

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



**ITEM: 2.8  
(ID # 13548)**

**MEETING DATE:**  
Tuesday, November 17, 2020

**FROM :** COUNTY COUNSEL:

**SUBJECT:** COUNTY COUNSEL: Approval of the Amended Conflict of Interest Code of the Riverside County Habitat Conservation Agency, Districts 1, 2, 3 and 5. [\$0]

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

1. Approve the Amended Conflict of Interest Code of the Riverside County Habitat Conservation Agency; and
2. Direct the Clerk of the Board to notify the Riverside County Habitat Conservation Agency of the action taken.

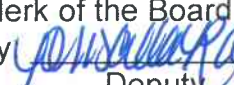
**ACTION:Consent**

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Spiegel, seconded by Supervisor Washington 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: November 17, 2020  
xc: Co.Co., District, COB

Kecia R. Harper  
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:</b>	No
			<b>For Fiscal Year:</b>	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 Riverside County Habitat Conservation Agency.

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 Riverside County Habitat Conservation Agency recently adopted Resolution No. 2020-02 amending its Conflict of Interest Code on September 17, 2020 to include new positions. The Riverside County Habitat Conservation Agency 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 amended Conflict of Interest Code of the Riverside County Habitat Conservation Agency and has found that it complies with statutory requirements. A complete copy of the amended Conflict of Interest Code of the Riverside County Habitat Conservation Agency is attached.

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

**ATTACHMENTS**

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

ATTACHMENT A: RESOLUTION NO. 2020-02

ATTACHMENT B: CONFLICT OF INTEREST CODE OF THE RIVERSIDE COUNTY  
HABITAT CONSERVATION AGENCY

  
Gregory V. Priarios, Director County Counsel 11/5/2020



**CONFLICT OF INTEREST CODE**

**OF THE**

**RIVERSIDE COUNTY HABITAT**

**CONSERVATION AGENCY**

FORM APPROVED COUNTY COUNSEL  
BY: *Danielle O. Maland*  
DANIELLE O. MALAND

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**RIVERSIDE COUNTY HABITAT**  
**CONSERVATION AGENCY**

(Amended September 17, 2020)

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), 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 **Riverside County Habitat Conservation Agency ("RCHCA")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Administrative Services Manager** as RCHCA's Filing Officer. The **Administrative Services Manager** shall make and retain a copy of all statements filed by Members of the Board of Directors and Alternate Members, the Executive Director / General Manager, and Financial Consultants, and forward the originals of such statements to the Clerk of the Board of Supervisors. The **Administrative Services Manager** shall retain the originals of the statements of all other officials and designated positions and make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008.)

**APPENDIX  
CONFLICT OF INTEREST CODE  
OF THE  
RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY**

(Amended September 17, 2020)

**PART "A"**

**OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

RCHCA Officials who manage public investments, as defined by 2 Cal. Code of Regs. §18701(b), are NOT subject to the Agency'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 information purposes only.

It has been determined that the positions listed below are officials who manage public investments<sup>1</sup>:

Board of Directors

Alternate Members of the Board

Executive Director / General Manager

Financial Consultants

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<sup>1</sup> Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination as to whether a position is covered by § 87200.

**DESIGNATED POSITIONS**  
**GOVERNED BY THE CONFLICT OF INTEREST CODE**

<b><u>DESIGNATED EMPLOYEES' TITLE OR FUNCTION</u></b>	<b><u>DISCLOSURE CATEGORIES ASSIGNED</u></b>
Executive Director / General Manager	1, 2
General Counsel	1, 2
Director of Natural Resources	2, 3, 6
Director of Administrative Services	4, 5
Senior Ecological Resources Specialist	2, 3, 6
Staff Analyst	2, 3, 6
Consultant <sup>2</sup>	

<sup>2</sup> Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. 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.

## 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.

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 that own real property in the jurisdiction of RCHCA.

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 RCHCA.

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 in within the jurisdiction of RCHCA.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

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 RCHCA.

Category 6: 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.





**CONFLICT OF INTEREST CODE**

**OF THE**

**RIVERSIDE COUNTY HABITAT**  
**CONSERVATION AGENCY**

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**RIVERSIDE COUNTY HABITAT**  
**CONSERVATION AGENCY**

(Amended [September 17, 2020](#))

Deleted: February 21, 2019

Deleted: )

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**APPENDIX**  
**CONFLICT OF INTEREST CODE**  
**OF THE**  
**RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY**

(Amended [September 27, 2020](#))

Deleted: February 21, 2019

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