

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

612



FROM: County Counsel

SUBMITTAL DATE: July 6, 2006


SUBJECT: Approval of the Amended Appendix to the Conflict of Interest Code for the Western Riverside County Regional Conservation Authority

RECOMMENDED MOTION: That the Board of Supervisors approve the Amended Appendix for the Conflict of Interest Code submitted by the Western Riverside County Regional Conservation Authority.

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

The Western Riverside County Regional Conservation Authority recently amended the Appendix to its Conflict of Interest Code and has submitted the Amended Appendix for approval by the Board of Supervisors as the code reviewing body.

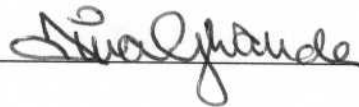
This office has reviewed the Amended Appendix and has found that it complies with statutory requirements. It is recommended that the new Appendix be approved and that the clerk notify the agencies of the action taken.

*for*   
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JOE S. RANK  
County Counsel

C.E.O. RECOMMENDATION:

**APPROVE**

County Executive Office Signature



Policy  
 Poli

Consent  
 Consent

partment Recommendation:  
Per Executive Office:

Prev. Agn. ref.

Dist.

AGENDA NO.

2.31

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RECEIVED RIVERSIDE COUNTY

RESOLUTION NO. 06-04

RESOLUTION OF THE  
BOARD OF DIRECTORS OF THE  
WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY  
ADOPTING AN AMENDED APPENDIX OF THE CONFLICT OF INTEREST CODE  
PURSUANT TO THE POLITICAL REFORM ACT OF 1974 AND  
APPOINTING A FILING OFFICER/OFFICAL

**WHEREAS**, the Legislature of 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 Western Riverside County Regional Conservation Authority (the "Authority") and requires all public agencies to adopt and promulgate a conflict of interest code; and

**WHEREAS**, the Authority adopted a Conflict of Interest Code (the "Code") in June 2004; and

**WHEREAS**, subsequent changed circumstances within the Authority have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Appendix of the Authority's Code; and

**WHEREAS**, notice of the time and place of a public meeting on, and of consideration by the Authority of, the proposed amended Appendix was provided each affected designated employee and publicly posted for review at the offices of the Authority; and

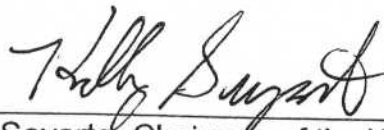
**WHEREAS**, a public meeting was held upon the proposed Appendix at a regular meeting of the Western Riverside County Regional Conservation Authority on April 3, 2006, at which all present were given an opportunity to be heard on the proposed amended Appendix.

**NOW, THEREFORE BE IT RESOLVED** by the Western Riverside County Regional Conservation Authority that the Board of Directors does hereby adopt the proposed amended Appendix of the Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Authority's filing officer/official and is available to the public for inspection and copying;

**BE IT FURTHER RESOLVED** that the Authority hereby appoints its Director of Administrative Services as the Authority's filing officer/official.


**BE IT FURTHER RESOLVED** that the said amended Appendix shall be submitted to the County of Riverside Board of Supervisors for approval and said Appendix shall become effective 30 days after the Board of Supervisors' approves the proposed amended Appendix as submitted.

**APPROVED AND ADOPTED** this 3<sup>rd</sup> day of April, 2006.



Kelly Seyarto, Chairman of the Western Riverside  
County Regional Conservation Authority

**ATTEST:**

  
Honey Bernas, Clerk of the Western Riverside  
County Regional Conservation Authority

**APPENDIX**

**CONFLICT OF INTEREST CODE**

**OF THE**

**WESTERN RIVERSIDE COUNTY  
REGIONAL CONSERVATION AUTHORITY**

**(Amended April 3, 2006)**

**EXHIBIT "A"**

**OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

Authority Officials who manage public investments, as defined by 2 California Code of Regs. § 18701(b), are NOT subject to the Authority'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 Directors and their Alternates

Executive Director

Treasurer

Financial Consultant

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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>
Controller	1,2
Deputy Executive Director	1,2
Director of Administrative Services	5
Director of Land Acquisition and Property Management	1,2
General Counsel	1,2
Reserve Manager	6

### MEMBERS OF BOARDS, COMMITTEES & COMMISSIONS

Administrative Committee	5
Funding Coordination Committee	1,2
Reserve Management Oversight Committee	1,2
Consultant <sup>4</sup>	

<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 Executive director 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 writer determination shall include a description of this consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director'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 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.

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 Authority.

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, that are located in, do business in, or own real property, within the jurisdiction of the Authority.

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 Authority, that are located in, do business in, or own real property, within the jurisdiction of the Authority.

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 Designated Employee's Department, that are located in, do business in, or own real property, within the jurisdiction of the Authority.