

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

716
A



FROM: County Counsel

SUBMITTAL DATE:
September 18, 2014

SUBJECT: Approval of the Conflict of Interest Code of the Riverside County Law Library

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Conflict of Interest Code submitted by Riverside County Law Library; and
2. Direct the Clerk of the Board to notify Riverside County Law Library 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.

Departmental Concurrence

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

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

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: October 7, 2014
 xc: Co.Co., Library, COB

Kecia Harper-Ihem
 Clerk of the Board
 By:
Deputy

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

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 the Riverside County Law Library.

Riverside County Law Library recently amended its Conflict of Interest Code to revise the title of an existing position and delete a position. Riverside County Law Library 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 Riverside County Law Library's Conflict of Interest Code as revised is attached.

It is recommended that the Board of Supervisors approve Riverside County Law Library as revised and that the Clerk of the Board notify the Agency of the action taken.

Impact on Citizens and Businesses

N/A.

RESOLUTION AMENDING A CONFLICT OF INTEREST CODE 2014-01

WHEREAS, the Political Reform Act, Government code section 81000, et seq. requires that state and local government agencies adopt and promulgate Conflict of Interest Codes; and

WHEREAS, the Board of Trustees for the Law Library adopted a Conflict of Interest Code for the Law Library in October 20, 2006; and

WHEREAS, the Code has not been amended or updated since that time; and

WHEREAS, Government Code section 87306.5 now requires that a Conflict of Interest Code be reviewed each even numbered year to determine if it is accurate or requires amendment; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, i.e., 2 California Code of Regulations sec. 18730, which contains the terms of a standard Conflict of Interest Code, which may be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act; and

WHEREAS, subsequent amendments to and changes in the Political Reform Act of 1974 and the regulations of the Fair Political Practices Commission by the Legislature, the Commission, and the Courts, as well as changed circumstances within Riverside County have made it advisable and necessary pursuant to Section 87306 and 87307 of the Act to amend and update the Law Library's

Conflict of Interest Code and the designated positions and disclosure categories therein; and

WHEREAS, notice of time and place of a public hearing on, and of consideration by the Board of Trustees of the proposed amended Conflict of Interest Code was publicly posted for review at 3989 Lemon Street, Riverside, California and duly published in a newspaper of general circulation in the County pursuant to Government Code Section 6066; and

WHEREAS, a public hearing was held upon the proposed amended Conflict of Interest Code at a regular meeting of the Board of Trustees on August 1, 2014 at which all present were given an opportunity to be heard on the proposed adoption of the amended Conflict of Interest Code; now therefore

BE IT RESOLVED by the Board of Trustees of the Riverside County Law Library, in regular session assembled on August 1, 2014, that the Provisions of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the California Fair Political Practices Commission, are hereby incorporated by references and along with attached Appendices A and B in which certain enumerated officials and employees are designated and certain disclosure categories are established, shall constitute the Conflict of Interest Code for the Law Library.

BE IT FURTHER RESOLVED that pursuant to the Section (b) 4 of the Standardized Code, all designated officials and employees shall file their

Statement of Economic Interest with the Law Library Director. Upon receipt of the Statement of Economic Interest, the Law Library Director shall retain the Statements on file in his or her office, with the exception of the Statement of the Law Library Director who shall file his or her own Statement with the Clerk of the Board of Supervisors.

BE IT RESOLVED that this Resolution and its attached Appendices shall now supersede the Code adopted in 2006.

APPENDIX A

Designated Positions:

Board Members
Law Library Director
Consultants

APPENDIX B

Disclosure Categories:

An investment, interest in real property, or income is reportable if the Business entity in which the investment is held, the interest in real property, or the income or source of income may foreseeably be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

Designated Employees Must Report:

- A. Investment in any business entity, which, within the last two years, has contracted, or in the reasonably foreseeable future, may contract with the Board of Law Library Trustees to provide services, supplies, materials, machinery or equipment to the Law Library.

- B. Income from any source which, within the last two years, has contracted, or in the future foreseeably may contract with the Law Library to provide services, supplies, materials, machinery or equipment to the Law Library.

- C. His or her status as a director, officer, partner, trustee, employee or holder of a position in management in any business entity, which, within the last two years, has contracted, or in the reasonably foreseeable future may contract with the Law Library Trustees to provide services, supplies, materials, machinery or equipment to the Law Library.

Consultants:

The Law Library Director 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 a written determination shall include a description of the consultant's duties and, based upon the description, a statement of the extent of disclosure requirements. The Law Library Director's determination shall be a public record and shall be retained for public inspection in the same manner and location as other disclosures requirements described in this section.

FORM APPROVED COUNTY COUNSEL
BY: Alexandra Fong 9/15/14
L. ALEXANDRA FONG DATE