

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



ITEM: 2.8
(ID # 13236)

MEETING DATE:
Tuesday, September 29, 2020

FROM : COUNTY COUNSEL:

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

RECOMMENDED MOTION: That the Board of Supervisors:

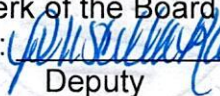
1. Approve the Amended Conflict of Interest Code of the Riverside Local Agency Formation Commission ("LAFCO"); and
2. Direct the Clerk of the Board to notify LAFCO of the action taken.

ACTION: Consent

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: September 29, 2020
xc: CoCo, LAFCO

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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

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

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Political Reform Act prohibits a public official from using his or her position to influence a government decision in which he or she has a financial interest. Government Code section 87300 requires local government agencies to adopt and promulgate a Conflict of Interest Code identifying officials and employees required to file statements of economic interest based on the positions they hold. A local government agency, as defined by Government Code section 82041, includes the Riverside Local Agency Formation Commission ("LAFCO").

Each even-numbered year, Government Code section 87306.5 requires local government agencies to review their Conflict of Interest Code, make appropriate revisions, if necessary, and submit an amended Conflict of Interest Code to the code reviewing body. Government Code section 82011(b) identifies the Board of Supervisors for the County of Riverside as the code reviewing body for a local government agency within its county.

LAFCO recently adopted Resolution No. 12-20 amending its Conflict of Interest Code on July 23, 2020 to include new positions. LAFCO has submitted its amended Conflict of Interest Code for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the amended Conflict of Interest Code of LAFCO and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of LAFCO is attached.

It is recommended that the Board of Supervisors approve the amended Conflict of Interest Code of LAFCO, and direct the Clerk of the Board to notify LAFCO of the action taken.

ATTACHMENTS:

ATTACHMENT A: RESOLUTION NO. 12-20

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

ATTACHMENT B: CONFLICT OF INTEREST CODE FOR THE RIVERSIDE LOCAL
AGENCY FORMATION COMMISSION




Gregory F. Priarios, Director County Counsel 9/17/2020

1 NOW THEREFORE, BE IT RESOLVED by the Riverside Local Agency Formation
2 Commission, in regular session assembled on July 23, 2020, that the provisions of 2 California Code
3 of Regulations section 18730, and any amendments to it duly adopted by the Fair Political Practices
4 Commission, are hereby incorporated by reference and along with the attached Appendices in which
5 certain enumerated officials and employees are designated and disclosure categories are established
6 shall constitute the Conflict of Interest Code for LAFCO.

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

15 BE IT FURTHER RESOLVED that this Resolution and its attached Appendices now
16 supersede Resolution No. 08-16 previously adopting a Conflict of Interest Code for the Riverside
17 Local Agency Formation Commission.

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20 
Steve Sanchez, Chair

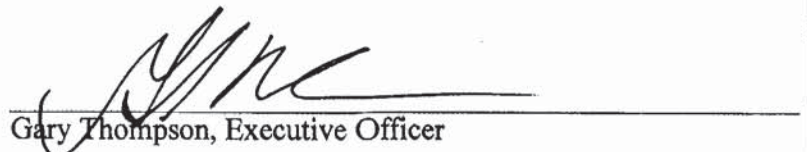
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22 I certify the above resolution was passed and adopted by the Riverside Local Agency Formation
23 Commission on July 23, 2020.

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Gary Thompson, Executive Officer

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CONFLICT OF INTEREST CODE FOR THE
RIVERSIDE LOCAL AGENCY FORMATION COMMISSION

(Amended and Restated July 23, 2020)

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: 
DANIELLE D. MALAND

APPENDIX A

DESIGNATED POSITIONS

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

<u>DESIGNATED POSITIONS</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Executive Officer	1,2,3,5,6
Assistant 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.

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