

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



**ITEM: 2.10
(ID # 14010)**

MEETING DATE:
Tuesday, December 15, 2020

FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of the Amended Conflict of Interest Code of the Coachella Valley Mosquito and Vector Control District, District 4 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Amended Conflict of Interest Code of the Coachella Valley Mosquito and Vector Control District; and
2. Direct the Clerk of the Board to notify the Coachella Valley Mosquito and Vector Control District of the action taken.

ACTION:Consent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Jeffries 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: December 15, 2020
xc: Co.Co., District, COBcm

Kecia R. 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:	No
			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 Coachella Valley Mosquito and Vector Control 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 Trustees of the Coachella Valley Mosquito and Vector Control District recently adopted Resolution No. 2020-24 amending its Conflict of Interest Code on November 10, 2020 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 Coachella Valley Mosquito and Vector Control 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 Coachella Valley Mosquito and Vector Control District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Coachella Valley Mosquito and Vector Control District is attached.

It is recommended that the Board of Supervisors approve the amended Conflict of Interest Code of the Coachella Valley Mosquito and Vector Control District, and direct the Clerk of the Board to notify the Coachella Valley Mosquito and Vector Control District of the action taken.

ATTACHMENTS

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

**ATTACHMENT A: RESOLUTION NO. 2020-24 AND CONFLICT OF INTEREST CODE OF
THE COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL
DISTRICT**



Gregory V. Priamos, Director County Counsel 12/3/2020

RESOLUTION NO. 2020-24

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT BIENNIAL ADOPTION OF CONFLICT OF INTEREST CODE

WHEREAS, the Coachella Valley Mosquito and Vector Control District ("District") is a special district and local government agency required by Government Code Section 87300 to promulgate a Conflict of Interest Code; and

WHEREAS, the Political Reform Act (Government Code Section 81000, et seq.) requires the District to adopt and promulgate a conflict of interest code; and

WHEREAS, the Fair Political Practices Commission ("FPPC") has adopted a provision at Title 2, section 18730 of the California Code of Regulations which sets forth the terms of a standard model conflict of interest code which may be incorporated by reference so as to constitute the adoption of a Conflict of Interest Code by the District; and

WHEREAS, the FPPC requires that every local agency review its Conflict of Interest Code every even-numbered year to determine whether amendment of its code is necessitated by changed circumstances; and

WHEREAS, the District's Board of Trustees desires to amend the District's Conflict of Interest Code by removing from the list of positions designated as being subject to the Code, the position of the Public Information Manager and adding the position of Public Information Officer.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals.

The recitals set forth above are true and correct.

Section 2. Rescission.

That all previously adopted resolutions approving the District's Conflict of Interest Code are hereby rescinded.

Section 3. Code Adoption.

The District hereby adopts, by this reference, the model conflict of interest code promulgated by the FPPC as Regulation 18730 of Title 2 of the California Code of Regulations ("FPPC Model Conflict of Interest Code") as the Conflict of Interest Code for the Coachella Valley Mosquito and Vector Control District ("District Conflict of Interest Code"). A copy of the FPPC Model Conflict of Interest Code effective as of the date of adoption of this resolution is attached as Exhibit A. Future amendments to the FPPC Model Conflict of Interest Code approved by the Fair Political Practices Commission are hereby incorporated into the District Conflict of Interest Code.

Section 4. Disclosure Categories and Designated Positions.

(a) Those officials, employees and consultants designated in the attached Appendix A - Disclosure Categories and Designated Positions ("Appendix A"), incorporated herein by this reference as though fully set forth, shall be subject to the provisions of the District Conflict of Interest Code pursuant to the applicable disclosure categories.

(b) Any consultant who performs the ongoing duties of any of the designated positions shall be assigned the same disclosure categories as that position, subject to the following limitation: The District General Manager may determine in writing that a particular consultant, although a designated position, is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements 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 District General Manager's determination shall be filed with the District's Clerk of the Board and is a public record and shall be retained for public inspection in the same manner and location as the District Conflict of Interest Code.

Section 5. Filing.

Pursuant to Title 2, section 18730(b)(4) of the California Code of Regulations, those officials, employees and consultants designated in Appendix A shall file statements of economic interest with the Clerk of the Board to whom the Board of Trustees of the Coachella Valley Mosquito and Vector Control District hereby delegates the authority to carry out the duties of filing officer. The annual statement of economic interests shall be duly filed no later than April 1 of each calendar year.

Section 6. Prohibition Concerning Prospective Employment.

No District employee who is designated in Appendix A shall make, participate in making, or otherwise use their official position to influence any governmental decision directly relating to any person with whom they are negotiating or has any arrangement concerning, prospective employment. For purposes of the District Conflict of Interest Code, the term "person" includes any natural person, corporation or other form of business entity and extends to any of its agents.

Section 7. Ethics Training.

Those employees designated in Appendix A shall be required to attend ethics training as set forth at Government Code section 53235.

Section 8. Violations.

Violations of the District Conflict of Interest Code by any employee designated in Appendix A may result in discipline up to and including termination. Alleged violations of this Code by an employee shall be processed as otherwise provided in the District's personnel policies and procedures.

Section 9. Transmission to the County.

The Board of Trustees hereby authorizes the Clerk of the Board to transmit a copy of this Resolution to the Board of Supervisors of the County of Riverside ("Board of Supervisors") for their approval as the code reviewing body for the District.

Section 10. Effective Date.

This Resolution shall take effect upon its approval by the Board of Supervisors.

Section 11. Certification.

That the Clerk of the Board shall certify to the passage and adoption of this resolution, enter the same in the book for original resolutions of the District, and make a minute of passage and adoption thereof in the records of the proceedings of the Board, in the minutes of the meeting at which this resolution is passed and adopted.

[REMAINDER OF PAGE WAS INTENTIONALLY LEFT BLANK]

PASSED, ADOPTED AND APPROVED, this 10th day of November, 2020.

DocuSigned by:

Franz De Klotz

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Franz De Klotz, President
Board of Trustees

ATTEST:

DocuSigned by:

Graciela Morales

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Graciela Morales, Clerk of the Board

APPROVED AS TO FORM:

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Lena D. Wade

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Lena D. Wade, General Counsel

REVIEWED:

DocuSigned by:

Jeremy Wittie

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Jeremy Wittie, M.S., General Manager

EXHIBIT "A"
FPPC MODEL CONFLICT OF INTEREST CODE
Effective as of November 10, 2020

[Attached]

APPENDIX A

APPENDIX TO THE CONFLICT OF INTEREST CODE FOR THE COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT

II. Disclosure Categories

The following categories of reportable economic interests are established:

Category 1: Persons in this category shall disclose on FPPC Form 700, Schedule B, all reportable interests in real property located within the jurisdictional boundaries of the District, or within two miles of the District's jurisdictional boundaries, or within two miles of land located outside the District's jurisdictional boundaries which is owned or used by the District.

Category 2: Persons in this category shall disclose on FPPC Form 700, Schedules C and D, all reportable income, loans and business positions.

Category 3: Persons in this category shall disclose on FPPC Form 700, Schedules A-1 and A-2, all reportable investments.

Category 4: Persons in this category shall disclose on FPPC Form 700, Schedules E and F, all reportable gifts and travel payments.

II. Designated Positions

A "Designated Position" is an officer, employee, member or consultant of the District whose position is designated in the District Conflict of Interest Code because the position entails the making or participation in the making of governmental decisions that may foreseeably have a material effect on any financial interest as set forth at Government Code section 82019.

Any Designated Employee whose position is listed in the following table shall be required to file a Statement of Economic Interest with the Board of Supervisors of the County of Riverside, the District's code reviewing body.

DESIGNATED POSITION	DISCLOSURE CATEGORY(IES)
General Manager	1, 2, 3, 4
Administrative Finance Manager	1, 2, 3, 4
Information Technology Manager	1, 2, 3, 4
Human Resources Manager	1, 2, 3, 4

FORM APPROVED COUNTY COUNSEL

BY: 
DANIELLE D. MALAND

Public Information Officer	1, 2, 3, 4
Laboratory Manager	1, 2, 3, 4
Operations Manager	1, 2, 3, 4
Clerk of the Board	1, 2, 3, 4
Consultants who perform the ongoing duties of any Designated Position	To be determined by the General Manager per the District Conflict of Interest Code

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Administrative Finance Manager	1, 2, 3, 4
Information Technology Manager	1, 2, 3, 4

Human Resources Manager	1, 2, 3, 4
Public Information Manager Officer	1, 2, 3, 4
Laboratory Manager	1, 2, 3, 4
Operations Manager	1, 2, 3, 4
Clerk of the Board	1, 2, 3, 4
Consultants who perform the ongoing duties of any Designated Position	To be determined by the General Manager per the District Conflict of Interest Code

AMENDED

Resolution No. 2020-24

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF INDIO)

I, GRACIELA MORALES, Clerk of the Board of Trustees of the Coachella Valley Mosquito and Vector Control District, hereby certify that **Resolution No. 2020-24** is a full, true and correct copy, and was duly adopted at a regular meeting of the Board of Trustees on 10th day of November 2020, by the following vote:

AYES: President Franz de Klotz, Trustees Espericueta; Gardner, Guitron, Hagerman, Hassett, Kunz, Larson, Walker, Weightman.

NOES: None.

ABSTAIN: None.

ABSENT: Trustee Bautista.

DocuSigned by:
Graciela Morales
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Graciela Morales, Clerk of the Board