

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



ITEM: 2.11  
(ID # 20289)

**MEETING DATE:**

Tuesday, November 29, 2022

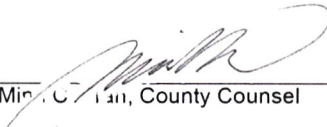
**FROM :** COUNTY COUNSEL:

**SUBJECT:** COUNTY COUNSEL: Approval of the Amendment to the 2022 Valley-Wide Recreation and Park District Conflict of Interest Code [District 3]

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

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

**ACTION:**

  
Min C. Chan, County Counsel 11/21/2022

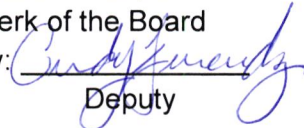
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**MINUTES OF THE BOARD OF SUPERVISORS**

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, Hewitt, and Perez  
Nays: None  
Absent: None  
Date: November 29, 2022  
xc: Co.Co., COBAB/LW, Valley-Wide Recreation and Park District

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>	N/A
			<b>For Fiscal Year:</b>	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 Valley-Wide 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 Valley-Wide Recreation and Park District recently amended its Conflict of Interest Code on July 18, 2022 to revise disclosure categories and add titles or revise titles of existing positions that participate in making governmental decisions. The Board of Directors for Valley-Wide Recreation and Park District has adopted Resolution No. 1282-22, amending its Conflict of Interest Code. The Valley-Wide 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 Valley-Wide Recreation and Park District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Valley-Wide Recreation and Park District is attached.

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

**Impact on Residents and Businesses**

N/A

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STATE OF CALIFORNIA

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

**Attachment A:** Resolution 1282-22

**Attachment B:** Amended Conflict of Interest Code

  
Stacy Orton 11/21/2022

**RESOLUTION NO. 1282-22**

**A RESOLUTION OF THE BOARD OF DIRECTORS TO  
VALLEY WIDE RECREATION AND PARK DISTRICT,  
APPROVING 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 Valley Wide 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 amended on September 21, 2020, 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

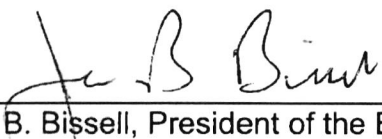
**WHEREAS**, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Code which was provided to each affected designated position and was publicly posted for review at the offices of the District; and

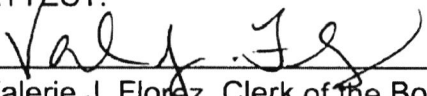
**WHEREAS**, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Directors on July 18, 2022, at which all present were given an opportunity to be heard on the proposed amended Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Valley Wide 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 Executive Assistant/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 upon approval by the Board of Supervisors of the proposed amended Code as submitted.

**PASSED AND ADOPTED** by the Board of Directors of Valley-Wide Recreation and Park District, this 18<sup>th</sup> day of July 2022.

  
\_\_\_\_\_  
Jan B. Bissell, President of the Board

ATTEST:  
  
\_\_\_\_\_  
Valerie J. Florez, Clerk of the Board

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

VALLEY-WIDE RECREATION AND PARK DISTRICT)

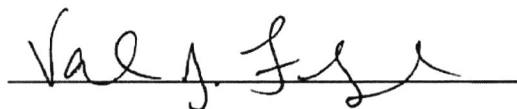
I, Valerie J. Florez, Clerk of the Board of the Valley-Wide Recreation and Park District, County of Riverside, State of California do hereby certify that the foregoing Resolution No. 1282-22 was adopted by the Board of Directors of Valley-Wide Recreation and Park District at a regular meeting of said Board of Directors held on the 18<sup>th</sup> day of July 2022, by the following vote:

AYES: Bissell, Schouten, Little, Juarez

NOES: 0

ABSENT: Simpson

ABSTAINED:0

A handwritten signature in cursive script, appearing to read 'Valerie J. Florez', is written over a solid horizontal line.

Valerie J. Florez, Clerk of the Board

**CONFLICT OF INTEREST CODE**

**OF THE**

**VALLEY-WIDE RECREATION  
AND PARK DISTRICT**



**CONFLICT OF INTEREST CODE**  
**OF THE**  
**VALLEY-WIDE RECREATION AND PARK DISTRICT<sup>1</sup>**

(Amended July 18, 2022)

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 **Valley-Wide Recreation and Park District (the "District")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Executive Assistant** as the District's Filing Officer. The **Executive Assistant** shall make and retain a copy of all statements filed by the Officials who manage public investments, and forward the originals of such statements to the Clerk of the Board of Supervisors. The **Executive Assistant** shall retain the originals of the statements of all other designated positions and make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008.)

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<sup>1</sup> Language of incorporation page and Appendix updated August 2012 as provided by Fair Political Practices Commission to clarify requirements.



**APPENDIX**  
**CONFLICT OF INTEREST CODE**  
**OF THE**  
**VALLEY-WIDE RECREATION AND PARK DISTRICT**  
**(Amended July 18, 2022)**

**PART "A"**

**OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3(b), 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 investments:<sup>2</sup>

Members of the Board of Directors

General Manager

Board Treasurer

Financial Consultant

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<sup>2</sup> 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**

<b><u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u></b>	<b><u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u></b>
Administrative Operations Manager	2, 3, 4
Aquatic Supervisor	5
Assistant General Manager	1, 2
Coordinator Special Events	5
Finance Manager	4
General Counsel	1, 2
Maintenance/Facilities Superintendent	3, 5
Park Inspector	2, 3, 5
Park Superintendent	2, 3, 5
Parks and Facility Foreman	5
Recreation and Park Manager	5
Senior Recreation Supervisor	5
Special District Supervisor	2, 3, 5
Special Projects Supervisor	3, 5

Consultants and New Positions<sup>3</sup>

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<sup>3</sup> Individuals serving as a consultant as defined in FPPC Reg 18700.3(a) or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure category set forth 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 the designated is assigned.<sup>4</sup> Such economic interests 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, that are 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, including any leasehold, beneficial or ownership interest or option to acquire property.

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 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.

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<sup>4</sup> 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)