


# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**DATE:** AUGUST 6, 2012   
**FROM:** MICHAEL TUERPE, Project Manager  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Agenda Item 13: Review and Consideration of Amendments to LAFCO  
Conflict of Interest Code

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## **RECOMMENDATION:**

Staff recommends that the Commission:

1. Review the non-substantive changes to the Conflict of Interest Code and provide staff with any additional changes.
2. Direct the Executive Officer, in coordination with Best, Best, and Krieger, to file the "2012 Local Agency Biennial Notice" form and forward the amended Conflict of Interest Code to the Clerk of the Board.

## **BACKGROUND:**

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. The amendment for 2012 will change the title of two existing positions (Senior Analyst to Assistant Executive Officer and Analyst to Project Manager) and include clarifying language as provided by the Fair Political Practices Commission. The changes are considered non-substantive and do not affect or modify any existing disclosure responsibilities. Because the amendment is non-substantive, the Commission will not need to adopt the Code before sending it to the County for approval.

In addition, the "2012 Local Agency Biennial Notice" form must be returned to the County Board of Supervisors ("Board"), via the Clerk of the Board, no later than October 1, 2012. The amended code must be forwarded to the Board for approval within 90 days of filing the biennial notice. In this case, the filing of the Notice and the forwarding of the amended Code will occur at the same time. LAFCO participates in Best, Best, and Krieger's Public Law Update Program and BBK has prepared the package for submission to the Clerk of the Board (Attachments 1-3). The amended Code will not be effective until 30 days after it has been approved by the Board as the reviewing body. The Commission and those listed in the Code will receive a copy of the updated Code when approved by the Board.

Staff recommends that the Commission:

1. Review the non-substantive changes to the Conflict of Interest Code and provide staff with any additional changes, and
2. Direct the Executive Officer, in coordination with Best, Best, and Krieger, to file the "2012 Local Agency Biennial Notice" form and forward the amended Conflict of Interest Code to the Clerk of the Board.

Should the Commission have any questions, staff will be glad to answer them prior to or at the hearing.

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Attachments:

1. [2012 Local Agency Biennial Notice Form](#)
2. [Draft - Legislative Version to Show Changes Made](#)
3. [Draft - Final Code with Regulation and Updated Addendum](#)