

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



ITEM
2.10
(ID # 8657)

MEETING DATE:

Tuesday, January 8, 2019

FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of the Conflict of Interest Code of the Beaumont-Cherry Valley Recreation and Park District, District 5 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:


1. Approve the Conflict of Interest Code of the Beaumont-Cherry Valley Recreation and Park District; and
2. Direct the Clerk of the Board to notify the Beaumont-Cherry Valley Recreation and Park District of the action taken.

ACTION: Consent

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: January 8, 2019
xc: Co.Co., District, COBcm

Kecia Harper
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 Beaumont-Cherry Valley Recreation and Park 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 Board of Directors of the Beaumont-Cherry Valley Recreation and Park District recently adopted Resolution No. 2018-02 amending its Conflict of Interest Code on November 14, 2018 to include a new position and revise the title of an existing position. The Beaumont-Cherry Valley Recreation and Park 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 Beaumont-Cherry Valley Recreation and Park District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Beaumont-Cherry Valley Recreation and Park District is attached.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the Beaumont-Cherry Valley Recreation and Park District, and direct the Clerk of the Board to notify the Beaumont-Cherry Valley Recreation and Park District of the action taken.

ATTACHMENTS:

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

Attachment A: RESOLUTION NO. 2018-02

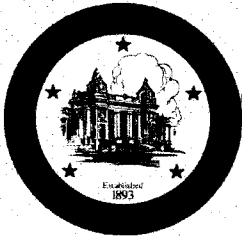
Attachment B: CONFLICT OF INTEREST CODE OF THE BEAUMONT-CHERRY
VALLEY RECREATION AND PARK DISTRICT


Melissa Noone, Associate Management Analyst

1/2/2019


Gregory V. Priamos, Director County Counsel

12/11/2018



MEMORANDUM

RIVERSIDE COUNTY COUNSEL

CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGE

DATE: December 11, 2018
TO: Kecia Harper-Ihem, Clerk of the Board
FROM: Danielle D. Maland, Deputy County Counsel
RE: Conflict of Interest Code for January 8, 2019 Board Agenda
MT #8657

Enclosed please find the following document (s) for an item to be set on the January 8, 2019 Board Agenda for the County Counsel:

MinuteTraq Item #8657- Form 11 (for reference)

Conflict of Interest Code of the Beaumont Cherry Valley Recreation and Park District.

DDM:rm
Attachment

2.10

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MINUTES OF THE BOARD OF SUPERVISORS

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Current Costs:	Ongoing:
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: [CEO use]

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 Beaumont-Cherry Valley Recreation and Park District.

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This office has reviewed the Conflict of Interest Code of the Beaumont-Cherry Valley Recreation and Park District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Beaumont-Cherry Valley Recreation and Park District is attached.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the Beaumont-Cherry Valley Recreation and Park District, and direct the Clerk of the Board to notify the Beaumont-Cherry Valley Recreation and Park District of the action taken.

ATTACHMENTS:

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

Attachment A: **RESOLUTION NO. 2018-02**

Attachment B: **CONFLICT OF INTEREST CODE OF THE BEAUMONT-CHERRY
VALLEY RECREATION AND PARK DISTRICT**

RESOLUTION NO. 2018-02

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BEAUMONT-CHERRY VALLEY RECREATION & PARK
DISTRICT ADOPTING AN AMENDED 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 Beaumont-Cherry Valley Recreation & Park 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 adopted on August 8, 2012, 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

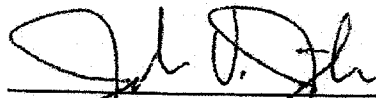
WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Code was provided each affected designated position and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Directors on November 14, 2018, 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 Beaumont-Cherry Valley Recreation & Park 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 Human Resources Administrator/Clerk of the Board and available to the public for inspection and copying during regular business hours;

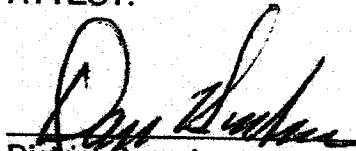
BE IT FURTHER RESOLVED that the said amended Code shall be submitted to the Board of Supervisors of the County of Riverside for approval and said Code shall become effective at the time which the Board of Supervisors approves the proposed amended Code, as submitted.

APPROVED AND ADOPTED this 14th day of November, 2018.



Board Chairman
Beaumont-Cherry Valley Recreation & Park District

ATTEST:



District Secretary
Beaumont-Cherry Valley Recreation & Park District

**CONFLICT OF INTEREST CODE
OF THE
BEAUMONT-CHERRY VALLEY
RECREATION
AND PARK DISTRICT**

CONFLICT OF INTEREST CODE FOR THE
BEAUMONT-CHERRY VALLEY RECREATION
AND PARK DISTRICT

(Amended November 14, 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) 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 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Beaumont-Cherry Valley Recreation and Park District** (the "District").

Officials required to submit a statement of economic interests shall file their statements with the **Human Resources Administrator/Clerk of the Board** as the District's Filing Officer. The **Human Resources Administrator/Clerk of the Board** shall make and retain a copy of all statements filed by the General Manager and Board of Directors and forward the originals of such statements to the Clerk of the Board of Supervisors of Riverside County. **Human Resources Administrator/Clerk of the Board** shall retain the originals of the statements of all other Designated Positions and will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

FORM APPROVED COUNTY COUNSEL

BY: *D. Maland* 12/11/18
DANIELLE D. MALAND DATE

APPENDIX

CONFLICT OF INTEREST CODE OF THE BEAUMONT-CHERRY VALLEY RECREATION AND PARK DISTRICT

(Adopted November 14, 2018)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

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:

Members of the Board of Directors

General Manager

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

DESIGNATED POSITIONS' TITLE OR FUNCTION

DISCLOSURE CATEGORIES ASSIGNED

Activities Coordinator	5
Athletic Coordinator	5
Financial Services Technician/Office Manager	4
General Counsel	1, 2
Human Resources Administrator/Clerk of the Board	4
Maintenance Foreman	5

Consultant and New Positions²

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 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 "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, 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, engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of 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 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.

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 of the position. (Reg. 18730.1)

**CONFLICT OF INTEREST CODE
OF THE
BEAUMONT-CHERRY VALLEY
RECREATION
AND PARK DISTRICT**

CONFLICT OF INTEREST CODE FOR THE
BEAUMONT-CHERRY VALLEY RECREATION
AND PARK DISTRICT

(Amended August 8, 2012 November 14, 2018)¹

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¹ ~~Title updated September 1, 2016, to reflect District nonsubstantive changes.~~

APPENDIX

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(Adopted August 8, 2012 November 14, 2018)

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