



California Fair Political Practices Commission

June 11, 1993

Sharon G. Sanders
Associate Counsel
Los Angeles County Metropolitan
Transportation Authority
425 S. Main St., 6th Floor
Los Angeles, CA 90013

Re: Your Request for Informal
Assistance
Our File No. I-93-190

Dear Ms. Sanders:

You have requested advice concerning the conflict of interest provisions of the Political Reform Act (the "Act").^{1/} Your letter states only a general question. Therefore, we consider it to be a request for informal assistance pursuant to Regulation 18329(c).^{2/}

QUESTION

You have asked for clarification of the phrase "local government agency with jurisdiction in more than one county" as used in Regulation 18750.1.

DISCUSSION

Section 87300 requires every state and local government agency to adopt a conflict of interest code. The code must enumerate the positions within the agency which involve the making or participation in the making of decisions which may foreseeably have a material financial effect on any financial interest. The code also must specify those financial interests which must be disclosed by employees holding those positions in order to avoid conflicts of interest.

^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

^{2/} Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Section 83114; Regulation 18329(c)(3).)

Regulation 18750.1 establishes the procedures for promulgating and adopting a conflict of interest code for local government agencies with jurisdiction in more than one county. Section 82035 defines "jurisdiction" as:

...the state with respect to a state agency and, with respect to a local government agency, the region, county, city, district or other geographical area in which it has jurisdiction....

(Emphasis added.)

Funk and Wagnalls Standard College Dictionary (1974) defines "jurisdiction" as the lawful "right to exercise official authority, whether executive, legislative or judicial." Or, in the alternative the "territory within...[which] such lawful authority may be lawfully exercised."

You have not provided specific facts or asked specifically about the status of the Los Angeles County Metropolitan Transportation Authority. If you desire more specific advice about whether the Authority would be deemed to have jurisdiction in more than one county, please provide more specific information. Enclosed are the following previously issued Commission advice letters which may assist you:

1. Woliver, No. A-84-123--"In determining whether an agency principally located in one county has jurisdiction in another county, we look at whether the agency owns real property and to what extent it has authority in the other county...."

2. Wellington, No. I-90-249--The jurisdiction of a city is the entire city, including an area that has been annexed to the city.

3. de Bortnowski, No. I-90-356--The Inland Valley Development Agency's jurisdiction is the territory within which the agency may lawfully exercise its authority.

If I can be of further assistance, please contact me at (916) 322-5662.

Sincerely,

Carla Wardlow

Carla Wardlow
Division Chief
Technical Assistance Division

Enclosures