

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



ITEM
2.18
(ID # 3122)

MEETING DATE:
Tuesday, January 17, 2017

FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of the Conflict of Interest Code of the Riverside Local Agency Formation Commission ("LAFCO"); District All [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Conflict of Interest Code submitted by the Riverside Local Agency Formation Commission ("LAFCO"); and
2. Direct the Clerk of the Board to notify the Agency of the action taken.

ACTION: Consent

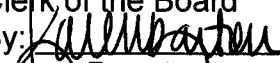
| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost |
|-----------------------------|-----------------------------|--------------------------|---------------------------|---------------------|
| COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| NET COUNTY COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| SOURCE OF FUNDS: N/A | | | Budget Adjustment: | N/A |
| | | | For Fiscal Year: | N/A |

C.E.O. RECOMMENDATION: Approve

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: None
Date: January 17, 2017
xc: Co.Co., District, , COB_{cm}

Kecia Harper-Ihem
 Clerk of the Board
 By: 
 Deputy

2.18

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

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.

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 Riverside Local Agency Formation Commission.

Riverside Local Agency Formation Commission recently amended its Conflict of Interest Code, and has submitted it for approval by 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 Riverside Local Agency Formation Commission Conflict of Interest Code is attached.

It is recommended that the Board of Supervisors approve Riverside Local Agency Formation Commission's Code and that the Clerk of the Board notify the Agency of the action taken.

Impact on Residents and Businesses

N/A

SUPPLEMENTAL

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

ATTACHMENT A. CONFLICT OF INTEREST CODE FOR THE RIVERSIDE LOCAL AGENCY FORMATION COMMISSION

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

Alisa Young
Alisa Young, Executive Assistant, County Counsel 12/1/2016

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RESOLUTION NO. 08-16

ADOPTING A CONFLICT OF INTEREST CODE FOR
THE RIVERSIDE LOCAL AGENCY FORMATION COMMISSION

WHEREAS, the Political Reform Act ("Act"), Government Code Section 81000 et seq., requires that state and local government agencies adopt and promulgate Conflict of Interest Codes; and

WHEREAS, the Riverside Local Agency Formation Commission ("LAFCO") adopted a Conflict of Interest Code on May 24, 1990; and

WHEREAS, the current LAFCO Conflict of Interest Code has not been amended since November 29, 2012; and

WHEREAS, 2 California Code of Regulations ("Regulations") section 18730, contains the terms of a Standard Conflict of Interest Code which may be incorporated by reference and may be amended by the Fair Political Practices Commission to conform to amendments in the Act; and

WHEREAS, Government Code section 87306.5 requires that a Conflict of Interest Code be reviewed each even numbered year to determine if it is accurate or requires amendment; and

WHEREAS, subsequent amendments to and changes in the Act and Regulations of the Fair Political Practices Commission by the Legislature and changed circumstances within LAFCO have made it advisable and necessary, pursuant to Government Code sections 87306 and 87307 of the Act, to amend and update LAFCO's Conflict of Interest Code; and

WHEREAS, notice of the time and place of a public hearing before LAFCO on the proposed amended Conflict of Interest Code was publicly posted for review at the County Administrative Center, 4080 Lemon Street, Riverside, California, and was duly published in a newspaper of general circulation in the County pursuant to Government Code section 6061; and

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1 WHEREAS, the proposed amended Conflict of Interest Code was considered at a regular meeting
2 of LAFCO on November 10, 2016, at which all present were given an opportunity to be heard on the
3 proposed adoption of the amended Conflict of Interest Code;

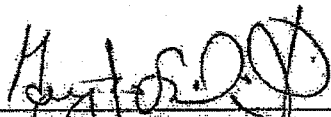
4 NOW THEREFORE, BE IT RESOLVED by the Riverside Local Agency Formation Commission,
5 in regular session assembled on November 10, 2016, that the provisions of 2 California Code of
6 Regulations section 18730, and any amendments to it duly adopted by the Fair Political Practices
7 Commission, are hereby incorporated by reference and along with the attached Appendices in which
8 certain enumerated officials and employees are designated and disclosure categories are established shall
9 constitute the Conflict of Interest Code for LAFCO.


10 BE IT FURTHER RESOLVED that pursuant to section (b)(4) of the Standard Conflict of Interest
11 Code set forth in 2 California Code of Regulations section 18730, all designated employees shall file their
12 Statements of Economic Interest with LAFCO's Executive Officer. Upon receipt of the Statements of
13 Economic Interest, the Executive Officer shall retain the Statements of Economic Interest on file with his
14 or her own office, with the exception of the Statement of Economic Interest of the Executive Officer who
15 shall file his or her own Statement of Economic Interest with the Clerk of the Board of Supervisors.
16 Statements shall be filed by April 1 of each year to reflect interest held in the prior calendar year.

17 BE IT FURTHER RESOLVED that this Resolution and its attached Appendices now supersede
18 Resolution No. 15-12 previously adopting a Conflict of Interest Code for the Riverside County Local
19 Agency Formation Commission.

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21 
22 NANCY WRIGHT, Chair

23 I certify the above resolution was passed and adopted by the Riverside Local Agency Formation
24 Commission of Riverside County on November 10, 2016

25
26 
27 GEORGE J. SPILIOIS
28 Executive Officer

FORM APPROVED COUNTY COUNSEL
BY:  11/15/16
TIFANY N. NORTH DATE

CONFLICT OF INTEREST CODE FOR THE
RIVERSIDE LOCAL AGENCY FORMATION COMMISSION

(Amended and Restated November 10, 2016)

The Political Reform Act (Government Code section 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, set forth in 2 California Code of Regulations section 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, 2 California Code of Regulations section 18730, and the attached Appendices designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Riverside Local Agency Formation Commission ("LAFCO").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the Executive Officer as LAFCO's Filing Officer. The Executive Officer shall make and retain a copy of all statements filed by Members of LAFCO and the other LAFCO Officials filing under Government Code section 87200, including the Executive Director, and forward the originals of such statements to the Clerk of the Board of the Supervisors of the County of Riverside. The Executive Officer 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 (Government Code section 81008.)

FORM APPROVED COUNTY COUNSEL
BY Kristine Bell-Valdez 11/29/16
KRISTINE BELL-VALDEZ DATE

APPENDIX A

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE FOR THE
RIVERSIDE LOCAL AGENCY FORMATION COMMISSION

| <u>DESIGNATED POSITIONS TITLE OR FUNCTION</u> | <u>DISCLOSURE CATEGORIES ASSIGNED</u> |
|--|--|
| Executive Officer | 1,2,3,5,6 |
| Legal Counsel | 1,2,3,5,6 |
| Senior Local Government Analyst | 1,2,3,5,6 |
| Consultants* | 1,2,3 |

*Consultants shall disclose to the broadest category in this Code subject to the following limitations:

The Executive Officer may determine in writing that a particular, although a "designated position," is hired to perform a range of duties that is limited in scope and this is not required to comply fully with the disclosure requirements described in this section. Such written determination shall include a description of the consultant duties and, based upon the description, a statement of the extent of disclosure requirements. The Executive Officer's determination shall be made a public record and shall be retained for inspection in the same manner and location as other disclosures.

APPENDIX B

DISCLOSURE CATEGORIES

The disclosure categories for property and outside business positions, which are established, appear below:

CATEGORY 1: All investments and business positions in, and sources of income (including gifts, loans and travel payments) from, all business entities that do business or own real property in Riverside County, plan to do business or own real property in Riverside County within the next year or have done business or owned real property in the County within the past two (2) years.

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 boundaries of Riverside County.

CATEGORY 3: All investments in, and sources of income (including gifts, loans and travel payments) from, business entities that are engaged in land development, construction or the acquisition or sale of real property in Riverside County, plan to engage in such activities in the County within the next year or have engaged in such activities in the County within the past two (2) years.

CATEGORY 4: All investments and business positions in, and sources of income (including gifts, loans and travel payments) from, business that are banking, savings and loan or other financial institutions.

CATEGORY 5: All investments and business positions in, and sources of income (including gifts, loans and travel payments) from, business entities that provide services, supplies, materials, machinery or equipment of a type purchased or leased by Riverside Local Agency Formation Commission.

CATEGORY 6: All investments and business positions in, and sources of income (including gifts, loans and travel payments) from, business entities that provide service, supplies, materials, machinery or equipment of a type used or administered or proposed to be acquired by, leased by, used by or administered by the designated employee's department or reviewed, commented upon or recommended by the designated member's Board, Commission, Committee or Council.

CATEGORY 7: All investments and business positions in, and sources of income (including gifts, loans and travel payments) from, business entities subject to review regulation, permitting or licensing authority of the designated employee's department, or designated member's Board, Commission, Committee or Council or which will be subject to such authority within the next year or have been subject to such authority within the past two (2) years.