

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

916A



FROM: County Counsel

SUBMITTAL DATE: January 19, 2005

SUBJECT: Approval of the amended appendix to the Conflict of Interest Code for the March Joint Powers Authority

RECOMMENDED MOTION: That the Board of Supervisors approve the amended appendix for the conflict of interest code submitted by the March Joint Powers Authority

BACKGROUND: Government Code Section 87306.5 requires that all local agencies review their codes and make any appropriate amendments to their conflict of interest codes, and the listing of designated positions for employees who must disclose along with the types of disclosure required.

The March Joint Powers Authority recently revised the appendix for its conflict of interest code and has submitted the revised appendix for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the revised appendix and has found that it complies with statutory requirements. It is recommended that the new appendix be approved and that the clerk notify the Authority of the action taken.

Lee A. Vinocour

LEE A. VINOCOUR
Deputy County Counsel

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C.E.O. RECOMMENDATION:

APPROVE

Lisa Brandt

County Executive Office Signature

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist.

AGENDA NO.

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

MARCH JOINT POWERS AUTHORITY

(Amended October 20, 2004)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the Authority's Code but are subject to the disclosure requirements of the Act. (Government Code Section 87200 et seq.). [Regs. § 18730(b)(3)]

It has been determined that the positions listed below are officials who manage public investments³: These positions are listed here for informational purposes only.

Members of the Joint Powers Commission

Executive Director

Financial Consultants

³ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Airport Manager	6
Associate Planner	1, 2
Director of Operations	1, 2
Finance Manager	6
General Counsel	1, 2
Operations Specialist	1, 2
Planning Manager	1, 2
Public Works Manager	2, 3, 5
Consultant ⁴	

⁴ Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described 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 Executive Director'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.

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income that are located in, that do business in or own real property within the jurisdiction of the Agency.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the Agency.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of Agency.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Agency.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.