and sources of income, including gifts, loans, and travel payments, from sources located in, doing business in, or with an interest in real property located in the Samoa Peninsula Enhanced Infrastructure Financing District (the "EIFD") or within two miles outside its boundaries.

All investments and business positions, sources of income, including gifts, loans, and travel payments, from any person, firm or entity which provides goods, services to the Public Financing Authority.

All interest in real property within the boundaries of the EIFD or within two miles outside of its boundaries

3. Disclosure by Consultants shall be subject to Disclosure Category 2: The Authority, through its legal counsel, may determine in writing that a particular Consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the Consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Authority's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code