

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

306A



FROM: County Counsel

SUBMITTAL DATE:
March 3, 2015

SUBJECT: Approval of the Conflict of Interest Code of the High Valleys Water District District 5 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Conflict of Interest Code submitted by High Valleys Water District; and
2. Direct the Clerk of the Board to notify High Valleys Water 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.

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
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None
Date: March 24, 2015
xc: Co.Co., District, COB

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

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

Prev. Agn. Ref.: 8/9/94; 3.12 | District: 5 | Agenda Number:

2-6

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: High Valleys Water District**

DATE: March 3, 2015

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 High Valleys Water District.

High Valleys Water District recently revised its Conflict of Interest Code (appendix) and has submitted it to the Board of Supervisors as the code reviewing body.

This office has reviewed the revised Conflict of Interest Code (appendix) and has found that it complies with statutory requirements. A copy of High Valleys Water District's revised Conflict of Interest Code (appendix) is attached.

It is recommended that the Board of Supervisors approve High Valleys Water District'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.

RESOLUTION NO. 274**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
HIGH VALLEYS WATER DISTRICT RESCINDING RESOLUTION 205 AND
ADOPTING A NEW CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act (Government Code Section 81000 et seq.) requires the High Valleys Water District ("District") to adopt a Conflict of Interest Code; and

WHEREAS, the Fair Political Practices Commission ("FPPC") has adopted a Regulation (Title 2, California Code of Regulations, Section 18730) which contains the terms of a Standard Conflict of Interest Code which can be adopted by the District's Board of Directors by reference.

NOW, THEREFORE, the District's Board of Directors hereby resolves as follows:

1. **Adoption of Standard Conflict of Interest Code.** The Standard Conflict of Interest Code, adopted by the FPPC as Title 2, California Code of Regulations, Section 18730 (and any amendments that may hereafter be made thereto by the FPPC) is hereby adopted as the Conflict of Interest Code for the District and is incorporated into this Resolution by this reference as though set forth in full.

2. **Designated Positions and Disclosure Categories.** District employees who must comply with the Conflict of Interest Code are those who hold the positions listed on Exhibit A to this Resolution, for the reason that they are persons who make or participate in the making of decisions which may foreseeably have a material effect on their respective economic interests. Such designated employees shall file Statements of Economic Interests with the Board Of Director's Secretary in accordance with the Disclosure Categories defined on Exhibit "B" to this Resolution.

3. **Certain Advisory Boards Exempt.** Members of Boards, Commissions, Committees and Task Forces that are solely advisory and possess no decision-making authority are not required to file Statements of Economic Interests.

4. **Consultants.** Consultants retained by the District under contract shall be required to file Statements of Economic Interests in the disclosure categories listed on Exhibit "A" unless the General Manager determines, in writing, that a particular consultant is hired to perform a range of duties that is limited in scope and which does not entail the making or participation in the making of governmental decisions which may foreseeably have a material effect on any financial interest of that consultant.

5. **Rescission.** Resolution No. 205, dated April 18, 1984, entitled "A Resolution of the Board of Directors of the High Valleys Water District Rescinding the Conflict of Interest Code adopted by Resolution Number 118 and adopting a New Conflict of Interest Code" is hereby rescinded in its entirety.

FORM APPROVED COUNTY COUNSEL
BY: L. ALEXANDRA FONG 3/3/15
DATE

6. **Duties of the General Manager.** The District Office Administrator is hereby directed to provide copies of this Conflict of Interest Code to the persons appointed to the designated positions listed on Exhibit "A" and shall make the Statements of Economic Interests prepared and filed pursuant to this Resolution available for public inspection and reproduction.


MOVED, PASSED AND ADOPTED by the District's Board of Directors at its meeting held on February 18th, 2015, by the following vote:

AYES: President Ernest Wright, Vice President Michelle Pavey, Director Mona Van Sickle, Director Clarence Haaland and Director Robert Hughes

NOES: none

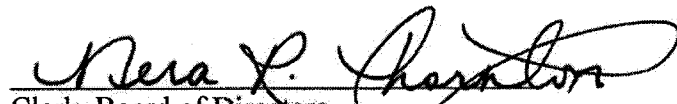
ABSTAIN: none

ABSENT: none



President, Board of Directors
High Valleys Water District

ATTEST:



Clerk, Board of Directors

EXHIBIT "A"
DESIGNATED POSITIONS

	<u>Designated Positions</u>	<u>Disclosure Categories</u>
1.	Members of the Board of Directors	1, 2, 3, 4, 5
2.	General Manager	1, 2, 3, 4, 5
3.	District Office Administrator	1, 2, 3, 4, 5
4.	General Counsel	1, 2, 3, 4
5.	District Treasurer	1, 2, 3, 4, 5
6.	Board Secretary	1, 2, 3, 4, 5

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, business positions and sources of income, including gifts, loans and travel payments, that are located in, do business in, or that own real property in 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 District.

Category 3: All investments, business positions 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 in the District.

Category 4: All investments and business positions 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 District.

Category 5: All investments and business positions and sources of income, including gifts, loans and travel payments, from vendors that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's department, unit or division.