

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



ITEM: 2.6  
(ID # 23432)

MEETING DATE:  
Tuesday, November 28, 2023

FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of an Amended Conflict of Interest Code for San Jacinto Valley Academy, Inc. (District 5); [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Amendment to the Conflict of Interest Code of the San Jacinto Valley Academy, Inc.; and
2. Direct the Clerk of the Board to notify the San Jacinto Valley Academy, Inc. of the action taken.

ACTION:

  
Min C. Chan, County Counsel 11/21/2023

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MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington and Perez and Gutierrez  
Nays: None  
Absent: None  
Date: November 28, 2023  
xc: CO.CO., San Jacinto Valley Academy, COBAB

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:** [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 San Jacinto Valley Academy, Inc.

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 San Jacinto Valley Academy, Inc. recently amended its Conflict of Interest Code on September 28, 2023 to add new and delete abolished positions and revise disclosure categories that participate in making governmental decisions. The Board of Directors for San Jacinto Valley Academy, Inc. has adopted a Resolution amending its Conflict of Interest Code. The San Jacinto Valley Academy, Inc. 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 San Jacinto Valley Academy, Inc. and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the San Jacinto Valley Academy, Inc. is attached.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the San Jacinto Valley Academy, Inc., and direct the Clerk of the Board to notify the San Jacinto Valley Academy, Inc. 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 Authorizing the Board of Directors of San Jacinto Valley Academy, Inc. to Adopt an Amended Conflict of Interest Code

**Attachment B:** San Jacinto Valley Academy, Inc. Amended Conflict of Interest Code

  
Stacy Orton 11/21/2023

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE BOARD OF DIRECTORS OF SAN JACINTO VALLEY ACADEMY, INC. AUTHORIZING THE ADOPTION OF AN AMENDED CONFLICT OF INTEREST CODE AND OTHER ACTIONS RELATED THERETO**

**WHEREAS**, San Jacinto Valley Academy, Inc. ("SJVA"), as a California nonprofit public benefit corporation that operates a public charter school, is required to periodically amend its Conflict of Interest Code when necessitated by changed circumstances pursuant to Government Code section 87306; and

**WHEREAS**, the SJVA Board of Directors has determined that its Conflict of Interest Code should be amended to accurately reflect the current organizational structure.

**NOW, THEREFORE**, this Board of Directors of SJVA does hereby find, resolve, and order as follows:

Section 1. An amended Conflict of Interest Code, in the form attached hereto as Exhibit A, is hereby tentatively adopted.

Section 2. The President or designee is hereby directed and authorized to submit the proposed amended Conflict of Interest Code and other documents, in the required format, to the Riverside County Board of Supervisors for final approval as the code reviewing body. The President is authorized to make further amendments to the Conflict of Interest Code as directed by the Riverside County Board of Supervisors or County staff.

Section 3. This resolution shall take effect immediately upon its adoption.

**EXHIBIT A**

[AMENDED CONFLICT OF INTEREST CODE]

**SECRETARY'S CERTIFICATE**

I, Tawny Vigil, Secretary of the Board of Directors of San Jacinto Valley Academy, Inc., a California nonprofit public benefit corporation, County of Riverside, California, hereby certify as follows:

The attached is a full, true, and correct copy of the resolutions duly adopted at a meeting of the Board of Directors of San Jacinto Valley Academy, Inc., which was duly held on Sept. 28, 2023, 2023, at which meeting a quorum of the members of the Board of Directors was present; and at such meeting such resolutions were adopted by the following vote:

AYES: 7

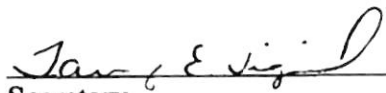
NOES: 0

ABSTAIN: 0

ABSENT: 1

I have carefully compared the same with the original minutes of such meeting on file and of record in my office; the attached resolution is a full, true, and correct copy of the original resolution adopted at such meeting and entered in such minutes; and such resolution has not been amended, modified, or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this 28 day of September, 2023.

  
Secretary  
San Jacinto Valley Academy, Inc.

**SAN JACINTO VALLEY ACADEMY**  
**CONFLICT OF INTEREST CODE**

**I. Standard Code of FPPC**

The Political Reform Act of 1974 (Gov. Code, § 81000 *et seq.*) requires each state and local government agency to adopt and promulgate a conflict of interest code. As a local government agency for purposes of the Act, San Jacinto Valley Academy, Inc., a California nonprofit public benefit corporation that operates a charter school (“Charter School”), is therefore required to adopt such a code. The Fair Political Practices Commission (“FPPC”) has adopted a regulation (2 CCR § 18730) that contains the terms of a model conflict of interest code, which can be incorporated by reference as an agency’s code. After public notice and hearing, the regulation may be amended by the FPPC to conform to amendments in the Political Reform Act.

**II. Adoption of Standard Code of FPPC**

The terms of 2 CCR section 18730 and any future amendments to it duly adopted by the FPPC are hereby adopted and incorporated herein by reference. This regulation and the Exhibits attached hereto designating officials and employees and establishing disclosure categories shall constitute the Conflict of Interest Code (“Code”) of the Charter School. This Code shall take effect when approved by the Board of Supervisors for the County of Riverside, and shall thereupon supersede any and all prior codes adopted by the Charter School.

**III. Filing of Statements of Economic Interests**

Pursuant to Section 4 of the model code set forth in 2 CCR section 18730(b), each designated employee set forth in Exhibit A attached hereto shall file a Statement of Economic Interests (“Form 700”) with the Secretary of the Charter School. Originals of the Forms 700 shall be retained by the Secretary and shall be made available upon request for public inspection and reproduction.



EXHIBIT A

Designated Positions

- I. Persons occupying the following positions are designated employees and must disclose financial interests in all categories defined in “Exhibit B” (i.e., categories 1, 2, and 3).
  - A. Members of the Governing Board
  - B. Corporate Officers (e.g., CEO/President, CFO/Treasurer, Secretary, etc.)
  - C. President
  - D. Vice President
  - E. Consultants<sup>1</sup>

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<sup>1</sup> The Charter School President 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 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 Charter School President’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.



EXHIBIT B

Disclosure Categories

Category 1 Reporting:

- A. Interest in real property which is located in whole or in part either (1) within the boundaries of the San Jacinto Unified School District ( "District"), or (2) within two miles of the boundaries of the District, including any leasehold, beneficial or ownership interests or option to acquire such interest in real property.
- B. Investments in or income from persons or business entities which are or have been within the previous two-year period engaged in the performance of building construction or design within the District.
- C. Investments in or income from persons or business entities engaged in the acquisition or disposal of real property within the District.

Category 2 Reporting:

- A. Investments in or income from business entities which manufacture or sell supplies, books, machinery or equipment of the type utilized by the Charter School.

Category 3 Reporting:

- A. Investments in or income from business entities which are engaged in the performance of work or services of the type utilized by the Charter School.