

**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 Valley Sanitary District [District 4]  
[\$0]

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

1. Approve the Conflict of Interest Code submitted by the Valley Sanitary District; and
2. Direct the Clerk of the Board to notify Valley Sanitary 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:</b> N/A			<b>Budget Adjustment:</b> N/A	
			<b>For Fiscal Year:</b> N/A	


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

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**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<sub>cm</sub>

KeCIA Harper-Ihem  
 Clerk of the Board  
 By:   
 Deputy

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**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 Valley Sanitary District.

Valley Sanitary District 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 Valley Sanitary District's Conflict of Interest Code as revised is attached.

It is recommended that the Board of Supervisors approve Valley Sanitary District'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 (if needed, OR delete this section):**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

**ATTACHMENT A. CONFLICT OF INTEREST CODE OF THE VALLEY SANITARY DISTRICT**

LAW OFFICES OF  
BEST BEST & KRIEGER LLP

**CONFLICT OF INTEREST CODE  
OF THE  
VALLEY SANITARY DISTRICT**

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# CONFLICT OF INTEREST CODE OF THE VALLEY SANITARY DISTRICT

(Adopted November 25, 2014)

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 **Valley Sanitary District** (the "**District**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Administration and Finance Manager** as the District's Filing Officer. The **Administration and Finance Manager** shall make and retain a copy of all statements filed by the Board of Directors and General Manager and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The **Administration and Finance Manager** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

**APPENDIX**

**CONFLICT OF INTEREST CODE**

**OF THE**

**VALLEY SANITARY DISTRICT**

(Amended November 25, 2014<sup>1</sup>)

**PART "A"**

**OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to the disclosure requirements of 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 Consultant

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<sup>1</sup> Updated September 29, 2016, to include FPPC Regulation revision, revise titles, and clarify disclosure language.

<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**

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administration and Finance Manager	4
Assistant Engineer	3, 5
Chief Wastewater Operator	5
Collection Systems Supervisor	5
Development Services Technician	3, 5
Director of Engineering & Maintenance	1, 2
General Counsel	1, 2
Laboratory Analyst/Coordinator	5
Maintenance Supervisor	5
Wastewater Operator Supervisor	5
Consultant and New Positions <sup>3</sup>	

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<sup>3</sup> Individuals serving as a consultant as defined in FPPC Reg 18700.3 or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth 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, that are located in, 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 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 used, purchased or leased by the designated position's department, unit or division.

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

FORM APPROVED COUNTY COUNSEL  
BY *Kristine Bell-Valdez*  
KRISTINE BELL-VALDEZ DATE