

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



ITEM: 2.30
(ID # 20417)

MEETING DATE:
Tuesday, May 23, 2023

FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of the Amendment to the Conflict of Interest Code for Rubidoux Community Services District [District 2] [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Amendment to the Conflict of Interest Code of the Rubidoux Community Service District; and
2. Direct the Clerk of the Board to notify the Rubidoux Community Service District of the action taken.

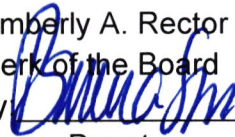
ACTION:


Min C. Chan, County Counsel 5/3/2023

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 Gutierrez
Nays: None
Absent: None
Date: May 23, 2023
xc: CO. CO., District, COBAB

Kimberly A. Rector
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: [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 Rubidoux Community Services 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 Rubidoux Community Services District recently amended its Conflict of Interest Code on February 2, 2023, to revise titles of existing positions that participate in making governmental decisions. The Board of Directors for Rubidoux Community Services District has adopted Resolution No. 2023-900, amending its Conflict of Interest Code. The Rubidoux Community Services 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 Rubidoux Community Services District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Rubidoux Community Services District is attached.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the Rubidoux Community Services District and direct the Clerk of the Board to notify the Rubidoux Community Services District of the action taken.

Impact on Residents and Businesses

N/A

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Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

Attachment A: Resolution No. 2023-900

Attachment B: RCSD Conflict of Interest Code

RESOLUTION NO. 2023-900

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
RUBIDOUX COMMUNITY SERVICES DISTRICT
AMENDING THE STANDARD CONFLICT OF INTEREST CODE**

WHEREAS, the Fair Political Practices Commission has adopted a Standard Conflict of Interest Code pursuant to the provisions of Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 81000 et seq. and Section 18730 thereof; and

WHEREAS, in order to update the Conflict of Interest Code for the Rubidoux Community Services District it is necessary to adopt the Standard Conflict of Interest Code; and

WHEREAS, it is further necessary to adopt certain categories of designated employees pursuant to said Standard Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the foregoing Recitals are true and correct.
2. That the Fair Political Practices Commission Standard Conflict of Interest Code, attached hereto, is hereby adopted as it may be amended from time to time by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.
3. Appendix Part "A", listing officials who manage public investments and thus are not subject to the Standard Conflict of Interest Code; and designated positions, titles, or functions that are subject to the Standard Conflict of Interest Code including disclosure categories assigned, is also hereby adopted.
4. Appendix Part "B", identifying and describing disclosure categories one (1) to five (5), is also hereby adopted.
5. That this resolution supersedes Resolution No. 2022-892 in its entirety.

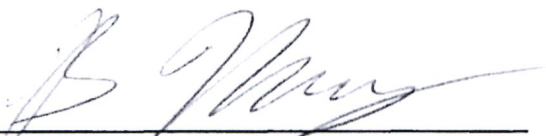
APPROVED AND ADOPTED this 2nd day of February, 2023 at the regular meeting of the Board of Directors of the Rubidoux Community Services District, by the following vote:

AYES: BERNARD MURPHY; JOHN SKERBELIS; HANK TRUEBA JR.; F.
FOREST TROWBRIDGE; ARMANDO MUNIZ

NOES:

ABSENT:

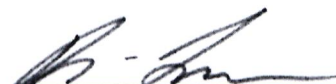
ABSTENTIONS:



Bernard Murphy, President
Rubidoux Community Services District

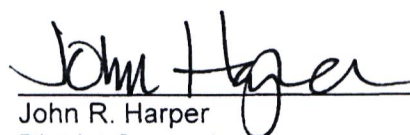
(Seal)

ATTEST:



Brian R. Laddusaw
General Manager

APPROVED AS TO FORM AND CONTENT:



John R. Harper
District Counsel



CONFLICT OF INTEREST CODE

OF THE

RUBIDOUX COMMUNITY SERVICES

DISTRICT

CONFLICT OF INTEREST CODE
OF THE
RUBIDOUX COMMUNITY SERVICES DISTRICT

(Amended February 2, 2023)

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 **Rubidoux Community Services District** (the "District").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Board Secretary** as the District's Filing Officer. The **Board Secretary** 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 **Board Secretary** 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.)

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
RUBIDOUX COMMUNITY SERVICES DISTRICT
(Amended February 2, 2023)

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 investments¹:

Members of the Board of Directors
General Manager
Director of Finance and Administration
Financial Consultant(s)

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

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant General Manager	1, 2, 3, 4, 5
Director of Engineering	1, 2, 3, 4, 5
Director of Operations	1, 2, 3, 4, 5
Engineering Consultants	1, 2, 3, 4, 5
General Counsel ²	1, 2, 3, 4, 5
Consultants and New Positions ³	

² The position of General Counsel is filled by an outside consultant but acts in a staff capacity.

³ 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 assigned⁴. 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.

⁴ 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)



CONFLICT OF INTEREST CODE

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