

(9) Section 9. Manner of Disqualification. When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act must be accompanied by disclosure of the disqualifying interest. In the case of a voting body, this determination and disclosure shall be made part of the agency's official record; in the case of a designated employee who is the head of an agency, this determination and disclosure shall be made in writing to his or her appointing authority; and in the case of other designated employees, this determination and disclosure shall be made in writing to the designated employee's supervisor.

(10) Section 10. Assistance of the Commission and Counsel. Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(11) Section 11. Violations. This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 - 91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code

or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

Note: Authority cited: Section 83112, Government Code.
Reference: Sections 87300-87302, Government Code.

History

- (1) New section filed 4-2-80 as an emergency; effective upon filing. Certificate of Compliance included.
- (2) Editorial correction.
- (3) Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter.
- (4) Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter.
- (5) Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter.
- (6) Amendment filed 4-13-87; effective thirtieth day thereafter.
- (7) Amendment of subsection (b) filed 10-21-88; effective thirtieth day thereafter.
- (8) Amendment filed 8-28-90; effective thirtieth day thereafter.

CONFLICT OF INTEREST CODE FOR THE
ELSINORE-MURRIETA-ANZA RESOURCE CONSERVATION DISTRICT
APPENDIX A

Designated Employees

Disclosure Categories

District Director	1
District Associate Director	1
District Manager	1
District Secretary	1
Irrigation Water Manager Team Leader	1
Consultant ⁽¹⁾	1
Legal Consultant	1
1. Office of County Counsel ⁽²⁾	

(1) Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The District Director 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 is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description, a statement of the extent of disclosure requirements. The District 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.

(2) Copies of the Statement of Economic Interest Form 730 for the Riverside County Office of County Counsel are located at 3535 10th Street, Suite 300, Riverside, CA 92501.

CONFLICT OF INTEREST CODE FOR THE
ELSINORE-MURRIETA-ANZA RESOURCE CONSERVATION DISTRICT

APPENDIX B

Disclosure Categories:

1. Designated employees must report:

- A. Investments and business positions in business entities and sources of income from any source of the type which has contracted to provide or has provided the district with services, supplies, materials, machinery or equipment.
- B. Interests in real property located in whole or in part (1) within the boundaries of the district, (2) within two miles of the boundaries of the district, or (3) within two miles of any land owned or used by the district, including any leasehold, beneficial or ownership interest option to acquire such interest in real property.

Explanation for the designations and the disclosure responsibilities for designated employees of the Elsinore-Murrieta-Anza Resource Conservation District.

A designated employee of the Elsinore-Murrieta-Anza Resource Conservation District is anyone within the District who is an officer, employee, member or consultant who is designated in the code because the position entails the making or participation in the making of decisions or is involved as a state employee at other than a clerical or ministerial level in the functions of negotiating or signing any contract awarded through competitive bidding, in making decisions in conjunction with the competitive bidding process, or in negotiating, signing, or making decisions on contracts executed pursuant to Section 10122 of the Public Contract Code. (Section 82019)

1. By making a governmental decision, the person:
 - a. Votes on a matter;
 - b. Appoints a person;
 - c. Obligates or commits his or her agency to any course of action; or
 - d. Enters into any contractual agreement on behalf of his or her agency. (Commission Regulation 2 Cal. Code of Regs. Section 18700(b).)
2. By participating in the making of a decision, the person:
 - a. Negotiates, without significant substantive review, with a governmental entity or private person regarding the decision; or
 - b. Advises or makes recommendations to the decision-maker, by conducting research or an investigation, preparing or presenting a report, analysis or opinion which requires the exercise of judgment on the part of the employee and the employee is attempting to influence the decision. (Commission Regulation 2 Cal. Code of Regs. 18700(c).)

APPENDIX C

Government Code Sections 1125, 1126, 1127, 1128

§ 1125.

"Local agency," as used in this article, means a county, city, city and county, political subdivision, district, or municipal corporation.

§ 1126.

(a) Except as provided in Sections 1128 and 1129, a local agency officer or employee shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties as a local agency officer or employee or with the duties, functions, or responsibilities of his or her appointing power or the agency by which he or she is employed. The officer or employee shall not perform any work, service, or counsel for compensation outside of his or her local agency employment where any part of his or her efforts will be subject to approval by any other officer, employee, board, or commission of his or her employing body, unless otherwise approved in the manner prescribed by subdivision (b).

(b) Each appointing power may determine, subject to approval of the local agency, and consistent with the provisions of Section 1128 where applicable, those outside activities which, for employees under its jurisdiction, are inconsistent with, incompatible to, or in conflict with their duties as local agency officers or employees. An employee's outside employment, activity, or enterprise may be prohibited if it: (1) involves the use for private gain or advantage of his or her local agency time, facilities, equipment and supplies; or the badge, uniform, prestige, or influence of his or her local agency office or employment or, (2) involves receipt or acceptance by the officer or employee of any money or other consideration from anyone other than his or her local agency for the performance of an act which the officer or employee, if not performing such act, would be required or expected to render in the regular course or hours of his or her local agency employment or as a part of his or her duties as a local agency officer or employee or, (3) involves the performance of an act in other than his or her capacity as a local agency officer or employee which act may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other officer or employee or the agency by which he or she is employed, or (4) involves the time demands as would render performance of his or her duties as a local agency officer or employee less efficient.

The local agency may adopt rules governing the application of this section. The rules shall include provision for notice to employees of the determination of prohibited activities, of disciplinary action to be taken against employees for engaging in prohibited activities, and for appeal by employees from such a determination and from its application to an employee. Nothing in this section is intended to abridge or otherwise restrict the rights of public employees under Chapter 9.5 (commencing with Section 3201) of Title 1.

§ 1127.

It is not the intent of this article to prevent the employment by private business of a public employee, such as a peace officer, fireman, forestry service employee, among other public employees, who is off duty to do work related to and compatible with his regular employment, or past employment, provided the person or persons to be employed have the approval of their agency supervisor and are certified as qualified by the appropriate agency.

§ 1128.

Service on an appointed or elected governmental board, commission, committee, or other body by an attorney employed by a local agency in a nonelective position shall not, by itself, be deemed to be inconsistent, incompatible, in conflict with, or inimical to the duties of the attorney as an officer or employee of the local agency and shall not result in the automatic vacation of either such office.

APPENDIX D

The doctrine of incompatibility of office concerns a potential clash of two public offices held by a single official. Thus, the doctrine concerns a conflict between potentially overlapping public duties. (56 Ops.Cal.Atty.Gen. 488 (1973).)

To fall within the common law doctrine of incompatibility of office, two elements must be present. (68 Ops.Cal.Atty.Gen. 337 (1985).) First, the official in question must hold two public offices simultaneously. Second, there must be a potential conflict or overlap in the functions or responsibilities of the two offices.

In People ex rel. Chapman v. Rapsey (1940), 16 Cal.2d 636, the court defined the elements of a public "office." In 68 Ops.Cal.Atty.Gen. 337 (1985), this office summarized the court's conclusions as follows:

"For the purpose of the doctrine of incompatible public offices, a public office is a position in government (1) which is created or authorized by the Constitution or some law; (2) the tenure of which is continuing and permanent, not occasional or temporary; (3) in which the incumbent performs a public function for the public benefit and exercises some of the sovereign powers of the state."

Since an "employment" is not an "office," the doctrine of incompatibility of office does not preclude an official from simultaneously holding an office and an employment. (58 Ops.Cal.Atty.Gen. 109, 111 (1975).)

With respect to a conflict between the duties or functions of two offices, a clash between the two offices in the context of a particular decision need not be proved, in order to activate the doctrine of incompatibility of office. It is enough that there is a potential for a significant clash between the two offices at some point in the future. (See 64 Ops.Cal.Atty.Gen. 289 (1981).)

The Rapsey court, 16 Cal.2d, supra, at 641-642, discussed the conflict between offices in the following passage:

"Two offices are said to be incompatible when the holder cannot in every instance discharge the duties of each. Incompatibility arises, therefore, from the nature of the duties of the offices, when there is an inconsistency in the functions of the two, where the functions of the two are inherently inconsistent or repugnant, as where antagonism would result in the attempt by

one person to discharge the duties of both offices, or where the nature and duties of the two offices are such as to render it improper from considerations of public policy for one person to retain both."

Where a public official is found to have accepted two public offices, common law doctrine provides for an automatic vacating of the first office. (See 66 Ops.Cal.Atty.Gen. 295 & 178 (1983); 65 Ops.Cal.Atty.Gen. 608 (1982).) The appropriate mechanism for enforcing the departure from office is a suit in quo warranto under section 803 of the Code of Civil Procedure. (People ex rel. Chapman v. Rapsey, supra, 16 Cal.2d 636.) Disqualification or abstention from those decisions where an actual clash of the two offices is found to occur, is not an available remedy under the common law doctrine. (See 66 Ops.Cal.Atty.Gen., supra, at 177-178; 63 Ops.Cal.Atty.Gen. 710, 715-717 (1980).)

The above material was taken from Conflicts of Interests, prepared by the California Office of the Attorney General (1989), 135 pp. The above is meant to be explanatory, not definitive, for purposes of this Code, and reference should be taken to the appropriate court decisions and Attorney General's opinions, to be considered incorporated herein.

RESOLUTION 7-92

**RESOLUTION OF THE BOARD OF DIRECTORS OF
ELSINORE-MURRIETA-ANZA RESOURCE CONSERVATION DISTRICT
CONFLICT OF INTEREST CODE**

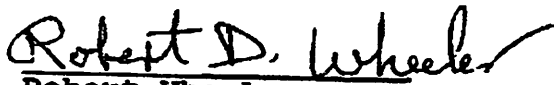
WHEREAS, The Political Reform Act (Government Code 81000, et seq) requires local agencies to adopt a conflict of interest code, to review their conflict of interest codes and to either amend their codes or report that no amendment is necessary;


WHEREAS, the said provisions of The ACT also contain a requirement that all public agencies, include the District, shall adopt and promulgate a conflict of interest code;

NOW, THEREFORE, BE IT RESOLVED that the District hereby adopts, subject to approval of the Fair Political Practices Commission (or County Board of Supervisors), the Conflict of Interest Code attached hereto and incorporated herein by reference;

BE IT FURTHER RESOLVED that this Code is intended to provide reasonable assurance that all foreseeable conflict of interest situations will be disclosed or prevented, to provide each affected person a clear and specific statement of his duties under the Code, and to adequately differentiate between designated employees with different powers and responsibilities.

Moved by Peter McCrohan and seconded by Roger Pitkin and carried at the July 14, 1992 regular meeting.


Robert Wheeler
President


Gayle Holyoak
Secretary

NOTICE OF INTENTION
TO ADOPT A CONFLICT OF INTEREST CODE FOR
ELSINORE-MURRIETA-ANZA RESOURCE CONSERVATION DISTRICT

NOTICE IS HEREBY GIVEN that the Elsinore-Murrieta-Anza Resource Conservation District intends to repeal its outdated Conflict of Interest Code and adopt a Conflict of Interest Code pursuant to Government Code Sections 87300 et al. Pursuant to Government Code Section 87302, the Code will designate officers and employees who must disclose certain investments, income, interests in real property and business positions, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests. Pursuant to Government Code Sections 1125ff and Common Law doctrine, the Code will address the applicability to incompatible activities and offices.

A public hearing on this matter will be held on Tuesday, July 14, 1992, at 6:00 p.m. at the Rancho California Water District Board Room, 28061 Diaz Rd., Temecula. Any interested person may be present at the public hearing or may submit written comments concerning the proposed Code. Written comments must be submitted no later than July 7, 1992, to the Elsinore-Murrieta-Anza Resource Conservation District, 711 W. Esplanade Ave., Suite C, San Jacinto 92582.

The Elsinore-Murrieta-Anza Resource Conservation District has prepared a written explanation of the reasons for the designations and the disclosure responsibilities and has available all of the information upon which its proposal is based.

Copies of the proposed Code and all of the information upon which it is based may be obtained from the Elsinore-Murrieta-Anza Resource Conservation District, 711W. Esplanade Ave., Suite C, San Jacinto 92582. Any inquiries concerning the proposed code should be directed to Gayle Holyoak, Secretary, at 714-654-7733, or Robert Wheeler, Director, at 714-763-4127.

MINUTES

ELSINORE-MURRIETA-ANZA RESOURCE CONSERVATION DISTRICT

July 14, 1992

PRESENT:

Bob Wheeler
Peter McCrohan
Roger Pitkin
Barbara Bradford
Jim Marple
Gayle Holyoak

ABSENT:

Steve Corona
Dave Cervantes

STAFF:

Ed Umbach

The meeting was called to order at 5:07 p.m.

Peter McCrohan moved to approve the minutes of the June 9 meeting as presented, seconded by Roger Pitkin and carried.

Peter McCrohan moved to approve the minutes of the June 16 special meeting, seconded by Roger Pitkin and carried.

Roger Pitkin moved to approve the minutes of the June 26 special meeting, seconded by Peter McCrohan and carried.

Gayle reported a balance of \$33,782.09 in the General Fund.

Roger Pitkin moved to pay bills as presented, seconded by Peter McCrohan and carried.

Gayle Holyoak - Payroll 6/4 - 6/17
Xerox - lease

\$385.00
163.89

Ed reported that he will not be able to attend to Santa Margarita Task Force meeting, but Bob Hewitt will be attending.

Ed reported that he and Peter have been working with John Day on his problems.

Ed reported that Bob Dunkle and Bob Hewitt have been detailed to Blythe, with one going for two weeks, then the other for two weeks, with the possibility of this going on until the end of December.

Ed reported that the San Jacinto Basin RCD Mobile Lab is operating at this time.

Ed reported that there is a possibility that the Bureau of Reclamation will be giving CARCD grant funds for starting up Mobile labs. More on this later.

Ed explained the Earth Team program to the directors.

Peter reported that the lease for the office space has been signed and are awaiting the signed copy from Attarian. The district is to pay all the electric, phone and half of the other utilities and trash.

Peter reported he had talked to Clyde, San Jacinto Basin RCD, regarding that district taking over Gayle's salary.

Peter moved to look over the Annual Work Plan again and vote on at next meeting, seconded by Roger Pitkin and carried.

Bob reported that since the County has not finalized their budget, we will at a later date.

Viewed Adopt-A-Watershed video program from Weaverville RCD.

Viewed a video titled Straighttalk on the Food Security Act.

Peter McCrohan moved to pay no more than \$360 per year for \$1,000,000 for liability and contents coverage on the office space, seconded by Roger Pitkin and carried.

Workman's Comp insurance to be discussed at the next meeting.

Discussion was held on the Conflict of Interest Code. There were no members of the general public at the meeting. Public notice was posted and filed. Roger Pitkin moved to adopt the Conflict of Interest Code, seconded by Peter McCrohan and carried.

No further business the meeting was adjourned at 7:00 p.m.

Respectfully submitted by,

Gayle Holyoak
Gayle Holyoak
District Secretary

5555
SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

3023



FROM: County Counsel

SUBMITTAL DATE: September 1, 1992

SUBJECT: Proposed Conflict of Interest Code for the
Elsinore-Murrieta-Anza Resource Conservation District.

RECOMMENDED MOTION: (1) That the Board of Supervisors approve the
Proposed Conflict of Interest Code submitted by the Elsinore-
Murrieta-Anza Resource Conservation District.

(2) That the Clerk notify the District of the
action taken.

JUSTIFICATION: Government Code Section 87100 et seq., requires that
each governmental agency adopt a Conflict of Interest Code. Govern-
ment Code Section 87303 requires that the agency upon preparing a
code, send the proposed code to an appropriate "code reviewing body"
for approval. Government Code Section 82011(b) specifies that the
County Board of Supervisors is the appropriate code reviewing body
in the present case.

This office has reviewed the Code as proposed with its listing of
designated positions and disclosure categories along with the
adopting resolution and has found that the code and accompanying
documents meet the requirements of state law. In the present case,
in fact, the District has chosen to adopt the Standard Conflict of
Interest Code. It is recommended that the Code as submitted be
approved.

Gerald Blankenship, Jr.
GERALD BLANKENSHIP, JR., Deputy

GB:jf-4258/lit

Attachment

REVIEWED BY ADMINISTRATIVE OFFICE

DATE: 8-18-92 *for*

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Abraham, Dunlap, Cenicerros, Larson and Younglove

Noes: None

Absent: None

Date: August 25, 1992

xc: County Counsel, Elsinore RCD, *GOB*

Prev. Agn. ref.

Depts. Comments

Dist.

AGENDA NO.

Gerald A. Maloney
Clerk of the Board
BY: *[Signature]*
Deputy

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Raychele Sterling

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: _____ **Agenda #** 2-10

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

 Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

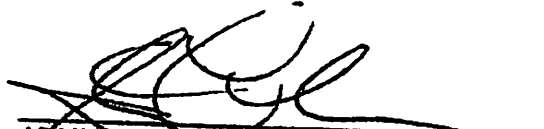
 Support **Oppose** **Neutral**

I give my 3 minutes to: _____


SECTION 2. The said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of Riverside for approval.

SECTION 3. The said amended Conflict of Interest Code shall become effective immediately upon the date the Riverside County Board of Supervisors approves the proposed Code as submitted.

PASSED, APPROVED AND ADOPTED this 1st day of June, 2015.


JOHN F. TAVAGLIONE, Chairman
Western Riverside County
Regional Conservation Authority

ATTEST:


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

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

320
A



FROM: County Counsel

SUBMITTAL DATE:

June 9, 2015

SUBJECT: Approval of the Conflict of Interest Code of the Western Riverside County Regional Conservation Authority; District 2; [\$0]

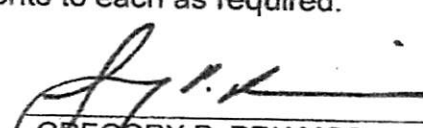
RECOMMENDED MOTION: That the Board of Supervisors:

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

BACKGROUND:

Summary

Government Code section 87306.5 requires that all local agencies review their Conflict of Interest Code, and the listings of designated positions for employees who must disclose along with the types of disclosure required, and make appropriate amendments to each as required.


GREGORY P. PRIAMOS
County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
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:

APPROVE

BY:


Tina Grance

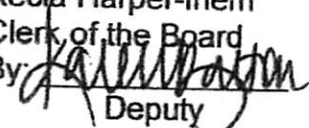
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None
Date: June 30, 2015
xc: Co.Co., WRCA, BB&K, COB_{cm}

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

Prev. Agn. Ref.:

District: 2

Agenda Number:

2-10

A-30
☐ Positions Added
☐ Change Order
☐ Vote

DATE: June 9, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

Government Code Section 82011 identifies the Board of Supervisors for the County of Riverside as the code reviewing body for a local government agency within its county. A local government agency, as defined by Government Code Section 82041, includes the Western Riverside County Regional Conservation Authority.

Western Riverside County Regional Conservation Authority recently amended its Conflict of Interest Code and has submitted it for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the revised Conflict of Interest Code and has found that it complies with statutory requirements. A complete copy of Western Riverside County Regional Conservation Authority's Conflict of Interest Code as revised is attached.

It is recommended that the Board of Supervisors approve Western Riverside County Regional Conservation Authority's Code as revised and that the Clerk of the Board notify the Agency of the action taken.

Impact on Citizens and Businesses

N/A.

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

(Amended June 1, 2015)

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 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 Conservation Authority** (the "Authority").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Director of Administrative Services** as the Authority's Filing Officer. The **Director of Administrative Services** shall make and retain a copy of all statements filed by Members of the Board of Directors and their Alternates and the Executive Director, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The **Director of Administrative Services** shall retain the originals of the statements filed by all other officials and designated positions. The **Director of Administrative Services** will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

*Approved for filing
K. B. Krieger 6/7/15*

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY
(Amended June 1, 2015)

PART "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 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 and their Alternates

Executive Director

Treasurer²

Financial Consultant

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.

² This is the County Treasurer, no duplicate filing is required under this Code.

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>
Controller	1, 2
Deputy Executive Director, RCA	1, 2
Director of Administrative Services, RCA	4
Director of Land Acquisition, RCA	1, 2
Director of Reserve Management and Monitoring, RCA	1, 2
General Counsel	1, 2
RCA Administrative Manager	4
RCA Administrative Services Officer	4
RCA Chief of Technical Information	5
RCA GIS/IT Database Manager	5
RCA Land Acquisition Analyst	1, 2
RCA Supervising Accountant	4
Reserve Manager	5

MEMBERS OF BOARDS, **COMMITTEES & COMMISSIONS**

Executive Committee	4
Funding Coordination Committee	1, 2
Reserve Management Oversight Committee	1, 2

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultant and New Positions³

³ Individuals serving as a consultant as defined in FPPC Reg 18701 or in a new position created since this Code was later amended that makes or participates in making decisions must file under the broadest disclosure requirements set forth in this Code subject to the following limitation:

The Executive Director 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 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. (Gov. Code § 81008.)

RESOLUTION NO. 2015-006

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
WESTERN RIVERSIDE COUNTY REGIONAL
CONSERVATION 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 Conservation Authority ("RCA") 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 November 24, 2014, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within RCA have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update RCA'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 RCA 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 employee and publicly posted for review; and

WHEREAS, a public meeting was held upon the proposed amended Conflict of Interest Code at a regular meeting of the Board of Directors of RCA on June 1, 2015, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Board of Directors of RCA does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Director of Administrative Services and available to the public for inspection and copying during regular business hours.

PART "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic investments that the designated position must disclose for each disclosure category to which he or she is assigned.⁴ 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 Authority.

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 Authority.

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 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 Authority.

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 utilized by the Authority.

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 utilized by 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)

OLD BUSINESS



PO Box 5407
Riverside, CA 92517
(951) 780-1012
Fax (951) 780-5893
<http://www.sawatershed.org>

Board of Directors: October 5, 2015

Mandy Parkes,
Chair

Kerwin Russell,
Vice-Chair

Rick Neugebauer,
Treasurer

Kerwin Russell,
Secretary

Richard Zembal,
Director

Rick Neugebauer
Associate Director EMA RCD
31569 Canyon Estates Drive, Suite 113
Lake Elsinore, CA 92532

Re: Proposals for Habitat Vegetation Management at Bear Creek Master HOA and Fairway Estates HOA

Thank you for providing SAWA the opportunity to provide EMA RCD with proposals for vegetation management in the riparian areas of Bear Creek and Fairway Estates HOAs.

Under the terms of our labor sharing agreement with SAWA member agencies, should EMA choose to use SAWA resources for these EMA vegetation management projects, SAWA will prepare a work order specifying the work and prices contained in the attached proposals. Work order will need to be signed by the appropriate officer of EMA and returned to SAWA. We will then work with the designated contact at EMA to set dates to perform the work requested.

These proposals were developed based on the agreement EMA entered into with Bear Creek HOA and Fairway Estates HOA. As we discussed, based on our visit to Bear Creek, we propose that a 5 year plan be developed to properly abate and minimize the risk of fire and flood. Should EMA choose SAWA to perform this work, we will develop a five year plan as we embark on this first year's abatement activity. The proposals are as follows:

Bear Creek HOA: \$8,165.68 Four Crew Days for Removal; Report to CDFW and Monitoring.

Fairway Estates HOA: \$4,457.30 Two Crew Days for Removal; Report to CDFW and Monitoring.

Please review and if you have any questions regarding the proposal, please call me at (909) 771-6903.

Sincerely,


James Law
Habitat Restoration Manager

BEAR CREEK MASTER ASSOCIATION PROJECT PROPOSAL - EXHIBIT A1

Item #	Item Category	Activity Category	Activity/Expense	Frequency	Cost(s)	Notes	
1	a	Annual Report	Required to operate under 1600 Permit.	Once	\$546.14	Report to CDFW	7 Hours @ 78.02 Per Hour
2	a	Weed Control	Weed Removal/Treatment (includes Mileage + Herbicide + Tools & Equipment)	4 Days	\$7,104.68	Remove dead branches & non-native invasives species off-site. Species include but are not limited to: Tamarisk, Pampas grass, palm trees, pepper trees	
3	a	Monitoring	Monitoring Invasive Removal	1 Day	\$514.86	Weed Infestation, Monitoring & Work	6 Hours @ \$78.02 per hour Mileage - 76 miles = \$93.48
TOTAL:					\$8,165.68		

EXHIBIT A2

Proposal for BEAR CREEK MASTER ASSOCIATION - Costs Per Day

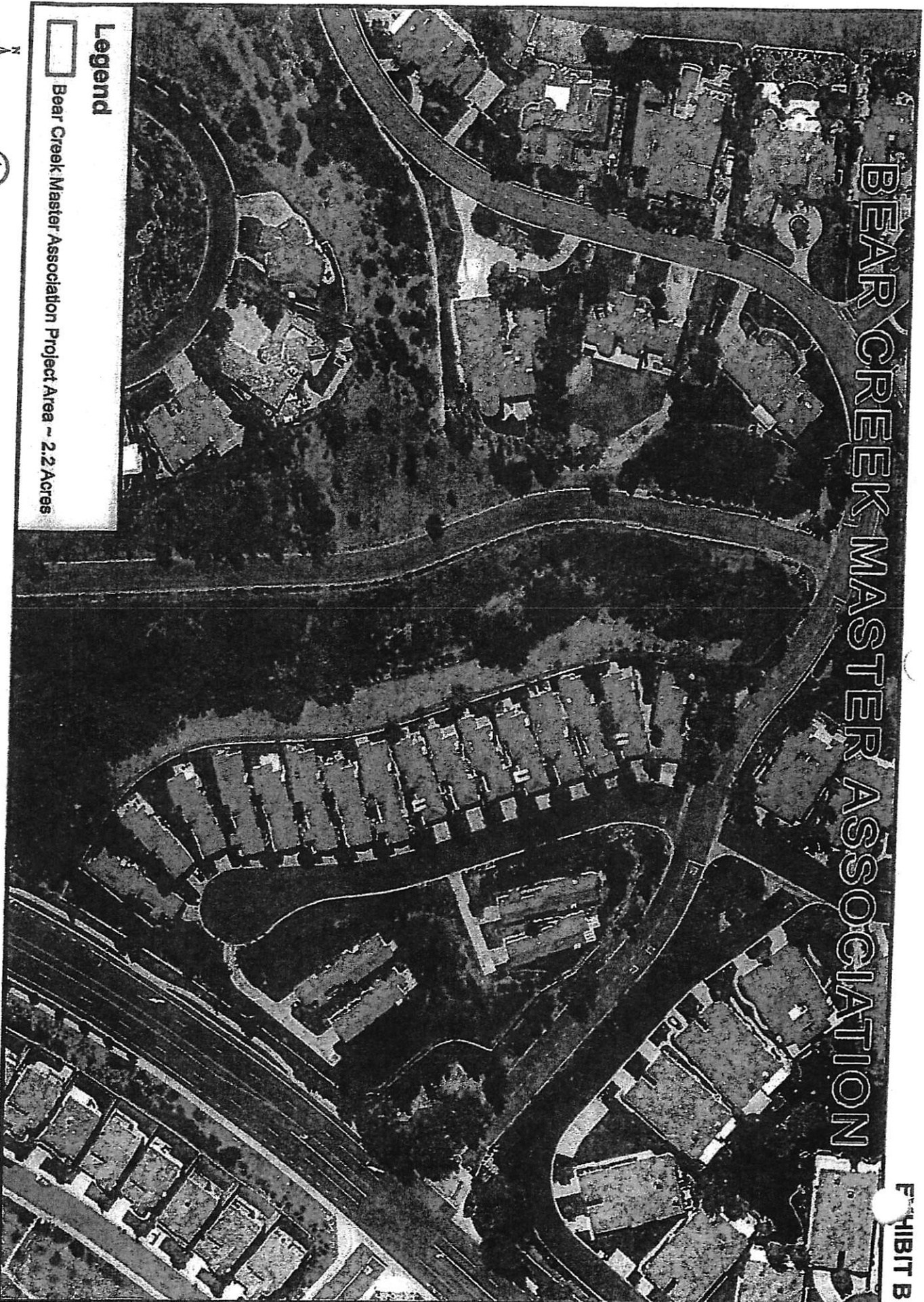
DATE: 10/5/2015

INVOICE #: XX

Employee Name	Classification	Total Project Hours	Hourly Billing Rate	Total Amount
CREW LEAD	RESTORATION TECH.	10.00		
TECH #1	RESTORATION TECH.	10.00		
TECH #2	RESTORATION TECH.	10.00		
JAMES LAW	PROJECT MANAGER	6.00		
STAFF TOTALS				\$1,575.12
MILEAGE	152 Miles @ .615 = \$93.48			\$93.48
HERBICIDE TYPES		TOTAL OZ	COST PER OZ	TOTAL COST
RODEO		128.00	0.41	\$52.48
HABITAT		25.00	1.15	\$28.75
SUPER 7 SURFACTANT		28.00	0.28	\$7.84
COMPETITOR		50.00	0.37	\$18.50
Total Amount: \$1,776.17				
** This costs includes all tools, material, staff time and mileage per day to cut, treat and haul non-native biomass off-site from Bear Creek Master Association Project.				

BEAR CREEK MASTER ASSOCIATION

EXHIBIT B



Legend



Bear Creek Master Association Project Area ~ 2.2 Acres



NAD 83
10' Contour
Bear Creek Master Association
Map produced by SAWA