



Legislation Text

File #: 2023-0414, Version: 1

Report to Carson Reclamation Authority

Monday, June 05, 2023

Consent

SUBJECT:

**CONSIDER AMENDMENT TO THE CARSON RECLAMATION AUTHORITY'S
CONFLICT OF INTEREST CODE AS REQUIRED BY THE CALIFORNIA POLITICAL
REFORM ACT**

I. SUMMARY

This Carson Reclamation Authority's (CRA) Conflict of Interest Code (COI) is required to be reviewed every two years, per the California Political Reform Act. At the last review in 2022, the CRA had requested to remove the position of "Controller," which no longer exists at the City and "Assistant Executive Director" because the CRA had never filled such a position and did not intend to in the near future.

The reviewing body, under the Board of Supervisors, then asked the CRA to identify which staff member would act in the Executive Director's role in his absence. An amendment to the COI was necessary to delete the two positions, and also identify who would fill in for the Executive Director and add that position to the COI.

This request now lines up with the CRA's reorganization pursuant to the unwinding of the Master Development Manager contract with RE|Solutions, LLC, which has occurred since the last COI Code review. The newly-created position of Development Manager (CRA) would assume the duties of the Executive Director and therefore would be required to submit a similar Statement of Economic Interests (Form 700). This position would be added to the CRA's COI and would be subject to the same disclosure categories as the Executive Director. The action in the COI Amendment would be a renaming of the Assistant Executive Director position to Development Manager, rather than a delete and add.

The resolution approving the creation of the Development Manager position and three others should be on the July 18, 2023 City Council agenda, along with the Administrative Services Agreement (Secondment Agreement) between the City and CRA which controls how the staff is "seconded" from City to the CRA, will also be presented to the CRA Board at its July meeting.

II. RECOMMENDATION

1. APPROVE the Amendment to the Carson Reclamation Authority's Conflict of Interest Code, renaming the Assistant Executive Director to Development Manager.

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III. ALTERNATIVES

TAKE another action the Board deems appropriate.

IV. BACKGROUND

The Political Reform Act requires every local government agency to review its conflict-of-interest code biennially to determine if any changes are needed. A conflict-of-interest code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Statement of Economic Interests (Form 700). The Board of Supervisors ("Board") is the code reviewing body of the CRA's Conflict of Interest Code. All Agency Heads or his/her designee are required to submit to the Board of Supervisors a Biennial Review Certification Form, indicating whether or not changes are necessary.

For the CRA's COI Code in 2022, the CRA requested that the Assistant Executive Director and the Controller position, both of which were added in 2016, be eliminated. The Controller position once existed in the City but has since been eliminated, and City staff noted that the CRA Assistant Executive Director position had never been created and was not anticipated to be filled. In reviewing the request, Board staff asked the CRA to designate which position would act in the Executive Director's role in his absence. In the end, the Development Manager position is the appropriate position to serve as the Acting Director, as they would directly work on and have experience with CRA issues, and would be covered under the Administrative Services Agreement, as any other possible employee outside the CRA possibly wouldn't.

An Agency's amended code is not effective until it has been approved by the Board of Supervisors. State law prohibits the Board of Supervisors from approving a COI Code that "fails to adequately differentiate between designated employees with different powers and responsibilities". Therefore, it is appropriate to determine the extent of disclosure based on each position's level of authority and specific function within the agency.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. Conflict of Interest Panel Memo (pgs. 4 - 5)
2. Amended Conflict of Interest Code (6 - 8)
3. Development Manager Job Description - Revised (9 - 12)

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