

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

102  
A



**FROM:** County Counsel

**SUBMITTAL DATE:**  
May 12, 2015

**SUBJECT:** Approval of the Conflict of Interest Code of the March Joint Powers Authority; District 1 & 2  
[\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Conflict of Interest Code submitted by March Joint Powers Authority; and
2. Direct the Clerk of the Board to notify March Joint Powers Authority of the action taken.

**BACKGROUND:**

**Summary**


Government Code section 87306.5 requires that all local agencies review their Conflict of Interest Code, and the listings of designated positions for employees who must disclose along with the types of disclosure required, and make appropriate amendments to each as required.

Departmental Concurrence

  
\_\_\_\_\_  
GREGORY P. PRIAMOS  
County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
<b>SOURCE OF FUNDS:</b> N/A				<b>Budget Adjustment:</b> N/A	
				<b>For Fiscal Year:</b> N/A	

**C.E.O. RECOMMENDATION:**

APPROVE  
BY:   
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

- A-30
- Positions Added
- 4/5 Vote
- Change Order

**BACKGROUND:**

**Summary (continued)**

Government Code Section 82011 identifies the Board of Supervisors for the County of Riverside as the code reviewing body for a local government agency within its county. A local government agency, as defined by Government Code Section 82041, includes March Joint Powers Authority.

March Joint Powers Authority recently revised its Conflict of Interest Code and has submitted it to the Board of Supervisors as the code reviewing body.

This office has reviewed the revised Conflict of Interest Code and has found that it complies with statutory requirements. A copy of March Joint Powers Authority's revised Conflict of Interest Code is attached.

It is recommended that the Board of Supervisors approve March Joint Powers Authority's Code as revised and that the Clerk of the Board notify the Agency of the action taken.

**Impact on Citizens and Businesses**

N/A.

**CONFLICT OF INTEREST CODE**  
**FOR THE**  
**MARCH JOINT POWERS**  
**AUTHORITY**

FORM APPROVED COUNTY COUNSEL  
BY: LALEXANDRA FONG 5/12/15  
L. ALEXANDRA FONG DATE

**CONFLICT OF INTEREST CODE FOR THE**  
**MARCH JOINT POWERS AUTHORITY**  
**(Amended December 15, 2010)<sup>1</sup>**

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. § 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **March Joint Powers Authority** (the "**Authority**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Administrative/Property Services Manager** as the Authority's Filing Officer. The **Administrative/Property Services Manager** shall make and retain a copy of all statements filed by Members of the Joint Powers Commission and the Executive Director, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The **Administrative/Property Services Manager** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

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<sup>1</sup> Titles updated May 2015.

**APPENDIX**

**CONFLICT OF INTEREST CODE**

**OF THE**

**MARCH JOINT POWERS AUTHORITY**

**(Amended December 15, 2010<sup>2</sup>)**

**PART "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 must file disclosure statement under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)]

It has been determined that the positions listed below are officials who manage public investments<sup>3</sup>: These positions are listed here for informational purposes only.

Members of the Joint Powers Commission

Executive Director

Financial Consultants

<sup>2</sup> Added clarifying language in May 2015 as provided by the Fair Political Practices Commission.  
<sup>3</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

**DESIGNATED POSITIONS**  
**GOVERNED BY THE CONFLICT OF INTEREST CODE**

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrative/Property Services Manager/Clerk	2, 4
Airport Director	5
Assistant Director	1, 2
Associate Planner	1, 2
Finance Manager	5
General Counsel	1, 2
Maintenance Division Manager	2, 3, 5
Planner II	1, 2
Planning Director	1, 2
Principal Planner	1, 2
Property Management Associate	2, 5

**MEMBERS, BOARDS, COMMITTEES AND COMMISSIONS**

Technical Advisory Committee	1, 2
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DESIGNATED POSITIONS'  
TITLE OR FUNCTION

DISCLOSURE CATEGORIES  
ASSIGNED

Consultant and New Positions<sup>4</sup>

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<sup>4</sup>

Individuals providing services as a consultant as defined in Regulation 18701 or in a new position created since this Code was last approved that make or participate in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Executive Director may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regs 18219 and 18734.) 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. (Gov. Code Sec. 81008.)

## PART "B"

### DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the Designated Position must disclose for each disclosure category to which he or she is assigned.<sup>5</sup> Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the Agency.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, 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 business entities, and sources of income, including gifts, loans and travel payments, 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 business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Agency.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position's department, unit or division.

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<sup>5</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)