

**REGULAR MEMBERS**

CHAIR

**Wendy Bucknum**

City Member

VICE CHAIR

**James Fisler**

Special District Member

IMMEDIATE PAST CHAIR

**Donald P. Wagner**

County Member

**Douglas Davert**

Special District Member

**Peggy Huang**

City Member

**Derek J. McGregor**

Public Member

**VACANT**

County Member

**ALTERNATES**

**Kathryn Freshley**

Special District Member

**Carol Moore**

City Member

**Lou Penrose**

Public Member

**VACANT**

County Member

**STAFF**

**Luis Tapia**

Executive Officer

**Scott Smith**

General Counsel

**MEETING DATE:** May 13, 2026

**TO:** Local Agency Formation Commission  
of Orange County

**FROM:** Executive Officer  
Office Manager/Commission Clerk

**SUBJECT:** OC LAFCO Conflict of Interest Code Biennial Review  
and Amendments

**BACKGROUND**

The Political Reform Act of 1974, Government Code section 81000 et seq. (the “Act”), requires all public agencies to adopt and maintain a conflict of interest code establishing the rules for disclosure of personal assets and the disqualification from making or participating in the making of any decisions that may affect any personal assets designating positions and establishing disclosure categories.

Pursuant to Section 87306 of the Act, the Agency must amend its Code when necessitated by changed circumstances, including the creation of new positions which must be designated.

The Orange County Board of Supervisors is the code-reviewing body for OC LAFCO and directed that OC LAFCO’s Code be reviewed, as required by the Act. During this review process, staff determined that amendments to the Code are necessary.

Attached is a redlined (legislative) version of the proposed amended Code. The proposed revisions are based on the need to include new positions that must be designated and revisions to certain language as provided by the Fair Political Practices Commission (FPPC) to help clarify requirements.

**RECOMMENDATION**

Staff recommends that the Commission:


1. Adopt Resolution No. CP 26-03 (Attachment 1) adopting the amended Conflict of Interest Code pursuant to the Political Reform Act of 1974.

Respectfully submitted,



---

LUIS TAPIA



---

CHERYL CARTER-BENJAMIN

Attachments:

1. Form of Resolution No. CP 26-03

**RESOLUTION NO. CP 26-03**

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF ORANGE COUNTY AMENDING ITS  
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 Local Agency Formation Commission of Orange County ("OC LAFCO"), and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and,

WHEREAS, OC LAFCO adopted a Conflict of Interest Code which was amended on November 14, 2018, in compliance with Government Code Section 81000 et seq.; and,

WHEREAS, subsequent changed circumstances within OC LAFCO have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update OC LAFCO's 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 OC LAFCO 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 OC LAFCO of the proposed amended Code was provided each affected designated employee and publicly posted for review at the offices of OC LAFCO; and,

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of OC LAFCO on May 13, 2026, at which all present were given an opportunity to be heard on the proposed amended Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the Local Agency Formation Commission of Orange County that the Commission does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Office Manager and available for inspection to the public during regular business hours;

BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of Orange for approval and said amendment shall become effective at the time the Board of Supervisors approves the proposed Code as submitted.

APPROVED AND ADOPTED this 13th day of May, 2026.

---

Wendy Bucknum  
Chairwoman, Board of Commissioners  
Local Agency Formation Commission  
of Orange County

ATTEST:

---

Cheryl Carter-Benjamin  
Clerk to the Commission  
Local Agency Formation Commission  
of Orange County

**CONFLICT OF INTEREST CODE OF THE**  
**LOCAL AGENCY FORMATION COMMISSION**  
**COUNTY OF ORANGE**

**(Amended ~~November 14, 2018~~ May 13, 2026)**

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 California Code of Regulations, ~~§ Section~~ 18730) ~~which~~ 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 incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Local Agency Formation Commission of Orange County ("OC LAFCO")**.

~~All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Office Manager** as LAFCO's Filing Officer. The **Office Manager** shall make and retain a copy of all statements filed by Members of the Board of Commissioners, Alternate Commissioners, and the Executive Officer and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Orange. The **Office Manager** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)~~

Members of the Board of Directors, Board Alternates, Treasurer and Executive Director must file their statements of economic interests electronically with the Fair Political Practices Commission. All other individuals holding designated positions must file their statement of economic interests shall file their statements with the **Commission Clerk**. All statements must be made available for public inspection and reproduction under Government Code Section

81008.

## APPENDIX

### CONFLICT OF INTEREST CODE OF THE

### LOCAL AGENCY FORMATION COMMISSION COUNTY OF ORANGE

(Amended ~~November 14, 2018~~ May 13, 2026)

### PART "A"

### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

LAFCO Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3(b) 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>1</sup>:

Members of the Board of Commissioners

Alternate Commissioners

Executive Officer

Financial Consultants

---

<sup>1</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
Office Manager	4
Policy Analyst (ALL)	2, 3, 4
<u>Senior Policy Analyst</u>	<u>2, 3, 4</u>

Consultant and New Position<sup>2</sup>

---

Individuals providing services as a Consultant defined in Regulation 18700.3(a) or in a new position created since this Code was last approved that makes or participates 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 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.<sup>3</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 receipt of 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.

Category 3: All investments and business positions in business entities, and sources of income, including receipt of 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 receipt of gifts, loans and travel payments, that provide services (including training or consulting services), products, materials, machinery, vehicles or equipment of ~~a~~the type purchased or leased by LAFCO.

Category 5: All investments and business positions in business entities, and sources of income, including receipt of gifts, loans and travel payments, that provide services (including training or consulting services), products, materials, machinery, vehicles or equipment of ~~a~~the type purchased or leased by the designated position's department, unit or division.

---

<sup>3</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)