

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

216



FROM: County Counsel

SUBMITTAL DATE: November 29, 2007

SUBJECT: Approval of the Conflict of Interest Code for the Riverside County Habitat Conservation Agency

RECOMMENDED MOTION: That the Board of Supervisors approve the amended Conflict of Interest Code submitted by the Riverside County Habitat Conservation Agency.

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

The Riverside County Habitat Conservation Agency recently revised Appendix Exhibit "A" of its Conflict of Interest Code and has submitted it for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the revised code and has found that it complies with statutory requirements. It is recommended that the Riverside County Habitat Conservation Agency's new revised code be approved and that the Clerk of the Board notify the Agency of the action taken.


JOE S. RANK
County Counsel

C.E.O. RECOMMENDATION:

APPROVE

BY 
Tina Grande

County Executive Office Signature

Policy

Poli

Consent

Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist.

AGENDA NO.

2.1

Agenda Item No. 7.5

Adoption of RCHCA Resolution No. 2007-008 approving the 2nd Amendment to the Appendix of the RCHCA Conflict of Interest Code

Background:

Pursuant to the Political Reform Act of 1974, the RCHCA adopted a Conflict of Interest Code (CIC). The CIC provides for the disclosure of designated officials and employees assets and income which may be materially affected by their official actions.

During a recent review of the CIC, it was determined that the Appendix required amending to reflect updates to designated Staff positions. The following positions have been deleted: 1) Administrative Manager; 2) Senior Planner. These are the newly added positions: 1) Administrative Services Officer; 2) Principal Planner.

A legislative version of the Appendix amendment is attached.

Staff Recommendation:

1. Adopt the 2nd Amendment to the RCHCA Conflict of Interest Code; and
2. Approve Resolution No. 2007-008 Amending the Appendix to the RCHCA Conflict of Interest Code; and
3. Forward the Amended Appendix and Resolution No. 2007-008 to the Riverside County Board of Supervisors.

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3 RESOLUTION NO. 2007-008

4 RESOLUTION OF THE BOARD OF DIRECTORS OF THE
5 RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY
6 AMENDING THE APPENDIX OF THE CONFLICT OF INTEREST CODE
7 PURSUANT TO THE POLITICAL REFORM ACT OF 1974

8 WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974,
9 Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of
10 interest which potentially affect all officers, employees and consultants of the Riverside County Habitat
11 Conservation Agency (the "Agency") and requires all public agencies to adopt and promulgate a Conflict
12 of Interest Code; and

13 WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the "Code") which was
14 amended on February 15, 2007, in compliance with the Act; and

15 WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and
16 may include criminal and civil liability, as well as equitable relief which could result in the Agency being
17 restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

18 WHEREAS, notice of the time and place of a public meeting on, and of consideration by the
19 Board of Directors of, the proposed Second Amendment to the Appendix was provided to each designated
20 employee and publicly posted for review at the County Administrative Center at 4080 Lemon Street,
21 Riverside, California; and

22 WHEREAS, a public meeting was held upon the proposed Second Amendment to the Appendix at
23 a regular meeting of the Board of Directors on November 15, 2007, at which time all present were given
24 an opportunity to be heard on the proposed Second Amendment to the Appendix;

25 NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Riverside County
26 Habitat Conservation Agency that the Board of Directors does hereby adopt the proposed Second
27 Amendment to the Appendix of the Conflict of Interest Code, a copy of which is attached hereto and shall
28 be on file with the Riverside County Habitat Conservation Agency and made available to the public for
inspection and copying;

1 BE IT FURTHER RESOLVED that the said Second Amendment to the Appendix shall be
2 submitted to the Board of Supervisors of the County of Riverside for approval and said Second
3 Amendment shall become effective 30 days after the Board of Supervisors approves the proposed Second
4 Amendment to the Appendix as submitted.

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APPENDIX

CONFLICT OF INTEREST CODE OF THE RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY

(2nd Amendment November 15, 2007)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Agency Officials who manage public investments, as defined by 2 Cal. Code of Regs. §18701(b), are NOT subject to the Agency'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 information purposes only.

It has been determined that the positions listed below are officials who manage public investments³

Board of Directors

Alternate Members of the Board

Executive Director

Assistant Director

Financial Consultants

³ 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 as to 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>
Assistant Director	1, 2
Deputy Director	1, 2
General Counsel	1, 2
Principal Planner	2, 3, 6
Administrative Services Officer	4, 5
Consultant ⁴	

⁴ 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 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 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.

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(2nd Amendment November 15, 2007)

Deleted: Amended February 15, 2007

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Assistant Director	1, 2	Deleted: Administrative Manager
Deputy Director	1, 2	Deleted: 4,
General Counsel	1, 2	Deleted: 5]
Principal Planner	2, 3, 6	Deleted: Senior
Administrative Services Officer	4, 5	Deleted:
Consultant ⁴		

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