

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



ITEM
2.7
(ID # 7907)

MEETING DATE:

Tuesday, September 11, 2018

FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: 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 of the Western Riverside County Regional Conservation Authority; and
2. Direct the Clerk of the Board to notify the Western Riverside County Regional Conservation Authority of the action taken.

ACTION: Consent

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Washington, Perez and Ashley
Nays: None
Absent: Tavaglione
Date: September 11, 2018
xc: Co.Co., COB, Authority, BBK

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	N/A	N/A	N/A	N/A
NET COUNTY COST	N/A	N/A	N/A	N/A
SOURCE OF FUNDS: N/A			Budget Adjustment: N/A	
			For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Political Reform Act prohibits a public official from using his or her position to influence a government decision in which he or she has a financial interest. Government Code section 87300 requires local government agencies to adopt and promulgate a Conflict of Interest Code identifying officials and employees required to file statements of economic interest based on the positions they hold. A local government agency, as defined by Government Code section 82041, includes the Western Riverside County Regional Conservation Authority.

Each even-numbered year, Government Code section 87306.5 requires local government agencies to review their Conflict of Interest Code, make appropriate revisions, if necessary, and submit an amended Conflict of Interest Code to the code reviewing body. Government Code section 82011(b) identifies the Board of Supervisors for the County of Riverside as the code reviewing body for a local government agency within its county.

The Western Riverside County Regional Conservation Authority recently amended its Conflict of Interest Code on July 25, 2018 to revise titles of existing positions and delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions. The Executive Director of the Western Riverside County Regional Conservation Authority has submitted a declaration stating that "[t]he Western Riverside County Regional Conservation Authority's Conflict of Interest Code specifically enumerates each of the positions within Western Riverside County Regional Conservation Authority which involve the making or participation in the making of decisions which may foreseeably have a material effect on financial interests." The Western Riverside County Regional Conservation Authority has submitted its amended Conflict of Interest Code for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the Conflict of Interest Code of the Western Riverside County Regional Conservation Authority and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Western Riverside County Regional Conservation Authority is attached.

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

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the Western Riverside County Regional Conservation Authority, and direct the Clerk of the Board to notify the Western Riverside County Regional Conservation Authority of the action taken.

ATTACHMENTS:

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

Attachment B: **DECLARATION OF CHARLES V. LANDRY**


Melissa Noone, Associate Management Analyst

9/4/2018


Gregory V. Priamos, Director County Counsel

8/27/2018

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

(Amended July 25, 2018)

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 Administrative Manager as the Authority's Filing Officer. The Administrative Manager 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 Administrative Manager shall retain the originals of the statements filed by all other officials and designated positions. The Administrative Manager will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

FORM APPROVED COUNTY COUNSEL
BY:  8/24/18
DANIELLE D. MALAND DATE

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY
(Amended July 25, 2018)

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, RC

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, RC	1, 2
Director of Administrative Services, RC	4
Land Acquisition Director, RC	1, 2
Director of Reserve Management and Monitoring, RC	1, 2
General Counsel	1, 2
Administrative Manager, RC	4
Administrative Services Officer, RC	4
Chief of Technical Information, RC	5
Ecological Resources Specialist, RC	2, 5
GIS/IT Database Manager, RC	5
Land Acquisition Analyst, RC	1, 2
Supervising Accountant, RC	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 Positions ³	

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.

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)

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

(Amended ~~September 12, 2016~~ July 25, 2018)

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**").

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BBK July 2016

LAW OFFICES OF
BEST BEST & KRIEGER LLP

Administrative Manager will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

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Controller	1, 2
Deputy Executive Director, RCA	1, 2
Director of Administrative Services, RCA	4
Director of Land Acquisition Director, RCA _____, 1, 2	_____
Director of Reserve Management and Monitoring, RCA	1, 2
General Counsel	1, 2
RCA-Administrative Manager, <u>RC</u>	4
RCA-Administrative Services Officer, <u>RC</u>	4
RCA-Chief of Technical Information, <u>RC</u>	5
RCA-Ecological Resources Specialist, <u>RC</u> _____	2, 5
RCA-GIS/IT Database Manager, <u>RC</u> _____	5
RCA-Land Acquisition Analyst, <u>RC</u>	1, 2
RCA Senior Real Property Agent _____	2, 5
RCA-Supervising Accountant, <u>RC</u>	4
Reserve Manager	5

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TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

MEMBERS OF BOARDS,
COMMITTEES & COMMISSIONS

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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.)

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

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)

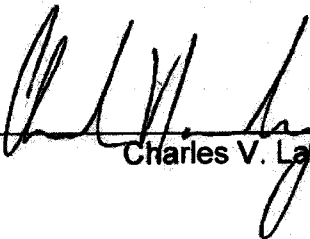
DECLARATION OF CHARLES V. LANDRY

I, Charles V. Landry, declare as follows:

1. I am the Executive Director of the Western Riverside County Regional Conservation Authority.

2. The Western Riverside County Regional Conservation Authority's Conflict of Interest Code specifically enumerates each of the positions within Western Riverside County Regional Conservation Authority which involve the making or participation in the making of decisions which may foreseeably have a material effect on financial interests.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on July 25, 2018, at Riverside, California.



Charles V. Landry