

Regional Conservation Authority

**DRAFT RESOLUTION NO. 06-04,
“RESOLUTION OF THE WESTERN RIVERSIDE COUNTY REGIONAL
CONSERVATION AUTHORITY ADOPTING AN AMENDED APPENDIX OF
THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL
REFORM ACT OF 1974”**

Staff Contact:

**Honey Bernas, Director of
Administrative Services**

Background:

As required by the Political Reform Act Government Code § 87200, the Western Riverside County Regional Conservation Authority adopted its Conflict of Interest Code in June 2004.

Since that time, there were a number of changes in the Disclosure Categories, abolishment of a position, and additional positions within the Authority. The Amended Appendix shows the list of positions who manage public investments and positions to be governed under the Conflict of Interest Code and their respective disclosure categories.

After the Authority's adoption of the Amended Appendix, the amendment will be submitted to the County of Riverside's Board of Supervisors for approval, as they are the code reviewing body for the Authority.

In order to meet the requirements of the Conflict of Interest Code, pursuant to the Political Reform Act of 1974, staff recommends the adoption of Resolution No. 06-04 to make the appropriate changes to its Code.

Staff Recommendation:

Authorize staff to place on the agenda for the April 3, 3006 meeting of the RCA Board of Directors the proposed adoption of Resolution No. 06-04.

Attachments:

1. Draft Resolution No. 06-04
2. Redlined Appendix of Conflict of Interest Code
3. Amended Appendix of Conflict of Interest Code
4. Notice of Intention to Amend the Appendix of the Conflict of Interest Code

DRAFT

RESOLUTION NO. 06-04

**RESOLUTION OF THE
BOARD OF DIRECTORS OF THE
WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING AN
AMENDED APPENDIX OF THE CONFLICT OF INTEREST CODE
PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the Legislature of 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 Conservation Authority (the “Authority”) and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Authority adopted a Conflict of Interest Code (the “Code”) in June 2004; and

WHEREAS, subsequent changed circumstances within the Authority have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Appendix of the Authority’s Code; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Authority of, the proposed amended Appendix was provided each affected designated employee and publicly posted for review at the offices of the Authority; and

WHEREAS, a public meeting was held upon the proposed Appendix at a regular meeting of the Western Riverside County Regional Conservation Authority on April 3, 2006, at which all present were given an opportunity to be heard on the proposed amended Appendix.

NOW, THEREFORE BE IT RESOLVED by the Western Riverside County Regional Conservation Authority that the Board of Directors does hereby adopt the proposed amended Appendix of the Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Director of Administrative Services and is available to the public for inspection and copying;

BE IT FURTHER RESOLVED that the said amended Appendix shall be submitted to the County of Riverside Board of Supervisors for approval and said Appendix shall become effective 30 days after the Board of Supervisors’ approves the proposed amended Appendix as submitted.

APPROVED AND ADOPTED this 3rd day of April, 2006.

Kelly Seyarto, Chairman of the Western Riverside
County Regional Conservation Authority

ATTEST:

Honey Bernas, Clerk of the Western Riverside
County Regional Conservation Authority

**APPENDIX
CONFLICT OF INTEREST CODE
OF THE
WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY**

(~~Adopted July 12, 2004~~ Amended _____)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority Officials who manage public investments, as defined by 2 California Code of Regs. § 18701(b), are NOT subject to the Authority's Code, but are subject to the disclosure requirements of the Act. (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 investments³.

Members of the Board of Directors and their Alternates

Executive Director

Treasurer

Financial Consultant

³ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Controller	1,2
General Manager	1,2
<i>Deputy Executive Director</i>	<i>1,2</i>
<i>Director of Administrative Services</i>	<i>5</i>
<i>Director of Land Acquisition and Property Management</i>	<i>1,2</i>
General Counsel	1,2
Reserve Manager	6

MEMBERS OF BOARDS, COMMITTEES & COMMISSIONS

Administrative Committee	5
Funding Coordination Committee	1,2
Reserve Management Oversight Committee	1,2
Consultant ⁴	

4 Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Executive director may determine in writing that a particular consultant, although a "designated position" is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such writer determination shall include a description of this consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director'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

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1. All investments and business positions in business entities, and sources of income ~~from business entities~~, that are located in, do business in, or own real property within the jurisdiction of the Authority; ~~plan to do business or own real property within the jurisdiction of the Authority within the next year, or have done business or owned real property within the jurisdiction of the Authority within the past two (2) years.~~

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 Authority.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Authority; ~~plan to engage in such activities within the jurisdiction of the Authority within the next year, or have engaged in such activities within the jurisdiction of the Authority within the past two (2) years.~~

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions, that are located in, do business in, or own real property, within the jurisdiction of the Authority.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Authority, that are located in, do business in, or own real property, within the jurisdiction of the Authority.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by Designated Employee's Department, that are located in, do business in, or own real property, within the jurisdiction of the Authority.

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY

(Amended April 3, 2006)

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Deputy Executive Director	1,2
Director of Administrative Services	5
Director of Land Acquisition and Property Management	1,2
General Counsel	1,2
Reserve Manager	6

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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 Authority.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Authority.

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Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by Designated Employee's Department, that are located in, do business in, or own real property, within the jurisdiction of the Authority.

**NOTICE OF INTENTION
TO AMEND THE APPENDIX
OF THE CONFLICT OF INTEREST CODE
OF THE WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY**

NOTICE IS HEREBY GIVEN that the Western Riverside County Regional Conservation Authority (the "Authority") intends to amend the Appendix of the Authority's Conflict of Interest Code (the "Code"), pursuant to Government Code Section 87306.

The Appendix of the Code designates those employees, members, officers, and consultants who are subject to the Authority's Code. The Authority's proposed amendment includes new positions that must be designated, revises disclosure categories for clarification, and deletes a position that has been abolished by the Authority.

The proposed amended Appendix will be considered by the Authority's Board of Directors on April 3, 2006, at 1:00 p.m. at the County of Riverside, Board Room, 4080 Lemon Street, Riverside, CA 92501. Any interested person may be present and comment at the public meeting or may submit written comments concerning the proposed amendment. Any comments or inquiries should be directed to the attention of Honey Bernas, Director of Administrative Services, Western Riverside County Regional Conservation Authority, 4080 Lemon Street, 12th Floor, Riverside, CA 92501. Written comments must be submitted no later than 1:00 p.m. on April 3, 2006.

The proposed amended Appendix may be reviewed at, and copies obtained from, the office of the Director of Administrative Services, 4080 Lemon Street, 12th Floor, Riverside, CA.