

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

917A



FROM: County Counsel

SUBMITTAL DATE: January 19, 2005

SUBJECT: Approval of the amended appendix to the Conflict of Interest Code for the Banning Unified School District

RECOMMENDED MOTION: That the Board of Supervisors approve the amended appendix for the conflict of interest code submitted by the Banning Unified School District

BACKGROUND: Government Code Section 87306.5 requires that all local agencies review their codes and make any appropriate amendments to their conflict of interest codes, and the listing of designated positions for employees who must disclose along with the types of disclosure required.

The Banning Unified School District recently revised the appendix for its conflict of interest code and has submitted the revised appendix for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the revised appendix and has found that it complies with statutory requirements. It is recommended that the new appendix be approved and that the clerk notify the District of the action taken.

*Lee A. Vinocour*  
LEE A. VINOCOUR  
Deputy County Counsel

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C.E.O. RECOMMENDATION:

APPROVE

*Lisa Brandt*

County Executive Office Signature

Police Policy

Consent

Department Recommendation:  
Per Executive Office:

Prev. Agn. ref.

Dist.

AGENDA NO.

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

## BANNING UNIFIED SCHOOL DISTRICT

(Amended November 18, 2004)

### EXHIBIT "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but are subject to the disclosure requirements of the Act. (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>3</sup>:

Members of the Board of Education

Superintendent

Chief Business Official

Financial Consultants

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<sup>3</sup> Individuals holding one of the above listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by § 87200.

**DESIGNATED POSITIONS**

**GOVERNED BY THE CONFLICT OF INTEREST CODE**

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Account Technician	5
Assistant Principal (ALL)	6
Dean (ALL)	6
Assistant Superintendent, Curriculum, Instruction & Assessment	6
Director, Human Resources	6
Director, Multilingual and Categorical Programs	6
Director, Personnel Commission	6
Director, Special Education/Student Services	6
Facilities Coordinator	2, 3, 6
Principal (ALL)	6
Student Support Coordinator	6
Supervisor, Fiscal Services	2, 3, 5
Supervisor, Food Services	6
Supervisor, Maintenance, Operations & Transportation	6
Technology Supervisor	6
Project Coordinator	6
Warehouseman	6

DESIGNATED EMPLOYEES'  
TITLE OR FUNCTION

DISCLOSURE CATEGORIES  
ASSIGNED

MEMBERS OF BOARDS,  
COMMITTEES & COMMISSIONS

Citizens' Oversight Committee

1, 2

Consultant<sup>4</sup>

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<sup>4</sup> Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Superintendent may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Superintendent'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.

## **EXHIBIT "B"**

### **DISCLOSURE CATEGORIES**

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income, that are located in, do business in, or own real property within the jurisdiction of the District.

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 District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.