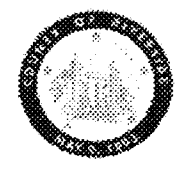


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

903A



**FROM:** County Counsel

**SUBMITTAL DATE:**  
February 23, 2011

**SUBJECT:** Approval of the Conflict of Interest Code of the March Joint Powers Authority

**RECOMMENDED MOTION:** That the Board of Supervisors approves the Conflict of Interest Code submitted by March Joint Powers Authority.

**BACKGROUND:** 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

(Continued)

*L. Alexandra Fong*  
\_\_\_\_\_  
L. ALEXANDRA FONG, Deputy County Counsel  
for PAMELA J. WALLS, County Counsel

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b>	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

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

APPROVE  
*Denise C. Harden*  
BY: \_\_\_\_\_  
Denise C. Harden

**County Executive Office Signature**

- Consent
- Policy
- Consent
- Policy

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Stone, Benoit and Ashley  
Nays: None  
Absent: Tavaglione  
Date: March 15, 2011  
xc: Co.Co., Dist., COB

Kecia Harper-Ihem  
Clerk of the Board  
By: *Kecia Harper-Ihem*  
Deputy

2.12

Dept's Recomm.:  
Per Exec. Ofc.:

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 a joint powers authority.

The March Joint Powers Authority recently revised the appendix to its Conflict of Interest Code and has submitted it for approval by the Board of Supervisors as the code reviewing body. The March Joint Powers Authority has also amended its Conflict of Interest Code to adopt Fair Political Practices Commission (FPCC) standard provisions.

This office has reviewed the amendment to the March Joint Powers Authority's Conflict of Interest Code and found that it complies with statutory requirements.

This office has reviewed the revised appendix and has found that it complies with statutory requirements.

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

**CONFLICT OF INTEREST CODE FOR THE**  
**MARCH JOINT POWERS AUTHORITY**  
**(Amended December 15, 2010)**

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 of 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 regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the March Joint Powers Authority (the "Authority").

All officials and designated employees 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 Filing Officer 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 Filing Officer shall retain the originals of the statements filed by all other officials and designated employees and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

## MARCH JOINT POWERS AUTHORITY

(Amended December 15, 2010)

### 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 investments<sup>1</sup>: These positions are listed here for informational purposes only.

Members of the Joint Powers Commission

Executive Director

Financial Consultants

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<sup>1</sup> 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**

<u>DESIGNATED EMPLOYEES'</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
Finance Manager	5
General Counsel	1, 2
Maintenance Division Manager	2, 3, 5
Planner II	1, 2
Planning Director	1, 2
Property Management Associate	2, 5
Senior Planner	1, 2
 <u>MEMBERS, BOARDS, COMMITTEES AND COMMISSIONS</u>	
Technical Advisory Committee	1, 2
 Consultant <sup>5</sup>	

<sup>5</sup> 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, including gifts, loans and travel payments, 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, 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, supplies, 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, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's department, unit or division.

FORM APPROVED COUNTY COUNSEL  
BY: Alexandra Fong 2/23/11  
L. ALEXANDRA FONG DATE