

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



ITEM
2.16
(ID # 4092)

MEETING DATE:
Tuesday, May 2, 2017

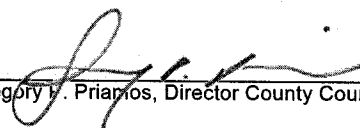
FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of the Conflict of Interest Code of the Murrieta Valley Cemetery District [District 3] [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Conflict of Interest Code submitted by Murrieta Valley Cemetery District; and
2. Direct the Clerk of the Board to notify Murrieta Valley Cemetery District of the action taken.

ACTION: Consent

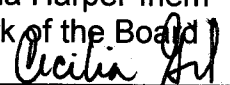


Gregory F. Priamos, Director County Counsel 4/13/2017

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: None
Date: May 2, 2017
xc: Co.Co., District, COBCM

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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

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

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.

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 Murrieta Valley Cemetery District.

Murrieta Valley Cemetery District recently revised its Conflict of Interest Code by making non-substantive revisions to the 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.

It is recommended that the Board of Supervisors approve Murrieta Valley Cemetery District's Code as revised and that the Clerk of the Board notify the Agency of the action taken.

SUPPLEMENTAL:

Additional Fiscal Information

N/A.

Impact on Residents and Businesses

N/A.

Contract History and Price Reasonableness

N/A.

ATTACHMENTS (if any, in this order):

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

ATTACHMENT A. CONFLICT OF INTEREST CODE OF THE MURRIETA VALLEY
CEMETERY DISTRICT

CONFLICT OF INTEREST CODE OF THE MURRIETA VALLEY CEMETERY DISTRICT

(Amended December 9, 2008)¹

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted 2 Cal. Code of Regs. Section 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 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 regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the Murrieta Valley Cemetery District (the "District").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the District Secretary as the District's Filing Officer. The District Secretary shall make and retain a copy of all statements filed by the Board of Trustees and District Manager and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The District Secretary shall retain the originals of the statements filed by all other officials

¹ Revised April 11, 2017 to indicate correct filing officer handling instructions as provided in Gov. Code § 87500(k) and (p); and to update FPPC cited Regulations and standard format as revised through July 10, 2015.

Henry Jones
MURRIETA VALLEY CEMETERY DISTRICT

BBK – April 2017
4/12/17
DATE

LAW OFFICES OF
BEST BEST & KRIEGER LLP

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

MURRIETA VALLEY CEMETERY DISTRICT

(Amended December 9, 2008)

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 are subject to the disclosure requirements of the Act. (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 investments²:

Members of the Board of Trustees

District Manager

Financial Consultant

² 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 makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
General Counsel	1, 2
District Secretary	3
Consultants and New Positions ³	

³ 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 District 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 §. 82019; FPPC Regs. 18219 and 18734.) The District 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 § 81008.)

PART "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.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, doing business in, planning to do business in, 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, 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, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by 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 Designated Employee's department, unit or division.

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)