

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

514
(2222)



FROM: County Counsel

SUBMITTAL DATE:
September 13, 2016

SUBJECT: Approval of the Conflict of Interest Code of Hemet Unified School District [District 3, \$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Conflict of Interest Code submitted by Hemet Unified School District; and
2. Direct the Clerk of the Board to notify the Hemet Unified School District 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: 
Tina Grand

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: 10/7/14; 2.3

District: 3

Agenda Number:

2-5

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Approval of the Conflict of Interest Code of Hemet Unified School District [District 3, \$0]**

DATE: September 13, 2016

PAGE: 2 of 2

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 a school district.

Hemet Unified 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 Conflict of Interest Code (appendix) and has found that it complies with statutory requirements. A complete copy of Hemet Unified School District's Conflict of Interest Code is attached.

It is recommended that the Board of Supervisors approve Hemet Unified School District's Conflict of Interest Code (appendix, as revised) and that the Clerk of the Board notify the Agency of the action taken.

Impact on Citizens and Businesses

N/A

Attachment

Hemet Unified School District Conflict of Interest Code

Conflict of Interest Code of the Hemet Unified 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

1. Category 1

a. All investments and business positions in, and sources of income from, all business entities that do business or own real property in the district, plan to do business or own real property in the district within the next year, or have done business or owned real property in the district within the past two years.

b. Interests in real property which are located in whole or in part either (1) within the boundaries of the district, or (2) within two miles of the boundaries of the district, including any leasehold, beneficial, or ownership interest or option to acquire such interest, if the fair market value of the interest is greater than \$1000.

2. Category 2

a. All investments and business positions in, and sources of income from, all business entities that provide services, supplies, materials, machinery, or equipment of a type used or administered by the designated employee or consultant's department.

b. All investments and business positions in, and sources of income from, all business entities that are contractors or subcontractors engaged in the performance of work of services of the type used by the department for which the designated employee works.

Designated Positions

Persons occupying the following positions are designated employees and must disclose financial interests in Category 1, Appendix:

Members of the Governing Board
Superintendent
Assistant Superintendent, Educational Services
Assistant Superintendent, Business Services
Deputy Superintendent, Human Resources
Director, Fiscal Services
Assistant Director, Fiscal Services
Director, Facilities
Director of Purchasing
Members of the Western Center Academy Governing Council
Consultants filling any of the above positions

Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 2, Appendix:

Director, Child Nutrition Services
Director, Maintenance and Operations
Director, Transportation, Internal and External
Director, Transportation
Assistant Director, Facilities
Facilities Planner
Director, Technology
Director, Safety, Benefits and Risk Management
Benefits Manager
Energy Manager
Consultants filling any of the above positions

Disclosures 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)

Exhibit
version: December 15, 1992
revised: April 20, 2004
revised: August 17, 2010
revised: November 2, 2010
revised: August 16, 2016

HEMET UNIFIED SCHOOL DISTRICT
Hemet, California

FORM APPROVED COUNTY COUNSEL
BY KBV 8/25/16
KRISTINE BELL-VALDEZ / DATE