

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



ITEM
2.8
(ID # 5845)

MEETING DATE:

Tuesday, December 12, 2017


FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approve of the Conflict of Interest Code for the Jurupa Community Services District [District 2][[\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Conflict of interest Code submitted by the Jurupa Community Services District; and
2. Direct the Clerk of the board to notify Jurupa Community Services District of the action taken.

ACTION:



Gregory V. Priamos, Director County Counsel 11/13/2017

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Perez and Ashley
Nays: None
Absent: Washington
Date: December 12, 2017
xc: Co.Co., COB, District, BB&K

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:	No
			For Fiscal Year:	17/18

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 Jurupa Community Services District.

Jurupa Community Services District recently amended its Conflict of Interest Code to include new positions that must be designated and to revise titles of existing positions. Jurupa Community Services District 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 Jurupa Community Services District's Conflict of Interest Code as revised is attached.

It is recommended that the Board of Supervisors approve Jurupa Community Services 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

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

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

ATTACHMENTS (if any, in this order):

ATTACHMENT A: CONFLICT OF INTEREST CODE FOR THE JURUPA COMMUNITY SERVICES DISTRICT

ATTACHMENT B: RESOLUTION NO. 2807 OF THE BOARD OF DIRECTORS OF THE JURUPA COMMUNITY SERVICES DISTRICT AMENDING THE CONFLICT OF INTEREST CODE



Gregory V. Priamos, Director County Counsel 12/5/2017



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October 24, 2017

Cheri Marinos, SEI Filing Officer
Kecia Harper-Ihem, Clerk of the Board
Board of Supervisors
County of Riverside
P.O. Box 1147
Riverside, CA 92502-1147

Re: Jurupa Community Services District - Amendment of the
Conflict of Interest Code and Request for Notice

Dear Cheri:

Enclosed for review and approval by the Board of Supervisors is the amended Conflict of Interest Code of the Jurupa Community Services District. The Code was amended by the District's Board of Directors on October 23, 2017, by Resolution No. 2807, a copy of which is also enclosed. As you can see by the legislative version of the Code, the amendment was done to add new positions that must be designated, and revise titles of existing designated positions. 2017

Please notify me when this matter will be submitted to the Board for approval. I would also appreciate a copy of the Resolution or Minute Order approving the District's amended Code.

Please feel free to call or email me if you or County Counsel have any questions regarding the enclosed or this matter.

Sincerely,


Dianna Marie Valdez, Senior Paralegal
Conflicts of Interest & Ethics Coordinator
for BEST BEST & KRIEGER LLP
General Counsel
Jurupa Community Services District

Enclosures

CONFLICT OF INTEREST CODE FOR THE
JURUPA COMMUNITY SERVICES DISTRICT

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, the standard code 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 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Jurupa Community Services District** (the "District").

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

FORM APPROVED COUNTY COUNSEL
BY  11/13/17
KRISTINE BELL-VALDEZ DATE

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
JURUPA COMMUNITY SERVICES DISTRICT
(Amended October 23, 2017)

PART "A"
OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), 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:

Members of the Board of Directors
General Manager
Director of Finance & Administration
Financial Consultants

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>
Accounting Manager	5
Assistant Engineer	2, 3, 5
Budget Analyst	4
Community Affairs Officer	5
Conservation Coordinator	2, 5
Construction Inspector (All)	2, 3, 5, 6
Customer Service Manager	5
Development Engineer	2, 3, 5
Director of Engineering & Operations	2, 3, 4
Director of Parks & Community Affairs	2, 3, 5
District Engineer	2, 3, 5
Engineering Manager	2, 3, 5
Executive Assistant/Board Secretary	5
Facilities & Fleet Supervisor	5
Finance Manager	1, 2
Fleet Mechanic II	5
General Counsel	1, 2
Human Resources Analyst	5
Human Resources Manager	5
Information Technology Analyst	5
Information Technology GIS Analyst	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Information Technology Manager	5
IT SCADA Coordinator	5
Park Maintenance Supervisor	3, 5
Park Services Supervisor	5
Parks & Recreation Manager	2, 3, 5
Record Retention Coordinator	5
Recreation Specialist	5
Recreation Supervisor	5
Safety & Emergency Response Officer	5
Senior Engineer	2, 3, 5, 6
Sewer Operations Manager	2, 3, 5
Sewer Service & Maintenance Foreman	5
Sewer Systems Supervisor	5
Source Control Supervisor	5
Warehouse/Inventory Control	4
Water Distribution Supervisor	5
Water Operations & Facilities Manager	2, 3, 5
Water Service & Maintenance Foreman	5
Water Systems Supervisor	5
Water Treatment Plant Supervisor	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultants and New Positions²

² Individuals providing services as a Consultant defined in Regulation 18701, or in a new position created since this Code was last approved that make or participate 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.³ Such economic interests 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 utilized 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, subject to the regulatory, permit, or licensing authority of the designated employee's department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts 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)

LEGISLATIVE VERSION
(SHOWS PROPOSED CHANGES)

CONFLICT OF INTEREST CODE FOR THE
JURUPA COMMUNITY SERVICES DISTRICT

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JURUPA COMMUNITY SERVICES DISTRICT
(Amended September 12, 2016 October 23, 2017)

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Accounting Manager	5
<u>Assistant Engineer</u>	<u>2, 3, 5</u>
Budget Analyst	4
Community Affairs Officer	5
Conservation Coordinator	2, 5
Customer Service Manager	5
Development Supervisor	2, 3, 5
<u>Development Engineer</u>	<u>2, 3, 5</u>
Director of Engineering & Operations	2, 3, 4
Director of Parks & Community Affairs	2, 3, 5
District Engineer	2, 3, 5
Engineering Manager	2, 3, 5
Executive Assistant/Board Secretary	5
Facilities & Fleet Supervisor	5
Finance Manager	1, 2
Fleet Mechanic II	5
General Counsel	1, 2
Human Resources Analyst	5
Human Resources Manager	5

<u>DESIGNATED POSITIONS' TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES ASSIGNED</u>
Information Technology Analyst	5
Information Technology GIS Analyst	5
Information Technology Manager	5
IT SCADA Coordinator	5
Park Maintenance Supervisor	3, 5
Park Services Supervisor	5
Parks & Recreation Manager	2, 3, 5
Record Retention Coordinator	5
Recreation Specialist	5
Recreation Supervisor	5
Safety Program Coordinator & <u>Emergency Response Officer</u>	5
Senior Construction Inspector <u>(All)</u>	2, 3, 5, 6
Senior Engineer	2, 3, 5, 6
Sewer Operations Manager	2, 3, 5
Sewer Service & Maintenance Foreman	5
Sewer Systems Supervisor	5
Source Control Supervisor	5
Warehouse/Inventory Control	4
Water Distribution Supervisor	5
Water Operations & Facilities Manager	2, 3, 5
Water Service & Maintenance Foreman	5
Water Systems Supervisor	5
Water Treatment Plant Supervisor	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultants and New Positions²

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App. A-4-

*BBK – July 2016*October 2017

PART "B"

DISCLOSURE CATEGORIES

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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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RESOLUTION NO. 2807

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
JURUPA COMMUNITY SERVICES 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 Jurupa Community Services District (the "District") 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 September 12, 2016, 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 Directors of, the proposed amended Code was provided each affected designated employee 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 Directors on October 23, 2017, 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 Directors of the Jurupa Community Services District that the Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the General Manager and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED that the said amended Code shall be submitted to the Board of Supervisors of the County of Riverside for approval and said Code shall become effective immediately after the Board of Supervisors approves the proposed amended Code as submitted.

APPROVED AND ADOPTED this 23rd day of October 2017.


President, Board of Directors
Jurupa Community Services District

ATTEST:


Secretary, Board of Directors
Jurupa Community Services District

CERTIFICATION

I, Julie B. Saba, Secretary of the Board of Directors of Jurupa Community Services District, certify that the foregoing resolution was adopted by the Board of Directors at a regular meeting held on the 23rd day of October 2017, by the following vote of the Directors:

AYES: Kenneth J. McLaughlin, Betty A. Anderson, Jane F. Anderson, Richard "Dickie" Simmons

NOES: None

ABSENT: None

ABSTAINED: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Jurupa Community Services District this 23rd day of October 2017.


Secretary of the Board of Directors

(SEAL)