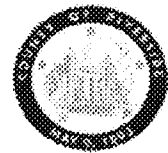


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

426A



FROM: County Counsel


SUBMITTAL DATE:
September 30, 2010

SUBJECT: Approval of the Conflict of Interest Code of the Menifee Union School District

RECOMMENDED MOTION: That the Board of Supervisors approve the Conflict of Interest Code (Appendix) submitted by Menifee Union School District.

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

(Continued)


L. ALEXANDRA FONG, Deputy County Counsel
for PAMELA J. WALLS, County Counsel

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS:

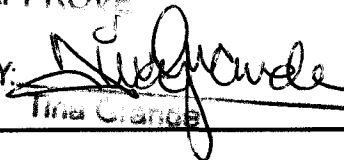
Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:

County Executive Office Signature


Tina Grande

Dep't Recomm.: ☒ Consent ☐ Policy
Per Exec. Off.: ☒ Consent ☐ Policy

Prev. Agn. Ref.:

District: ALL

Agenda Number:

2.8

The Menifee Union School District recently revised its Conflict of Interest Code (Appendix) 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 Menifee Union School District's revised code (Appendix) be approved and that the Clerk of the Board notify the Agency of the action taken.

**MENIFEE UNION SCHOOL DISTRICT
RESOLUTION NO. 2010/11-33
ADOPTING A CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a Conflict of Interest Code; and

WHEREAS, the Governing Board of the Menifee Union School District has previously adopted a local Conflict of Interest Code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the District's Conflict of Interest Code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating position and disclosure categories shall constitute the adoption and amendment of a Conflict of Interest Code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Menifee Union School District has recently reviewed its positions, and the duties of each position, and has determined that changes to the current Conflict of Interest Code were necessary; and

WHEREAS, any earlier Resolution, Bylaws, and/or Appendices containing the District's Conflict of Interest Code shall be rescinded and superseded by this Resolution and Appendix;

NOW, THEREFORE, BE IT RESOLVED that the Meniffee Union School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

ADOPTED THIS 14TH DAY OF SEPTEMBER, 2010, at a meeting by the following vote:

Ayes: Bowman, Freeman, O'Donnell, Peters, Ulibarri
Noes: None
Absent: None

Secretary to the Governing Board

Conflict of Interest Code of the Menifee Union School District

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories.

are incorporated by reference and shall constitute the District's Conflict of Interest Code. Governing Board Members and designated employees shall file a Statement of Economic Interest Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the District's filing officer and/or, if so required, with the District's Code reviewing body. The District's filing officer shall make the statements available for public review and inspection.

APPENDIX

Disclosure Categories

Category 1: A person designated Category 1 shall disclose:

Interests in real property located entirely or partly within District boundaries, or within two miles of District boundaries, or of any land owned or used by the District.

Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the District, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the District, or manufacture or sell supplies, books, machinery, or equipment of the type used by the District.

Category 2: A person designated Category 2 shall disclose:

Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.

Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a Principal's Department is his/her entire school.

Designated Positions

<u>Designated Position</u>	<u>Disclosure Category</u>
Governing Board Members	1
Superintendent of Schools	1
Assistant Superintendent	1
Administrator	2
Assistant Principal	2
Director	2
Principal	2
Program Specialist	2
Supervisor	2

Disclosure for Consultants

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this Conflict of Interest Code.

A consultant is an individual who, pursuant to a contract with the District, makes a governmental decision whether to: (2 CCR 18701)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the District to enter into, modify, or renew a contract that requires District approval
5. Grant District approval to a contract that requires District approval and in which the District is a party, or to the specifications for such a contract
6. Grant District approval to a plan, design, report, study, or similar item
7. Adopt or grant District approval of District policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the District, serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's Conflict of Interest Code. (2 CCR 18701)

September 2010

FORM APPROVED COUNTY COUNSEL

BY: L. Alexandra Fong 9/29/10
L. ALEXANDRA FONG DATE