

NOTICE OF PUBLIC MEETING

AZUSA-RMC JOINT POWERS AUTHORITY

“Azusa-RMC JPA”

will be held on
Thursday, March 23, 2017
at 6:30 p.m.

At the following location:

Rivers and Mountains Conservancy
100 N. Old San Gabriel Canyon Road
Azusa, CA 91702

AGENDA

1. Call to Order
2. Roll Call
3. Flag Salute
4. Public Comment

Individuals wishing to comment must fill out a comment card at the meeting for the official record and will be allowed three (3) minutes to speak. Speaker time may be reduced depending on the number of speakers. Public comment will be limited to sixty (60) minutes.

5. Approval of the Minutes
6. Chair's Report
7. Executive Officer's Report

Regular Calendar

8. Consideration of a resolution adopting the Conflict of Interest Code for the Azusa-RMC Joint Powers Authority.
9. Board Member comments
10. Announcement of next regular meeting date
11. Adjournment upon completion of business

The Azusa-RMC JPA may hold a closed session on any public hearing item pursuant to Section 11126(c)(7)(A), Section 11126(e) and Section 11126.3(a) of the Government Code. For additional information concerning the meeting, please contact Executive Officer Mark Stanley at (626) 815-1019 ext. 102 or visit the Rivers and Mountains Conservancy web page at www.rmc.ca.gov.

Note: In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in the meeting, including auxiliary aids or services, please contact the Authority Executive Secretary at (626) 815-1019 at least 3 days prior to the meeting.

This page has been intentionally left blank.

AZUSA – RMC JOINT POWERS AUTHORITY

AGENDA ITEM 5

**MINUTES
SPECIAL MEETING
AZUSA-RMC JOINT POWERS AUTHORITY
“AZUSA-RMC JPA”
Thursday, January 26, 2017
At
Azusa Light and Water
729 N. Azusa Ave.
Azusa, CA 91702**

1. CALL TO ORDER

The meeting was called to order by Chair Carrillo at 7:32 p.m.

2. ROLL CALL

VOTING MEMBERS PRESENT

Angel Carrillo, Chair
Suzanne Avila, Vice Chair
Margaret Clark
Judy Nelson

MEMBERS ABSENT

Uriel Macias

STAFF PRESENT

Mark Stanley, Executive Officer
Jim Priest, City Attorney
Valerie Thompson, Board Secretary
Robert Romanek, Project Manager

3. FLAG SALUTE

The Pledge of Allegiance was recited.

4. PUBLIC COMMENT

There were no public comments.

5. APPROVAL OF THE MINUTES

There were no discrepancies noted.

Ms. Nelson moved to approve the minutes; Vice Chair Avila seconded. Passed unanimously.

6. CHAIR'S REPORT

There was no report given.

7. EXECUTIVE OFFICER'S REPORT .

The Executive Officer reported that the Notice of a Joint Powers Agreement had been filed with the Secretary of State for the Azusa-RMC Joint Exercise Powers of Agreement and a fully executed copy of the Agreement was submitted to the State of California Controller's Office. Mr. Stanley also reported that following the approval of the land conveyance at the last Board meeting, he signed the Certificate of Acceptance and the City Clerk's office recorded the document.

Rob Romanek presented a map of the various open-space land within the area of the property owned by the Authority, and there was a discussion regarding the location of the Garcia Trail, Azusa/Glendora City boundary line, and private property within the area. There was further discussion regarding the property owned by the City of Pasadena.

REGULAR CALENDAR

8. CONSIDERATION OF A RESOLUTION APPROVING AN INTERIM BUDGET FOR THE REMAINDER OF FISCAL YEAR 2016/17.

The Executive Officer gave an overview of the proposed interim budget which was included in the staff report. Mr. Stanley pointed out that a major portion of the budget, in regards to revenue, is in-kind contributions provided by the member agencies and the unrestricted revenue provided to the Authority. He also pointed out expenses for general administrative, operational and legal expenses. Mr. Stanley mentioned that while there is a line item for grant writing, there would be very little grant writing expenses for the current fiscal year and that the amount for the insurances was higher than anticipated however, staff would continue to work with the broker for a lower rate. Ms. Nelson requested clarification regarding the unrestricted funds, administrative support, legal services, grant writing, both insurances, and property management and Mr. Stanley provided clarification.

Ms. Clark arrived at approximately 7:45 p.m.

Ms. Nelson motioned to approve the resolution; Vice Chair Avila seconded the motion. Passed unanimously.

9. CONSIDERATION OF A RESOLUTION ADOPTING AN INVESTMENT POLICY.

Talika Johnson provided a synopsis of the recommendations that were brought forth by Board members at the previous meeting regarding changes to some of the language in the Investment Policy, and noted that those changes were incorporated in the document

and that no other changes were made. She also reminded the Board of the purpose of the Investment Policy which is to ensure that the Authorities funds are invested in accordance with government code and follow the principles of sound treasury management.

Chair Avila pointed out the language on pages 8, 9 and 10 that made reference to the "Board" and requested clarification regarding the Authority reporting to the GSA Board. Ms. Johnson explained that the GSA Board is a standard governmental accounting standards Board and not an actual Board that the Authority would report too; that the Authority would simply follow the accounting and investment standards of that Board. There was discussion regarding the use of the terms "Board" and "Authority Board" in the document. It was determined that the term "Board" would be stricken from pages 8, 9 and 10 of the document.

Ms. Clark motioned to approve the resolution with amendments; Ms. Nelson seconded the motion. Passed unanimously.

10. BOARD MEMBER COMMENTS

There were no comments.

11. ANNOUNCEMENT OF NEXT MEETING DATE

There was discussion regarding the next meeting date in March. Ms. Clark made an inquiry about meeting on the 30th of March at 7:15 p.m. or 7:45 p.m. but it was determined that it would be best to keep the time set at 6:30 p.m. There was discussion regarding the deadline for the approval of the Conflict of Interest Code and it was determined that if the meeting was held on the 30th, it would compromise meeting the Conflict of Interest Code deadline. Chair Carrillo recommended that the meeting remain as scheduled for March 23rd at 6:30 p.m., and so it will be. While the March meeting is the exception, the regular meeting day for the Authority Board meetings are to remain on the second Thursday of the designated months.

12. ADJOURNMENT UPON COMPLETION OF BUSINESS

The meeting was adjourned by Chair Carrillo at approximately 7:56 p.m.

This page has been intentionally left blank.

AZUSA – RMC JOINT POWERS AUTHORITY

AGENDA ITEM 8

TO: MEMBERS OF THE BOARD OF DIRECTORS
FROM: AUTHORITY ATTORNEY
DATE: MARCH 23, 2017
SUBJECT: ADOPT RESOLUTION NO. 2017-___ ADOPTING A CONFLICT OF INTEREST CODE

RECOMMENDATION:

It is recommended that the Board of Directors approve and adopt Resolution No. 2017-___ adopting the Conflict of Interest Code and directing that such Code be submitted to the City Council of the City of Azusa as the Authority's code-reviewing body (Gov. Code § 82011) requesting approval of the Code as required under Government Code section 87303.

BACKGROUND:

The Political Reform Act (the "Act") requires all state and local government agencies to adopt and promulgate a conflict of interest code establishing the rules for reporting personal assets and the prohibition from making or participating in the making of any decisions that may affect any personal assets. A conflict of interest code must specifically designate all agency positions, except for those listed in Government Code section 87200, that make or participate in the making of agency decisions which may foreseeably have an effect on any financial interest of that person, and assign specific types of personal assets to be disclosed that may be affected by the exercise of powers and duties of that position.

Attached is a proposed Conflict of Interest Code ("Code"). This Code incorporates the Fair Political Practices Commission ("FPPC") Regulation 18730 by reference as the provisions of the Code with an Appendix attached designating positions that make or participate in making decisions of the Authority with appropriately assigned disclosure categories in Part "A," and lists the disclosure categories to be assigned in Part "B." This is commonly referred to as the FPPC Standard Code.

FORM MOTION:

Adopt Resolution No. 2017-___ adopting the Conflict of Interest Code of Azusa-RMC Joint Powers Authority.

Attachments:

1. Proposed Conflict of Interest Code
2. Resolution of Adopting Conflict of Interest Code

This page has been intentionally left blank.

**AZUSA-RMC JOINT POWERS AUTHORITY
NOTICE OF INTENTION TO ADOPT A
CONFLICT OF INTEREST CODE**

NOTICE IS HEREBY GIVEN that the Board of Directors of the Azusa-RMC Joint Powers Authority (the "Authority") intends to adopt a Conflict of Interest Code pursuant to Government Code section 87300.

A conflict of interest code designates those employees, members, officers and consultants who make or participate in the making of decisions which may affect financial interests, who must disclose those interests in financial disclosure statements, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

The proposed Conflict of Interest Code will be considered by the Board of Directors on March 23, 2017, at 6:30 p.m. at 100 N. Old San Gabriel Canyon Road, Azusa, California. Any interested person may be present and comment at the public meeting or may submit written comments concerning the proposed Code. Any comments or inquiries should be directed to the attention of Valerie Thompson, Board Secretary, Azusa-RMC JPA, 100 N. Old San Gabriel Canyon Road, Azusa, CA 91702; (626) 815-1019 x102. Written comments must be submitted no later than March 23, 2017 at 6:30 p.m.

The proposed Code may also be reviewed at, and copies obtained from, the Board Secretary.

CONFLICT OF INTEREST CODE

OF THE

AZUSA-RMC JOINT POWERS

AUTHORITY

CONFLICT OF INTEREST CODE OF THE AZUSA-RMC JOINT POWERS AUTHORITY (Adopted March 23, 2017)

The Political Reform Act (Gov. Code § 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 Section 18730 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 regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the **AZUSA-RMC JOINT POWERS AUTHORITY (the "Authority")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Board Secretary** as the Authority's Filing Officer. The **Board Secretary** shall make and retain a copy of all statements filed by the Board of Directors and Executive Officer and forward the originals of such statements to the City Clerk of the City of Azusa. The **Board Secretary** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

This Code does not require any additional filing of statements for officials already filing for the City of Azusa under Government Code section 87200.

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
AZUSA-RMC JOINT POWERS AUTHORITY
(Adopted March 23, 2017)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Officials who manage public investments, as defined by 2 Cal. Code of Regs. §18700.3(b), are NOT subject to the Authority's Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)]

It has been determined that the positions listed below are Officials who manage public investments¹. These positions are listed here for informational purposes only.

Board of Directors

Treasurer and Auditor Controller

Financial Consultant

¹ 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****DESIGNATED POSITIONS'
TITLE OR FUNCTION****DISCLOSURE CATEGORIES
ASSIGNED**

Authority Attorney

1, 2

Executive Officer

1, 2

Project Manager

2, 3, 4, 5

Consultants and New Positions²

² Individuals serving as a consultant as defined in FPPC Reg. 18700.3(a) or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth 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 Regulations 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 is assigned.³ "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, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the Authority.

Category 1: Investments and business positions in business entities and income, including gifts, loans and travel payments, from Authority source of the type that provides services, supplies, materials, or equipment to the Authority.

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 the Authority, including any leasehold, beneficial or ownership interest or option to acquire additional real property.

Category 3: Investments and business positions in business entities and income, including gifts, loans and travel payments, from any source of the type that provides services, supplies, materials, or equipment to the Authority.

Category 4: Investments and business positions in business entities, and income, including gifts, loans and travel payments, from any source that provides services, supplies, materials, or equipment of a type purchased or leased by the designated position's department, unit or division.

Category 5: Investments, and business positions in business entities and income, including receipt of gifts, loans, and travel payments, from sources that participate in the Authority's conservation plan, receive funds from the Authority as well as any person with a claim pending before the Authority.

³ 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)

March 23, 2017 – Item 8

RESOLUTION 2017-XX

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE AZUSA-RMC
JOINT POWERS AUTHORITY ADOPTING A CONFLICT OF INTEREST
CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Azusa-RMC Joint Powers Authority (the "Authority") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the Authority being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed Conflict of Interest Code was provided each designated employee and publicly posted for review at the offices of the Authority; and

WHEREAS, a public meeting was held upon the proposed Conflict of Interest Code at a regular meeting of the Board of Directors on March 23, 2017, at which all present were given an opportunity to be heard on the proposed Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Azusa-RMC Joint Powers Authority that the Board of Directors does hereby adopt the proposed Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Board Secretary and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED that the said Conflict of Interest Code shall be submitted to the City Council of the City of Azusa for approval and said Code shall become effective 30 days after the City Council approves the proposed Conflict of Interest Code as submitted.

~ End of Resolution ~

APPROVED AND ADOPTED this _____ day of _____, 2017.

Angel Carrillo, Governing Board Chair

ATTEST:

William Priest, Authority Attorney