

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



ITEM
2.19
(ID # 3017)

MEETING DATE:

Tuesday, December 6, 2016

FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of the Conflict of Interest Code of the Perris Union High School District; District 5 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Conflict of Interest Code submitted by Perris Union High School District; and
2. Direct the Clerk of the Board to notify Perris Union High School District of the action taken.

ACTION: 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.

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: Approve

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: Benoit
Date: December 6, 2016
xc: Co.Co., District, BB&K, COB_{cm}

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

2.19

**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 Perris Union High School District.

Perris Union High School 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 Perris Union High School District's Conflict of Interest Code as revised is attached.

It is recommended that the Board of Supervisors approve Perris Union High School 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:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

ATTACHMENT A. CONFLICT OF INTEREST CODE FOR THE PERRIS UNION HIGH SCHOOL DISTRICT


Gregory J. Priantos, Director County Counsel

11/17/2016


Tina Grande, Principal Management Analyst

11/29/2016

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE PERRIS
UNION HIGH SCHOOL DISTRICT 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 Perris Union High School District (the "District") and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Board of Trustees adopted a Conflict of Interest Code (the "Code") which was amended on October 16, 2014, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the District have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the District'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 the District 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 Trustees of, the proposed amended Code was provided each affected designated position and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Trustees on October 16, 2014, at which all present were given an opportunity to be heard on the proposed amended Code.

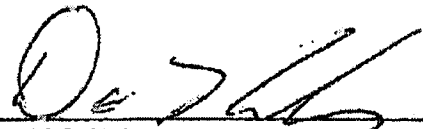
NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Perris Union High School District that the Board of Trustees does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Executive Assistant to the Superintendent, and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of Riverside for approval and said Code shall become effective upon the Board of Supervisors' approval of the proposed amended Appendix as submitted.

APPROVED, SIGNED AND ADOPTED this 19th day of October, 2016, by the following vote:

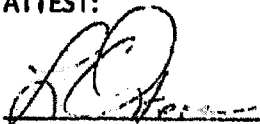
AYES: 5
NOES: 0
ABSTAIN: 0
ABSENT: 0

PERRIS UNION HIGH SCHOOL DISTRICT



David G. Nelissen
President, Board of Trustees
Perris Union High School District

ATTEST:



Lori Ortell
Executive Assistant to the Board of Trustees
Perris Union High School District

CONFLICT OF INTEREST CODE
FOR THE
PERRIS UNION
HIGH SCHOOL DISTRICT

03907.0000029246658.3

BBK – September 2016

FORM APPROVED COUNTY COUNCIL

BY Kristine Bell-Valdez 11/15/16
KRISTINE BELL-VALDEZ DATE

CONFLICT OF INTEREST CODE FOR THE
PERRIS UNION HIGH SCHOOL DISTRICT

(Amended October 19, 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 of 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 18730 and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the **Perris Union High School District** (the "**District**").

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

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

PERRIS UNION HIGH SCHOOL DISTRICT

(Amended October 19, 2016)

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 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 investments¹

Assistant Superintendent, Business Services
Financial Consultants
Members of the Board of Trustees
Superintendent

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.

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>
Assistant Director of Technology	5
Assistant Principals (ALL)	5
Assistant Superintendent, Educational Services	5
Assistant Superintendent, Human Resources	5
Chief Human Resources Officer	5
Coordinator, Educational Services	5
Coordinator, Special Education	5
Director of Curriculum and Instruction	5
Director of Facilities	1, 2
Director of Facilities Services	1, 2
Director of Fiscal Services	4
Director of Human Resources (ALL)	5
Director of Instructional and Information Technology	5
Director of Nutrition Services	5
Director of Purchasing	4
Director of Risk Management and Environmental Safety	5, 6
Director of Special Education	5
ERMHS Therapist	5
Executive Director of Human Resources	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Executive Director of Technology	5
Field Supervisor, Nutrition Services	5
General Counsel	1, 2
Maintenance & Operations Supervisor	5
Principals (ALL)	5
Program Specialist	5
Purchasing Agent	4
Risk Management Supervisor	5, 6

MEMBERS OF BOARDS, COMMITTEES & COMMISSIONS

Bond Oversight Committee	1, 2
Consultant and New Position ²	

² 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 Superintendent 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 Superintendent'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.³ "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 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.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, of such entities or sources that have filed claims against the agency in the past 2 years, or have a claim pending before the District.

³ 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)