

**NOTICE OF INTENTION TO AMEND THE  
CONFLICT OF INTEREST CODE OF THE LOCAL AGENCY  
FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

NOTICE IS HEREBY GIVEN that the Local Agency Formation Commission for San Bernardino County (“LAFCO” or “Commission”) intend to amend its Conflict of Interest Code (the “Code”) pursuant to Government Code Section 87306.

The Conflict of Interest Code provides for the disclosure of assets and income of designated employees, and the disqualification of those designated employees from acting where a conflict of interest exists. The Code specifically designates those employees, members, officers, and consultants who are subject to LAFCO’s Code. LAFCO’s proposed amendment includes adding back a position that must be designated and revise the title of an existing position.

The proposed amended Code will be considered by the Commission on September 21, 2022, at 9:00 a.m. at North Regional Event Center, 1601 East Third Street, San Bernardino, California. Any interested person may be present and comment at the public meeting or may submit written comments concerning the proposed amendment. Any comments or inquiries should be directed to the attention of Angela Schell, Commission Clerk for LAFCO, 1170 W. Third Street, Unit 150, San Bernardino, California; (909) 388-0480. Written comments must be submitted no later than 9:00 a.m. on September 21, 2022.

The proposed amended Code may be reviewed at, and copies obtained from, the office of the Commission Clerk.

**LEGISLATIVE VERSION**  
**(SHOWS CHANGED MADE)**

**CONFLICT OF INTEREST CODE**

**OF THE**

**LOCAL AGENCY**

**FORMATION COMMISSION**

**COUNTY OF SAN BERNARDINO**

**CONFLICT OF INTEREST CODE  
OF THE  
LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF SAN BERNARDINO**

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 (2 Cal. Code of Regs. 18730) that 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 the standard code 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, regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict-of-interest code of the **Local Agency Formation Commission – San Bernardino County (“LAFCO”)**.

All Officials and designated positions required to submit a statement of economic interests shall file their statements of economic interests with the **Commission Clerk** as LAFCO's Filing Officer. The **Commission Clerk** shall retain the originals of the statements filed by all officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

## LOCAL AGENCY FORMATION COMMISSION

## COUNTY OF SAN BERNARDINO

(Amended ~~October 22, 2014~~ September 21, 2022<sup>1</sup>)

### PART “A”

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

LAFCO Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to LAFCO’s Code, but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments<sup>2</sup>:

Members of the Commission and their Alternates

Executive Officer

Financial Consultants

---

<sup>1</sup> Titles updated and clarifying language added as provided by the Fair Political Practices Commission in July 2012.

<sup>2</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

## DESIGNATED POSITIONS

### GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant Executive Officer	1, 2
General Counsel	1, 2
<del>LAFGO</del> Analyst – <u>GIS/Database Management</u>	2, 4
Project Manager	1, 2
<u>Senior Analyst</u>	<u>1, 2</u>
Consultant and New Positions <sup>3</sup>	

---

<sup>3</sup> Individuals providing services as a consultant as defined in Regulation 18700.3 or in a new position created since this Code was last approved that make or participate in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Executive Officer may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regs 18219 and 18734.) The Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

## PART “B”

### DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the Designated Position must disclose for each disclosure category to which ~~he or she~~ the Designated is assigned.<sup>4</sup> “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of LAFCO.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in or own real property within the jurisdiction of LAFCO.

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 jurisdiction of LAFCO, including any leasehold, beneficial or ownership interest or option to acquire property.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of LAFCO.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by LAFCO.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position’s department, unit or division.

---

<sup>4</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)