

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



**ITEM: 2.8**  
(ID # 21174)

**MEETING DATE:**  
Tuesday, March 14, 2023

**FROM :** COUNTY COUNSEL:

**SUBJECT:** COUNTY COUNSEL: Approval of the Amendment to the Conflict of Interest Code for Western Riverside County Regional Wastewater Authority [District 1,2,3]

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

1. Approve the Amendment to the Conflict of Interest Code of the Western Riverside County Regional Wastewater Authority; and
2. Direct the Clerk of the Board to notify the Western Riverside County Regional Wastewater Authority of the action taken.

**ACTION: Consent**

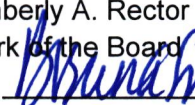
**ACTION:**

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Spiegel, Washington, and Gutierrez  
Nays: None  
Absent: Perez  
Date: March 14, 2023  
xc: CO.CO., Authority, COBZM/AB

Kimberly A. Rector  
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>	<b>N/A</b>
			<b>For Fiscal Year:</b>	<b>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 Western Riverside County Regional Wastewater Authority.

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 Western Riverside County Regional Wastewater Authority recently amended its Conflict of Interest Code on September 22, 2022 to add and revise titles of existing positions that participate in making governmental decisions. The Board of Directors for Western Riverside County Regional Wastewater Authority has adopted Resolution No. 22-006, amending its Conflict of Interest Code. The Western Riverside County Regional Wastewater Authority 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 Western Riverside County Regional Wastewater Authority and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Western Riverside County Regional Wastewater Authority is attached.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the Western Riverside County Regional Wastewater Authority and direct the Clerk of the Board to notify the Western Riverside County Regional Wastewater Authority of the action taken.

**Impact on Residents and Businesses**

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

N/A

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

**Attachment A:** Resolution No. 22-006

**Attachment B:** Western Riverside County Regional Wastewater Authority Conflict  
of Interest Code

RESOLUTION 22-006

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
WESTERN RIVERSIDE COUNTY REGIONAL WASTEWATER  
AUTHORITY AMENDING THE 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 Western Riverside County Regional Wastewater Authority ("WRCRWA") 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 by the Board on September 24, 2020; and

WHEREAS, subsequent changed circumstances within WRCRWA have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update WRCRWA'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 WRCRWA being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

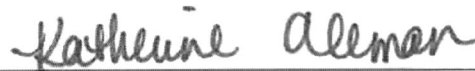
WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Code was provided each affected designated position and publicly posted for review; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Directors on September 22, 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 Western Riverside County Regional Wastewater Authority 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 Board Secretary and available to the public for inspection and copying during regular business hours;

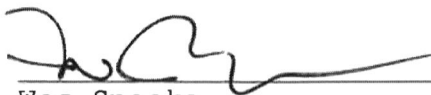
BE IT FURTHER RESOLVED that the said amended Code shall be submitted to the Board of Supervisors of Riverside County for approval and said Code shall become effective immediately upon approval of the Code as submitted.

APPROVED AND ADOPTED this 22nd day of September, 2022.



Katherine Aleman  
Chair

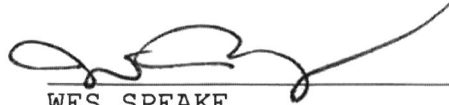
ATTEST:



Wes Speake  
Secretary-Treasurer

September 22, 2022

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of Resolution 22-006 adopted by the Board of Directors of Western Riverside County Regional Wastewater Authority at a duly-noticed regular meeting held on September 22, 2022.



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WES SPEAKE  
Secretary-Treasurer

**CONFLICT OF INTEREST CODE  
OF THE  
WESTERN RIVERSIDE COUNTY  
REGIONAL WASTEWATER AUTHORITY**

*Revised August 2022*

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**WESTERN RIVERSIDE COUNTY**  
**REGIONAL WASTEWATER AUTHORITY**  
**(Amended September 22, 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 **Western Riverside County Regional Wastewater Authority (WRCRWA)**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the Board Secretary as WRCRWA's Filing Officer. The Board Secretary shall make and retain a copy of all statements filed by the Board of Directors and Administrator and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The Board Secretary shall retain the original statements filed by all other officials and designated positions and will make all

*Revised August 2022*



retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

**APPENDIX**  
**CONFLICT OF INTEREST CODE**  
**OF THE**  
**WESTERN RIVERSIDE COUNTY**  
**REGIONAL WASTEWATER AUTHORITY**  
**PART "A"**

**OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

WRCRWA officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to WRCRWA'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>1</sup>:

Members of the Board of Directors and Executive Committee

Administrator

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<sup>1</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

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Accounting Supervisor	4
Administrative Services Manager	4
Application Specialist (ALL)	5
Assistant Deputy Director of Operations	5, 7, 8
Assistant General Manager/Chief Financial Officer	1, 2, 3, 5, 7, 8
Assistant General Manager – Communications and Customer Experience	5
Engineer (ALL)	4, 5
Construction Management Manager	2, 3, 5
Controller	4
Customer Experience Manager	5
Deputy Director of Engineering	2, 3, 5
Deputy Director of Information Services	5
Deputy Director of Operations	5, 7, 8
Deputy Director of Water Resources	2, 3, 5
Deputy General Manager	1, 2
Director of Administration	4
Director of Engineering	2, 3, 5, 7, 8
Director of Finance	1, 2
Director of Human Resources	5
Director of Operations	5
Director of Strategic Communications	5
Director of Water Resources	2, 3, 5
Environmental and Regulatory Compliance Manager	2, 3, 5
Financial Analyst (ALL)	4
General Counsel	1, 2
Governmental Affairs Officer	1
Information Technology Manager	5
Information Technology Specialist (ALL)	5
Internal Auditor	1, 2, 5
Management Analyst	1

Operations Field Manager	5
Operations Supervisor	5
Principal Engineer	2, 3, 5
Purchasing Specialist	4
Safety Officer	4
Senior Accountant	4
Senior Operations Technician	4
Source Control Program Manager	2, 3, 5, 6
Source Program Specialist	6
Strategic Communications Manager	5
Strategic Communications Supervisor	5

**DESIGNATED POSITIONS'**  
**TITLE OR FUNCTION**

**DISCLOSURE CATEGORIES**  
**ASSIGNED**

**MEMBERS OF BOARDS,**  
**COMMITTEES AND COMMISSIONS**

Executive Committee

1, 2

Consultants and New Positions<sup>2</sup>

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<sup>2</sup> Individuals providing services as a consultants defined in FPPC Regulation 18700.3 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 in this Code subject to the following limitation:

The Administrator 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 § 82019; FPPC Regs 18219 and 18734.). The Administrator'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 § 81008.)

# EXHIBIT "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.<sup>3</sup> "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, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the WRCRWA.

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 WRCRWA.

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 WRCRWA, 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 WRCRWA.

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 WRCRWA.

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.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position's department, unit or division.

Category 7: All investments and business positions in business entities, and income, including gifts, loans and travel payments, from sources, that filed a claim against WRCRWA during the previous two years, or have a claim pending against WRCRWA.

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<sup>3</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)

Category 8: All investments and business positions in business entities, and income, including gifts, loans and travel payments, or income from a nonprofit organization, if the entity or source is of the type to receive grants or other monies from or through WRCRWA.