

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

617A



FROM: County Counsel

SUBMITTAL DATE:
December 3, 2014

SUBJECT: Approval of the Conflict of Interest Code of the Mount San Jacinto Winter Park Authority

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Conflict of Interest Code submitted by Mount San Jacinto Winter Park Authority; and
2. Direct the Clerk of the Board to notify Mount San Jacinto Winter Park Authority of the action taken.

BACKGROUND:
Summary

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.


GREGORY P. PRIAMOS
County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
SOURCE OF FUNDS: N/A				Budget Adjustment: N/A	
				For Fiscal Year: N/A	

C.E.O. RECOMMENDATION:

APPROVE

BY: 
Denise C. Harden

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- Positions Added
- Change Order
- A-30
- 4/5 Vote

Prev. Agn. Ref.: 12/16/08; 2.1

District: 4

Agenda Number:

2-23

Departmental Confidential

BACKGROUND:

Summary (continued)

Government Code Section 82011 identifies the Board of Supervisors for the County of Riverside as the code reviewing body for a local government agency within its county. A local government agency, as defined by Government Code Section 82041, includes Mount San Jacinto Winter Park Authority.

Mount San Jacinto Winter Park Authority recently amended 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 Conflict of Interest Code and has found that it complies with statutory requirements. A complete copy of Mount San Jacinto Winter Park Authority's Conflict of Interest Code as revised is attached.

It is recommended that the Board of Supervisors approve Mount San Jacinto Winter Park Authority's Code as revised and that the Clerk of the Board notify the Agency of the action taken.

Impact on Citizens and Businesses

N/A.

CONFLICT OF INTEREST CODE

FOR

MOUNT SAN JACINTO

WINTER PARK AUTHORITY

FORM APPROVED COUNTY COUNSEL
BY: *L. Alexandra Fong* *12/3/14*
L. ALEXANDRA FONG DATE

BBK – October 2014

CONFLICT OF INTEREST CODE FOR
MOUNT SAN JACINTO WINTER PARK AUTHORITY
(Amended October 21, 2014)

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 **Mount San Jacinto Winter Park Authority** (the "**Authority**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Vice President of Human Resources and Risk Management** as the Authority's Filing Officer. The **Vice President of Human Resources and Risk Management** shall make and retain a copy of all statements filed by Members of the Board of Directors and the other Authority Officials filing under Gov. Code § 87200, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The **Vice President of Human Resources and Risk Management** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX
CONFLICT OF INTEREST CODE
OF
MOUNT SAN JACINTO WINTER PARK AUTHORITY
(Amended October 21, 2014)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the Authority'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 investment¹

Members of the Board of Directors

President and General Manager

Vice President of Finance (CFO)

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

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Executive Vice President	1
General Counsel	1, 2
Retail Vice President	6
Vice President of Human Resources and Risk Management	6
Vice President of Maintenance	6
Vice President Operations	6
Vice President of Sales and Marketing	6
Vice President of Technology	6
Vice President of Tramway Systems	6

Consultants and New Positions²

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.)

PART "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 Position must disclose for each disclosure category to which he or she is assigned.³ Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the Authority.

Category 1: All investments and business positions in business entities, and sources of income including gifts, loans, and travel payments, that are located in, do business in, or own real property within the jurisdiction of the Authority.

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 Authority.

Category 3: All investments and business positions in business entities, and sources of income including gifts, loans, and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Authority.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, from, banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Authority.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position's Department, Unit or Division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the duties or functions of the position (Reg 187630.1).