



LGS BOARD AGENDA

Agenda materials may be viewed on the Agency's web site or by contacting the Executive Director prior to the meeting.

REGULAR MEETING
Via Teleconference

December 9, 2010
4:00 p.m.

Association of Bay Area Governments, Finance Dir. Office, Rm.301, 101 Eighth St., Oakland, CA 94604
Dublin Civic Center, City Manager's Office, 100 Civic Plaza, Dublin, CA 94568
Larkspur City Hall, City Manager's Office, 400 Magnolia Avenue, Larkspur, CA 94939
San Rafael City Hall, City Manager's Conference Room, 1400 Fifth Avenue, San Rafael, CA 94915
Yountville Town Hall, Town Manager's Office, 6550 Yount Street, Yountville, CA 94599

1. CALL TO ORDER

- A. Selection of Board Officer(s)
- B. Appointment of new JPA Executive Committee Member

Action
Action

2. CHANGES TO THE ORDER OF AGENDA

3. APPROVAL OF CONSENT AGENDA

Consent agenda items are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Board, staff or public request specific items to be removed for separate action.

- A. Approval of **June 10, 2009** Minutes

Action

4. NEW BUSINESS

- A. Approve LGS Conflict of Interest Policy

Action

5. NEXT MEETING: **June 9, 2011, 11:00 a.m., location to be determined**

6. ADJOURN

Americans with Disabilities Act

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Richard Averett at (831) 308.1508. Notification in advance of the meeting will enable Agency to make reasonable arrangements to ensure accessibility.

**LOCAL GOVERNMENT SERVICES
JOINT POWERS AUTHORITY
BOARD MINUTES**

**DRAFT
ACTION MINUTES**

The Local Government Services Joint Powers Authority held the annual Board meeting on **June 10, 2010** at Cavallo Point Lodge at the Golden Gate, Suite 2404, 601 Murray Circle, Fort Baker, Sausalito, Ca 94965. The meeting was called to order at **10:20 a.m.**

1. CALL TO ORDER

Members: vacant, LGS Chair
Henry Gardner, LGS Vice-Chair
Dan Schwarz, Board Member
Ken Nordhoff, Board Member

Other Attendees: Mike Garvey, LGS Executive Committee Chair, Richard Averett, LGS Executive Director/CFO; and Jennifer Bower, LGS Director of HR

A. Selection of Board Officers.

ACTION: M/S Schwarz/Gardner to approve Ken Nordhoff as Chair and Dan Schwarz as Vice-Chair.

AYES: Vice-Chair Gardner, Member Nordhoff, Member Schwarz

NOES: None

ABSTAIN: None

B. Approval of appointment of Ken Nordhoff from the City of San Rafael as a new JPA Executive Committee Member.

ACTION: M/S Schwarz/Gardner to approve the appointment of Ken Nordhoff as a new JPA Executive Committee Member.

AYES: Chair Nordhoff, Vice-Chair Schwarz, Member Gardner

NOES: None

ABSTAIN: None

The Chair recessed the Board Meeting to the LGS Executive Committee Meeting at 10:28 a.m., then reconvened the Board meeting at 12:20 p.m.

C. Approval of appointment of Steve Rogers from the Town of Yountville as a new JPA Executive Committee Member.

ACTION: M/S Gardner/Schwarz to approve the appointment of Steve Rogers as a new JPA Executive Committee Member.

AYES: Chair Nordhoff, Vice-Chair Schwarz, Member Gardner

NOES: None

ABSTAIN: None

2. CHANGES TO THE ORDER OF AGENDA - None.

3. APPROVAL OF CONSENT AGENDA

A. Approval of **June 10, 2009** Minutes

ACTION: M/S Gardner/Schwarz to approve the consent agenda without change.

AYES: Chair Nordhoff, Vice-Chair Schwarz, Member Gardner

NOES: None

ABSTAIN: None

4. TREASURER'S REPORT

A. Approval of the FY2009 Audit with SAS 114 Letter. The Treasurer reviewed the financial statements.

ACTION: M/S Schwarz/Gardner Approval of Audit with SAS 114 letter as presented.

AYES: Chair Nordhoff, Vice-Chair Schwarz, Member Gardner

NOES: None

ABSTAIN: None

B. Approval of 2011 Budget. The Board reviewed the budget. The Board expressed its concern with the strategy of continuing to reduce client fees as the JPA improved its financial performance, noting that rates may have to be increased if conditions warranted. The Treasurer responded that rates were reviewed after the

year's performance was assured and never reduced precipitously without adequate margin to maintain financial integrity without increasing rates.

ACTION: M/S Schwarz/Gardner Approval of 2011 Budget as presented.

AYES: Chair Nordhoff, Vice-Chair Schwarz, Member Gardner

NOES: None

ABSTAIN: None

C. Approval of Investment Policy Update. The Executive Director reviewed the proposed changes to the policy, including authorizing the Executive Director/CFO to invest in U.S. Treasuries and agency notes, other public agency debt, and client agency advances (effectively 'loaning' to client agencies).

ACTION: M/S Gardner/Schwarz Approval of Investment Policy Update as presented.

AYES: Chair Nordhoff, Vice-Chair Schwarz, Member Gardner

NOES: None

ABSTAIN: None

D. Approval of Reserve Policy and Designation of estimated FYE 2010 Reserve Amount.

ACTION: M/S Gardner/Schwarz Approval of Reserve Policy and application to determination of the FYE 2010 Reserve Amount.

AYES: Chair Nordhoff, Vice-Chair Schwarz, Member Gardner

NOES: None

ABSTAIN: None

5. OLD BUSINESS

A. STARS Update – The Executive Director updated the Board on the status of the program and the long-term objectives of having a competitive benefit plan and the resources to repay legal and then other allowable costs.

6. NEW BUSINESS

A. Approval of Rules and Regulations Update. The Director of Human Resources reviewed the changes to the Rules and Regulations.

ACTION: M/S Schwarz/Gardner to approve the Rules and Regulations Update as presented.

AYES: Chair Nordhoff, Vice-Chair Schwarz, Member Gardner

NOES: None

ABSTAIN: None

B. Satisfaction Survey was presented to the Board. Board comments regarding the survey were that it was found to be very thorough and that there had been a high response from employees. The Board congratulated the Human Resources for her initiative and professional work.

7. **PUBLIC COMMENT** - None.

8. **NEXT MEETING** – June 9, 2010, at 10:00 a.m. location to be determined.

9. **ADJOURNED** - Meeting adjourned at 1:00 p.m.



LOCAL AND REGIONAL GOVERNMENT SERVICES AUTHORITIES

Providing Solutions to California Public Agencies

P.O. Box 1350 · Carmel Valley, CA 93924 · 650.587.7300

TO: BOARD OF DIRECTORS **BOD Meeting: 12-9-10**
FROM: RICHARD H. AVERETT, EXECUTIVE DIRECTOR **Item: 4A**
SUBJECT: APPROVAL OF THE UPDATED CONFLICT OF INTEREST CODE

RECOMMENDATION

It is recommended that the Board approve the updated conflict of interest code.

BACKGROUND

The Board adopted the Local Government Services Conflict of Interest Code on April 30, 2002 and amended the code on January 27, 2005. Government Code Section 87306.5 requires every local agency to review their conflict of interest code and to either amend the code if necessary or report that no amendment is necessary every even-numbered year. This proposed amendment would be for the 2010 year, and the next review would be scheduled prior to December 31, 2012.

ANAYLSIS

Previous revisions to the JPA Conflict of Interest Code recognized the recently approved First Amendment to the Joint Powers Agreement, as well as adding Executive Committee Members to those required to submit FPPC Conflict of Interest statements. The proposed changes for 2010 are to add Alternate Board and Executive Committee Members and Agency Counsel to the list of those required to submit annual disclosure statements. The JPA positions listed on the attached resolution have complied with previous disclosure requirements, and the JPA will continue compliance as changes occur in Board Members, Executive Committee Members and staff.

FISCAL IMPACT

There is no fiscal impact to the JPA by approving the revisions to the Conflict of Interest Code.

LOCAL GOVERNMENT SERVICES JOINT POWERS AUTHORITY

CONFLICT OF INTEREST CODE

Adopted April 30, 2002 (see Board Meeting 4-30-02 item 3C)
Amended January 27, 2005 resolution 2005-01 (see Board Meeting item 6D)

LOCAL GOVERNMENT SERVICES, A JOINT POWERS AUTHORITY

The Political Reform Act of 1974 (Government Code Sections 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. Section 18730), which contain the terms of a standard Conflict of Interest Code and can be incorporated by reference in an agency's code. After public notice and hearing, it 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 Regulations Section 18730 and any amendments duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. These regulations and the attached appendix, designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Local Government Services Joint Powers Authority.

Designated officials and employees shall file statements of economic interests with the Local Government Services Joint Powers Authority, who will make the statements available for public inspection and reproduction (Gov. Code Section 81008.) The Secretary will retain statements for all designated officials and employees.

APPENDIX

DESIGNATED OFFICERS AND EMPLOYEES

Position:	Disclosure Category
Board of Directors and Alternates	1
Executive Committee Members and Alternates	1
Executive Director/Chief Financial Officer	1
General Counsel	1
Auditor/Treasurer/Controller	1
Secretary	1
Consultants*	1

*Consultants shall be included in the list of designated officials and employees and shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitation:

The Chief Executive Officer, or his or designee, may determine in writing on a case by case basis that a particular consultant, although a designed position, is hired to perform a range of duties that is limited in scope and thus does not require compliance, or full compliance with disclosure requirements. Any such written determination shall include a description of the consultant's duties and a statement as to the extent of disclosure requirements. The Chief Executive Officer may determine whether a contract consultant constitutes a "consultant" as defined in the Political Reform Act. The Chief 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.

DISCLOSURE CATEGORIES

Category 1: Persons in this category must disclose all investments and business positions in business entities, doing business in, and sources of income and interests in real property, in the state in which the Local Government Services Joint Powers Authority operates.

Category 2: Persons in this category must disclose all investments and business positions in business entities in or doing business in the state in which the Local Government Services Joint Powers Authority operates.

Category 3: Persons in this category must disclose all investments and business positions in business entities and sources of income which provide, manufacture or supply services, supplies, materials, machinery or equipment of the type utilized by or subject to review or approval by the Local Government Services Joint Powers Authority.