

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



**FROM:** County Counsel

**SUBMITTAL DATE:**  
September 15, 2016

**SUBJECT:** Approval of the Conflict of Interest Code of Beaumont-Cherry Valley Recreation and Park District [District 5, \$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Conflict of Interest Code submitted by Beaumont- Cherry Valley Recreation and Park District; and
2. Direct the Clerk of the Board to notify Beaumont- Cherry Valley Recreation and Park District of the action taken

**Consent**

**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.

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	N/A
			<b>For Fiscal Year:</b>	N/A

**C.E.O. RECOMMENDATION:** [CEO use]

**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:** September 27, 2016  
**xc:** Co.Co., District, BB&K, COB<sub>cm</sub>

Kecia Harper-Ihem  
 Clerk of the Board  
 By: *[Signature]*  
 Deputy

**2-13**

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



SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: Approval of the Conflict of Interest Code of Beaumont-Cherry Valley Recreation and Park  
District [District 5, \$0]

DATE: September 15, 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 the Beaumont- Cherry Valley Recreation and Park District.

Beaumont- Cherry Valley Recreation and Park District recently amended 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 appendix to the Conflict of Interest Code and has found that it complies with statutory requirements. A complete copy of Beaumont- Cherry Valley Recreation and Park District's Conflict of Interest Code is attached.

It is recommended that the Board of Supervisors approve Beaumont- Cherry Valley Recreation and Park District's Conflict of Interest Code as revised and that the Clerk of the Board notify the Agency of the action taken.

**Impact on Residents and Businesses**

N/A

**ATTACHMENTS (if any, in this order):**

**ATTACHMENT A. Conflict of Interest Code of Beaumont- Cherry Valley Recreation and Park District**

**CONFLICT OF INTEREST CODE FOR THE**  
**BEAUMONT-CHERRY VALLEY RECREATION**  
**AND PARK DISTRICT**  
**(Amended August 8, 2012)<sup>1</sup>**

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 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 **Beaumont-Cherry Valley Recreation and Park District** (the "District").

Officials required to submit a statement of economic interests shall file their statements with the **Human Resources Director** as the District's Filing Officer. The **Human Resources Director** shall make and retain a copy of all statements filed by the General Manager and Board of Directors and forward the originals of such statements to the Clerk of the Board of Supervisors of Riverside County. The **Human Resources Director** shall retain the originals of the statements of all other Designated Positions and will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

<sup>1</sup> Titles updated September 1, 2016, to reflect District nonsubstantive changes.

# APPENDIX

## CONFLICT OF INTEREST CODE OF THE BEAUMONT-CHERRY VALLEY RECREATION AND PARK DISTRICT

(Adopted August 8, 2012)

### PART "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to the District's Code, but must file disclosure statements under 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 investments<sup>2</sup>:

Members of the Board of Directors

General Manager

Financial Consultants

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<sup>2</sup> 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**

<b><u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u></b>	<b><u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u></b>
Activities Coordinator	5
Athletic Coordinator	5
General Counsel	1, 2
Human Resources Director	4
Maintenance Foreman	5
Consultant and New Positions <sup>3</sup>	

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<sup>3</sup> Individuals providing services as a Consultant defined in Regulation 18700.3, 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 economic interests that the Designated Position must disclose for each disclosure category to which he or she is assigned.<sup>4</sup> "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and 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 District.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, 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, engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

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

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<sup>4</sup> 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 functions of the position. (Reg. 18730.1)