

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

615 A



FROM: County Counsel

SUBMITTAL DATE: June 5, 2008

SUBJECT: Approval of the Conflict of Interest Code for the Jurupa Community Services District

RECOMMENDED MOTION: That the Board of Supervisors approve the amended Conflict of Interest Code submitted by the Jurupa Community Services District.

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 Jurupa Community Services District recently revised its Conflict of Interest Code (by Resolution No. 1945) 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 Jurupa Community Services District's revised code be approved and that the Clerk of the Board notify the Agency of the action taken.

Joe S. Rank

JOE S. RANK
County Counsel

C.E.O. RECOMMENDATION:

APPROVE

BY: *Tina Grande*

Tina Grande

County Executive Office Signature

Policy

Poli

Consent

Consent

Department Recommendation:

Per Executive Office:

Prev. Agn. ref.

Dist.

AGENDA NO.

2.2

RESOLUTION NO. 1945

**RESOLUTION OF THE BOARD OF DIRECTORS OF
JURUPA COMMUNITY SERVICES DISTRICT
AMENDING THE APPENDIX OF THE CONFLICT OF
INTEREST CODE PURSUANT TO THE POLITICAL
REFORM ACT OF 1974**

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 8100 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants fo the Jurupa Community Services District (the "District") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the board of Directors adopted a Conflict of Interest Code (the "Code") which was amended on September 25, 2006, in compliance with hr Act; and

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

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

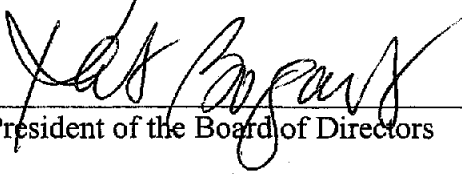
WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Appendix was provided each affected designated employee and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Appendix at a regular meeting of the Board of Directors on February 25, 2008, at which all present were given an opportunity to be heard on the proposed amended Appendix,

NOW, THEREFORE, BE IT RESOLVED, by the board of Directors of the Jurupa Community Services District 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 General Manager and available to the public for inspection and copying;

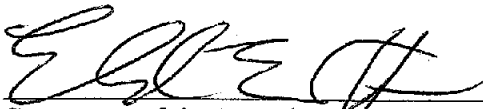
BE IT FURTHER RESOLVED that the said amended Appendix shall be submitted to the Board of Supervisors of the County of Riverside for approval and said Appendix shall become effective 30 days after the Board of Supervisors approves the proposed amended Appendix as submitted.

APPROVED AND ADOPTED this 25th day of February, 2008.



President of the Board of Directors

ATTEST:



Secretary of the Board of Directors

CERTIFICATION

I, Eldon Horst, Secretary of the Board of Directors of Jurupa Community Services District, certify that the foregoing resolution was adopted by the Board of Directors at a regular meeting held on the 25th day of February 2008 by the following vote of the Directors:

AYES: Kathryn Bogart, Betty A. Anderson,
Jane A. Anderson, Kenneth J.
McLaughlin

NOES: None

ABSENT: R.M. "Cook" Barela

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Jurupa Community Services District, this 25th day of February 2008.



Secretary of the Board of Directors

(SEAL)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

JURUPA COMMUNITY SERVICES DISTRICT

(Amended February 25, 2008)

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 investments⁴:

Members of the Board of Directors

General Manager

Director of Finance

Financial Consultants

⁴ 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>
Accounting Manager	4, 6
Administrative Manager	5
Assistant General Manager	1, 2
Collections Supervisor	6
Customer Service Supervisor	6
Director of Engineering and Operations	2, 3, 5
Director of Parks and Maintenance	2, 3, 6
Finance Manager	1, 2
General Counsel	1, 2
Manager of Human Resources/Risk Management	6
Operations Manager	3, 6
Parks Supervisor	3, 6
Purchasing Agent	5
Senior Project Manager	2, 3, 6
Sewer Service & Maintenance Foreman	6
Warehouse/Inventory Control	5
Water Service & Maintenance Foreman	6
Water Supervisor	6

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Water Treatment Supervisor

6

Consultant⁵

⁵ 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 General Manager 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 General Manager'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, including gifts, loans and travel payments, 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, that 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 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.

LEGISLATIVE VERSION
(shows changes)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

JURUPA COMMUNITY SERVICES DISTRICT

(Amended September 25, 2006 February 25, 2008)

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Collections Supervisor	6
Customer Service Supervisor	6
<u>Director of Engineering and Operations</u>	<u>2, 3, 5</u>
<u>Director of Parks and Maintenance</u>	<u>2, 3, 6</u>
<u>Finance Manager</u>	<u>1, 2</u>
General Counsel	1, 2
Manager of Human Resources/Risk Management	6
Operations Manager	3, 6
Parks Supervisor	3, 6
Purchasing Agent	5
Senior Project Manager	2, 3, 6
Sewer Service & Maintenance Foreman	6
Warehouse/Inventory Control	5
Water Service & Maintenance Foreman	6

Water Supervisor

6

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DISCLOSURE CATEGORIES
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BEST BEST & KRIEGER

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Dianna Marie Valdez

Ethics & Conflict of Interest Coordinator
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May 22, 2008

Kecia Harper-Ihem
Deputy Clerk of the Board
Riverside County Board of Supervisors
P.O. Box 1147
Riverside, CA 92502-1147

Re: Jurupa Community Services District – Approval of Amended
Appendix of the Conflict of Interest Code and Request for Notice

Dear Kecia:

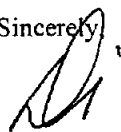
Enclosed for review and approval by the Board of Supervisors is the amended Appendix of the Conflict of Interest Code of the Jurupa Community Services District (the "District"). The Appendix was amended by the District's Board of Directors on February 25, 2008, by Resolution No. 1945, a copy of which is also enclosed. The enclosed legislative version of the Appendix shows changes made since the County last approved the Appendix. As you can see, this amendment was done to:

1. Include two newly created positions that must be designated;
2. Adds one position to the list of officials who manage public investments;
3. Revises one position to remove it from the list of officials who manage public investments and include it on the list of designated employees; and,
4. Make a nonsubstantive amendment to the introductory paragraph of the Disclosure Categories (Exhibit "B") as requested by the FPPC.

Please let me know when this matter will be submitted to the Board for approval. I would also appreciate receiving a copy of the Resolution or Minute Order approving the District's amended Appendix.

As always, please feel free to call or email me if you or County Counsel have any questions regarding the enclosed.

Sincerely,



Dianna Marie Valdez
Ethics & Conflict of Interest Coordinator
for BEST BEST & KRIEGER LLP
General Counsel
Jurupa Community Services District

Enclosures

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RECEIVED

JUN 02 2008

**COUNTY COUNSEL
TO**