

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



FROM : COUNTY COUNSEL

SUBMITTAL DATE:

October 12, 2016

SUBJECT: Approval of the Conflict of Interest Code of the Western Riverside County Regional Conservation Authority [District 1, 2, 3, 5] [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Conflict of Interest Code submitted by the Western Riverside County Regional Conservation Authority; and
2. Direct the Clerk of the Board to notify the Western Riverside County Conservation Authority of the action taken.

Policy

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.

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

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

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, 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: October 25, 2016
xc: Co.Co., District, COB_{cm}

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

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

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 Western Riverside County Regional Conservation Authority.

Western Riverside County Regional Conservation Authority recently amended 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 Conflict of Interest Code and has found that it complies with statutory requirements. A complete copy of Western Riverside County Regional Conservation Authority's Conflict of Interest Code as revised is attached.

It is recommended that the Board of Supervisors approve Western Riverside County Regional Conservation Authority's Code as revised and that the Clerk of the Board notify the Agency of the action taken.

Impact on Residents and Businesses

N/A

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

ATTACHMENT A. Western Riverside County Regional Conservation Authority Conflict of Interest Code

RESOLUTION NO. 2016-015

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
WESTERN RIVERSIDE COUNTY REGIONAL
CONSERVATION AUTHORITY AMENDING THE
CONFLICT OF INTEREST CODE PURSUANT TO THE
POLITICAL REFORM ACT OF 1974**

WHEREAS, 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 Western Riverside County Regional Conservation Authority ("RCA") 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 June 1, 2015, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within RCA have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update RCA'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 RCA 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 Code was provided each affected designated employee and publicly posted for review; and

WHEREAS, a public meeting was held upon the proposed amended Conflict of Interest Code at a regular meeting of the Board of Directors of RCA on September 12, 2016, at which all present were given an opportunity to be heard on the proposed amended Code.

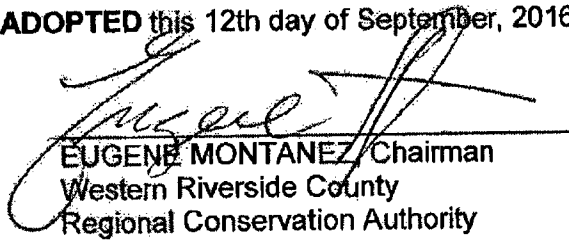
NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

1. The Board of Directors of RCA does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Director of Administrative Services and available to the public for inspection and copying during regular business hours.


2. The said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of Riverside for approval.

3. The said amended Conflict of Interest Code shall become effective immediately upon the date the Riverside County Board of Supervisors approves the proposed Code as submitted.

PASSED, APPROVED AND ADOPTED this 12th day of September, 2016.


EUGENE MONTANEZ, Chairman
Western Riverside County
Regional Conservation Authority

ATTEST:


Honey Bernas, Clerk of the Board
Western Riverside County
Regional Conservation Authority

**CONFLICT OF INTEREST CODE
OF THE
WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY**

(Amended September 12, 2016)

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) that 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 Section 18730 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 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Western Riverside County Regional Conservation Authority** (the "Authority").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Director of Administrative Services** as the Authority's Filing Officer. The **Director of Administrative Services** shall make and retain a copy of all statements filed by Members of the Board of Directors and their Alternates and the Executive Director, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The **Director of Administrative Services** shall retain the originals of the statements filed by all other officials and designated positions. The **Director of Administrative Services** will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

BBK – July 2016

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY
(Amended September 12, 2016)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority Officials who manage public investments, as defined by 2 California Code of Regs. § 18700.3(b), are NOT subject to the Authority'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 investments¹ :

Members of the Board of Directors and their Alternates

Executive Director

Treasurer²

Financial Consultant

¹ 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.

² This is the County Treasurer; no duplicate filing is required under this Code.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS*</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Controller	1, 2
Deputy Executive Director, RCA	1, 2
Director of Administrative Services, RCA	4
Director of Land Acquisition, RCA	1, 2
Director of Reserve Management and Monitoring, RCA	1, 2
General Counsel	1, 2
RCA Administrative Manager	4
RCA Administrative Services Officer	4
RCA Chief of Technical Information	5
RCA Ecological Resources Specialist	2, 5
RCA GIS/IT Database Manager	5
RCA Land Acquisition Analyst	1, 2
RCA Senior Real Property Agent	2, 5
RCA Supervising Accountant	4
Reserve Manager	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

MEMBERS OF BOARDS,
COMMITTEES & COMMISSIONS

Executive Committee	4
Funding Coordination Committee	1, 2
Reserve Management Oversight Committee	1, 2

Consultant and New Positions³

³ Individuals serving as a consultant as defined in FPPC Reg 18700.3(a) or in a new position created since this Code was later amended that makes or participates in making decisions must file under the broadest disclosure requirements set forth in this Code subject to the following limitation:

The Executive Director 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 § 82019; FPPC Regs 18219 and 18734.) The Executive Director'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 § 81008.)

PART "B"
DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic investments that the designated position must disclose for each disclosure category to which he or she is assigned.⁴ "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 Authority.

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 Authority.

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 Authority.

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 the Authority.

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 utilized by the Authority.

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 utilized by designated position's department, unit or division.

FORM APPROVED COUNTY COUNSEL
BY Kristine Bell-Valdez 10/18/16 DATE

⁴ 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 or duties of the position. (Reg. 18730.1)