



Legislation Text

File #: 2023-0963, Version: 1

Report to Carson Reclamation Authority

Wednesday, January 03, 2024

Discussion

SUBJECT:

CONSIDER ADOPTING A CONFLICT OF INTEREST CODE AMENDMENT FOR CARSON RECLAMATION JOINT POWERS AUTHORITY

I. SUMMARY

The Carson Reclamation Authority is required to periodically update and adopt or amend a conflict of interest code pursuant to Government Code § 87300. Pursuant to Government Code § 87302, the code designates employees who must disclose certain investments, income, interests in real property, and business positions, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

The Board approved an amendment to the Conflict of Interest Code at its meeting on June 5, 2023, based on changes in positions. After the approval, the revised code was reviewed by the Executive Office of the County Board of Supervisors. The final steps are to publish a notice for public review and, if requested, hold a public hearing.

A written comment period commenced on Wednesday, November 1, 2023, and continued through Monday, December 18, 2023. Any interested person had an opportunity to present written comments concerning the proposed code no later than Monday, December 18, 2023, to the Authority Secretary's Office. No public hearing on this matter will be held unless any interested person or his or her representative requests, no later than 15 days prior to the close of the written comment period, a public hearing. No comments were received during the comment period, so no public hearing is necessary.

The Conflict of Interest Code adopts 2 California Code of Regulations, Section 18730, which contains the terms of a standard conflict of interest code created by the Fair Political Practices Commission, by reference. It has also been drafted to include disclosures for the new positions created by Carson Reclamation Authority when it was formed. Further, certain positions will have greater disclosure responsibilities in an effort to ensure the Carson Reclamation Authority is as transparent as possible in its dealings with the citizens of Carson.

II. RECOMMENDATION

TAKE the following actions:

1. ADOPT CONFLICT OF INTEREST CODE AMENDMENT FOR CARSON RECLAMATION JOINT POWERS AUTHORITY

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III. ALTERNATIVES

TAKE another action the Board deems appropriate.

IV. BACKGROUND

The Carson Reclamation Authority is required to periodically update and adopt or amend a conflict of interest code pursuant to Government Code § 87300. Pursuant to Government Code § 87302, the code designates employees who must disclose certain investments, income, interests in real property, and business positions, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

This action adopts an amendment to the code based on changes in positions.

In Exhibit “A”, the Designated Disclosure Category 5 is being removed. It is believed that the amended footnote at the end of Exhibit “B” is sufficient to advise the reader of the disclosure requirements for Consultants/New Positions (see revised footnote).

The authority is adding one new position to the code:

- *Development Manager*

The Development Manager is a newly proposed position that will absorb most of the duties of the *Assistant Executive Director* which includes overseeing the negotiation of a variety of contracts, including development agreements, leases, professional services contracts and grants. This position will directly report to the Executive Director and may act in its absence. It is recommended that this position file full disclosure under categories 1, 2, & 3.

The authority is deleting two positions from the code:

- *Assistant Executive Director (Cat. 1, 2, 3)*

This position was not filled since its creation, and the duties will be absorbed by the *Development Manager*.

- *Controller*

This position was eliminated from the agency. The Executive Director is handling the duties that require disclosure.

Note the position of "Development Manager" was approved by the CRA Board as part of a restructuring of some of the Site Management and Contractual responsibilities, moving a number of activities in-house rather than using outside consultants. I was proposed along with an engineer, administrative analyst, and a secretary. The City Council, which adopts positions into its allocated position list (and then would lend these employees to the CRA under a secondment agreement, has not yet adopted these positions, so the Development Manager position doesn't exist just yet, but if created the CRA would not have to amend the Code again.

V. FISCAL IMPACT

There is no fiscal impact to the change in Conflict of Interest Code.

VI. EXHIBITS

1. Notice of Intention to Adopt or Amend a Conflict of Interest Code (pg. 4)
2. Amended Conflict of Interest Code of Carson Reclamation Joint Power Authority (pgs. 5-7)
3. Amended Panel Memo - County of Los Angeles (pgs. 8-9)

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