

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



ITEM  
2.9  
(ID # 8314)

**MEETING DATE:**

Tuesday, November 6, 2018

**FROM :** COUNTY COUNSEL:

**SUBJECT:** COUNTY COUNSEL: Approval of the Conflict of Interest Code of the Temecula Valley Unified School District, District 3 [\$0]

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

1. Approve the Conflict of Interest Code of the Temecula Valley Unified School District; and
2. Direct the Clerk of the Board to notify the Temecula Valley Unified School District of the action taken.

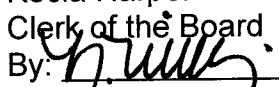
**ACTION:** Consent

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley  
Nays: None  
Absent: None  
Date: November 6, 2018  
xc: Co.Co., District, COB

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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

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

**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 Temecula Valley Unified School District

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 Temecula Valley Unified School District recently adopted Resolution No. 2018-19/12 amending its Conflict of Interest Code on September 18, 2018 to include new positions. The Temecula Valley Unified School District 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 Temecula Valley Unified School District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Temecula Valley Unified School District is attached.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the Temecula Valley Unified School District, and direct the Clerk of the Board to notify the Temecula Valley Unified School District of the action taken.

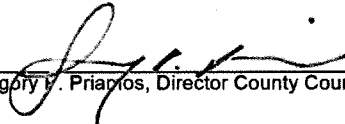
**ATTACHMENTS:**

**Attachment A:**      **RESOLUTION NO. 2018-19/12**

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

**Attachment B:**      **CONFLICT OF INTEREST CODE FOR THE TEMECULA VALLEY**  
**UNIFIED SCHOOL DISTRICT**

  
\_\_\_\_\_  
Melissa Noone, Associate Management Analyst      10/30/2018

  
\_\_\_\_\_  
Gregory V. Priamos, Director County Counsel      10/23/2018

Temecula Valley USD | E 9270

**Board Bylaws**

**Conflict Of Interest**

**RESOLUTION NO. 2018-19/12: RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Board of Trustees of the Temecula Valley Unified School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Temecula Valley Unified School District has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Temecula Valley Unified School District Board of Trustees adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS 18<sup>th</sup> day of September, 2018 at a meeting, by the following vote:

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

K. K. K.  
President of the Board of Trustees

## Conflict of Interest Code of the Temecula Valley Unified School District

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Board of Trustees members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

### APPENDIX

#### Disclosure Categories

1. Category 1: A person designated Category 1 shall disclose:
  - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
  - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.
2. Category 2: A person designated Category 2 shall disclose:
  - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
  - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

#### Designated Positions

#### Designated Position and Disclosure Category

Board of Trustee Members 1  
Superintendent of Schools 1

FORM APPROVED COUNTY COUNSEL  
BY: Danielle D. Maland 10/19/18  
DANIELLE D. MALAND DATE

Deputy Superintendent	1
Assistant Superintendent	1
Purchasing Director	1
Executive Director	2
Director	2
Assistant Director	2
Coordinator	2
Program Coordinator	2
Program Specialist	2
Supervisor	2
Principal	2
Assistant Principal	2
Public Information Officer	2

**Disclosures for Consultants**

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18700.3)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a

position specified in the district's conflict of interest code. (2 CCR 18700.3)

Revised: March 5, 2013; July 19, 2016; January 16, 2018; September 18, 2018

## **Conflict of Interest Code of the Temecula Valley Unified School District**

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**Governing Board of Trustees** members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

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2. Category 2: A person designated Category 2 shall disclose:
  - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
  - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

#### **Designated Positions**

##### **Designated Position and Disclosure Category**

<b>Governing Board of Trustee Members</b>	1
<b>Superintendent of Schools</b>	1



<b>Deputy Superintendent</b>	<b>1</b>
Assistant Superintendent	1
Purchasing Director	1
Executive Director	2
Director	2
Assistant Director	2
Coordinator	2
Program Coordinator	2
Program Specialist	2
Supervisor	2
Principal	2
Assistant Principal	2
<b>Public Information Officer</b>	<b>2</b>

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