

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

625
A



FROM: County Counsel

SUBMITTAL DATE:
November 14, 2012


SUBJECT: Approval of the Conflict of Interest Code of the Beaumont-Cherry Valley Recreation and Park District

RECOMMENDED MOTION: That the Board of Supervisors approves the Conflict of Interest Code submitted by Beaumont-Cherry Valley Recreation and Park 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)

Departmental Conference


TAWNY V. LIEU, 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

County Executive Office Signature

BY: 
Denise C. Hardon

- Policy
- Policy
- Consent
- Consent

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: 8/31/10-2-24 | District: 5 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

2.9

Government Code Section 82011 identifies the Board of Supervisors for the County, within which a local government agency (as defined by Government Code Section 82041) is located. A local government agency, as defined by Government Code Section 82041, includes a park district.

The Beaumont-Cherry Valley Recreation and Park District recently revised 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 Board of Supervisors approves Beaumont-Cherry Valley Recreation and Park District's Conflict of Interest Code as revised and that the Clerk of the Board notify the Agency of the action taken.

**CONFLICT OF INTEREST CODE
OF THE
BEAUMONT-CHERRY VALLEY
RECREATION
AND PARK DISTRICT**

CONFLICT OF INTEREST CODE FOR THE
BEAUMONT-CHERRY VALLEY RECREATION
AND PARK DISTRICT
(Amended August 8, 2012)

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Beaumont-Cherry Valley Recreation and Park District** (the "**District**").

Officials required to submit a statement of economic interests shall file their statements with the **Human Resources Director** as the District's Filing Officer. The **Human Resources Director** shall make and retain a copy of all statements filed by the General Manager and Board of Directors and forward the originals of such statements to the Clerk of the Board of Supervisors of Riverside County. **The Human Resources Director** shall retain the originals of the statements of all other Designated Positions and will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

APPENDIX

CONFLICT OF INTEREST CODE OF THE BEAUMONT-CHERRY VALLEY RECREATION AND PARK DISTRICT

(Adopted August 8, 2012)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but must file disclosure statements under 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 investments¹:

Members of the Board of Directors

General Manager

Financial Consultants

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

**DESIGNATED POSITIONS'
TITLE OR FUNCTION**

**DISCLOSURE CATEGORIES
ASSIGNED**

Activities Specialist	5
Athletic Coordinator	5
District Operations Coordinator	5
General Counsel	1, 2
Human Resources Director	4
Maintenance Superintendent	5
Consultant and New Positions ²	

² Individuals providing services as a Consultant defined in Regulation 18701, or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The General Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). 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. (Gov. Code Sec. 81008.)

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the Designated Position 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, including gifts, loans and travel payments, 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 business entities, and sources of income, including gifts, loans and travel payments, 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 business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position's department, unit or division.

FORM APPROVED COUNTY COUNSEL
BY Jawny V. Deu 11/14/12
JAWNY V. DEU DATE