

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

558A



FROM: County Counsel

SUBMITTAL DATE:
February 13, 2013

SUBJECT: Approval of the Conflict of Interest Code of the Riverside County Office of Education

RECOMMENDED MOTION: That the Board of Supervisors approves the Conflict of Interest Code submitted by Riverside County Office of Education.

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.

Departmental Concurrence

(Continued)

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

BY:
Denise C. Harden

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

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

Prev. Agn. Ref.: 3/15/05; 2.10 | District: All | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

2-13

Government Code Section 82011 identifies the code reviewing body as 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 this type of entity.

The Riverside County Office of Education recently revised the appendix to 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 appendix and has found that it complies with statutory requirements. It is recommended that the Board of Supervisors approve Riverside County Office of Education's Appendix to its Conflict of Interest Code as revised and that the Clerk of the Board notify the Agency of the action taken.

EXHIBIT A
Designated Positions/Disclosure Categories

I. Persons occupying the following positions are designated employees in Category I.

- Members of the Riverside County Board of Education
- County Superintendent of Schools
- Deputy Superintendent
- Associate Superintendent
- Assistant Superintendent
- Assistant to the Superintendent
- Chief Personnel Officer

Designated persons in this category must report:

- a. Interests in real property located entirely or partly within Riverside or Imperial County, or within two miles of county boundaries or of any land owned by or used by the office. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
- b. Investments or business positions in or income from sources which:
 - (1) Are engaged in the acquisition or disposal of real property within the two counties
 - (2) 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 office or
 - (3) Manufacture or sell supplies, books, machinery or equipment of the type used by the office.

II. Persons occupying the following positions are designated employees in Category II.

- Chief Business Official
- Chief Information Officer
- Data Processing and Network Services Director
- Contracts and Acquisition Manager
- Contracts and Purchasing Manager
- Contracts and Purchasing Supervisor
- Contracts/Purchasing Technician
- Coordinator, Maintenance and Operations
- Director, (All Classes)

Designated persons in this category must report investments or business positions in or income from sources which:

- a. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs, or
- b. Manufacture or sell supplies, books, machinery or equipment or the type used by the department that the designated person manages or directs.

III. Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the County Superintendent of Schools or designee. The County 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 office, makes a governmental decision whether to: (2 CCR 18701)

- a. Approve a rate, rule or regulation
- b. Adopt or enforce a law
- c. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement
- d. Authorize the office to enter into, modify or renew a contract that requires office approval
- e. Grant office approval to a contract or contract specification that requires office approval and in which the office is a party
- f. Grant office approval to a plan, design, report, study or similar item
- g. Adopt or grant office approval of office policies, standards or guidelines.

A consultant is also an individual who, pursuant to a contact with the office, serves in a staff capacity with the office 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 office that would otherwise be performed by an individual holding a position specified in the office' Conflict of Interest Code (2 CCR 187801).

FORM APPROVED COUNTY COUNSEL.

BY:  2/13/13
TAWNY V. LIEU DATE