

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



FROM: County Counsel

SUBMITTAL DATE: December 30, 2009

SUBJECT: Approval of the Conflict of Interest Code for the Jurupa Community Services District

RECOMMENDED MOTION: That the Board of Supervisors approve the amended Conflict of Interest Code submitted by the Jurupa Community Services District.

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

The Jurupa Community Services District recently revised Exhibit "A" and Exhibit "B" of 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 code and has found that it complies with statutory requirements. It is recommended that the Jurupa Community Services District's revised code be approved and that the Clerk of the Board notify the Agency of the action taken.

B.T. Miller, Jr., Deputy County Counsel for
PAMELA J. WALLS, County Counsel

C.E.O. RECOMMENDATION:

APPROVE

BY:

Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: January 12, 2010
xc: Co.Co., District, COB

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. ref.

Dist.

AGENDA NO.

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

2.7

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

JURUPA COMMUNITY SERVICES DISTRICT

(Amended November 23, 2009)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District'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 investments⁴:

Members of the Board of Directors

General Manager

Director of Finance

Financial Consultants

⁴ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC 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>
Accounting Manager	4, 6
Administrative Manager	5
Assistant General Manager	1, 2
Collections Service & Maintenance Foreman	6
Sewer Systems Supervisor	6
Customer Service Manager	6
Customer Service Supervisor	6
Development Supervisor	2, 3, 6
Director of Administration	5
Director of Engineering and Operations	2, 3, 5
Director of Parks and Community Affairs	2, 3, 6
Engineering Manager	2, 3, 6
Facilities & Fleet Coordinator	6
Finance Manager	1, 2
General Counsel	1, 2
Human Resources Specialist	6
Information Technology Administrator	6
Manager of Human Resources	6

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Operations Manager	3, 6
Parks Services Supervisor	6
Parks Supervisor	3, 6
Project Engineer	3, 6
Project Manager Inspector	2, 3, 6
Public Information Officer	6
Purchasing Agent	5
Recreation Coordinator	6
Safety Coordinator	6
Senior Accountant	5
Senior Project Manager	2, 3, 6
Senior Water Treatment Plant Operator	6
Warehouse/Inventory Control	5
Water Distribution Supervisor	6
Water Service & Maintenance Foreman	6
Water Treatment & Operations Supervisor	6

Consultant⁵

⁵ Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. 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.

EXHIBIT "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 Employee 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, that are 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, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are 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 utilized by the District.

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 Employee's Department.

RESOLUTION NO. 2070

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
JURUPA COMMUNITY SERVICES DISTRICT AMENDING
THE APPENDIX OF THE CONFLICT OF INTEREST CODE
PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Jurupa Community Services District (the "District") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the "Code") which was amended on November 24, 2008, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the District have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Appendix of the District's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the District being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Appendix was provided each affected designated employee and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Appendix at a regular meeting of the Board of Directors on November 23, 2009, at which all present were given an opportunity to be heard on the proposed amended Appendix.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Jurupa Community Services District that the Board of Directors does hereby adopt the proposed amended Appendix of the Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the General Manager and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED that the said amended Appendix shall be submitted to the Board of Supervisors of the County of Riverside for approval and said

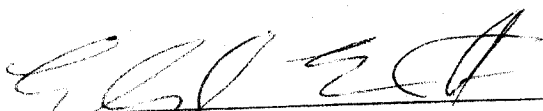
Appendix shall become effective 30 days after the Board of Supervisors approves the proposed amended Appendix as submitted.

APPROVED AND ADOPTED this 23rd day of November, 2009.



President, Board of Directors
Jurupa Community Services District

ATTEST:



Secretary, Board of Directors
Jurupa Community Services District

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

JURUPA COMMUNITY SERVICES DISTRICT

(Amended November 23, 2009)

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Sewer Systems Supervisor	6
Customer Service Manager	6
Customer Service Supervisor	6
Development Supervisor	2, 3, 6
Director of Administration	5
Director of Engineering and Operations	2, 3, 5
Director of Parks and Community Affairs	2, 3, 6
Engineering Manager	2, 3, 6
Facilities & Fleet Coordinator	6
Finance Manager	1, 2
General Counsel	1, 2
Human Resources Specialist	6
Information Technology Administrator	6
Manager of Human Resources	6

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Parks Supervisor	3, 6
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Project Manager Inspector	2, 3, 6
Public Information Officer	6
Purchasing Agent	5
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Senior Accountant	5
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Warehouse/Inventory Control	5
Water Distribution Supervisor	6
Water Service & Maintenance Foreman	6
Water Production & Treatment Supervisor	6

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CERTIFICATION

I, Eldon Horst, Secretary of the Board of Directors of Jurupa Community Services District, certify that the foregoing resolution was adopted by the Board of Directors at a regular meeting held on the 23rd day of November 2009, by the following vote of the Directors:

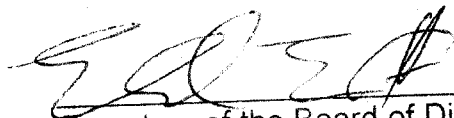
AYES: Kathryn Bogart, Betty A. Anderson, Jane F. Anderson, R. M. "Cook" Barela, Kenneth J. McLaughlin

NOES: None

ABSENT: None

ABSTAINED: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Jurupa Community Services District this 23rd day of November 2009.



Secretary of the Board of Directors

(SEAL)

STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

I, ELDON HORST, Secretary of the Board of Directors of the Jurupa Community Services District, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. 2070.

DATED: 23rd day of November, 2009.

(SEAL)



Secretary of the Board of Directors

LEGISLATIVE VERSION
(SHOWS CHANGES MADE)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

JURUPA COMMUNITY SERVICES DISTRICT

(Amended November 24~~23~~, 2008~~2009~~)

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Development Supervisor	2, 3, 6
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Director of Engineering and Operations	2, 3, 5
Director of Parks and Community Affairs	2, 3, 6
<u>Engineering Manager</u>	<u>2, 3, 6</u>
<u>Facilities & Fleet Coordinator</u>	<u>6</u>
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