

**RESOLUTION NO. 12R-26**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BIGHORN-DESERT VIEW WATER AGENCY  
AMENDING THE AGENCY'S CONFLICT OF INTEREST CODE**

**WHEREAS**, the Political Reform Act (Government Code, Section 81000 et seq. [the "Act"]) contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Bighorn-Desert View Water Agency (the "Agency") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

**WHEREAS**, the Agency's Board of Directors adopted a Conflict of Interest Code (the "Code") for the Agency which was amended on October 25, 2010, in compliance with the Act; and

**WHEREAS**, changed circumstances within the Agency have made it advisable and necessary, pursuant to Sections 87306 and 87307 of the Act to amend and update the Code and the Appendix thereto; 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 the Agency 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 Agency's Board of Directors, the proposed amended Conflict of Interest Code was provided to each affected designated employee and publicly posted for review; and

**WHEREAS**, a public meeting was held upon the proposed amended Code at a regular meeting of the Agency's Board of Directors on August 28, 2012, at which all present were given an opportunity to be heard on the proposed amended Code.

**NOW, THEREFORE**, the Board of Directors of the Bighorn-Desert View Water Agency does hereby resolve as follows:

**Section 1: Adoption of Code**

The Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be kept on file with the Agency General Manager and available to the public for inspection and copying during regular business hours.

**Section 2: County Approval**

The Board of Directors hereby directs the General Manager to submit the amended Conflict of Interest Code to the Board of Supervisors of the County of San Bernardino for approval.

**Section 3: Effective Date**

The amended Conflict of Interest Code shall become effective 30 days after its approval by the Board of Supervisors of San Bernardino County.

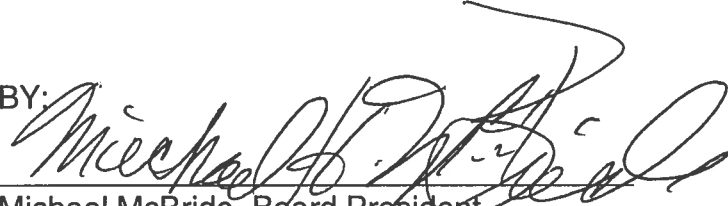
**Section 4: Rescission**

The Conflict of Interest Code adopted pursuant to Resolution No. <sup>10R-10</sup>~~12R-XX~~ is hereby rescinded.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Bighorn-Desert View Water Agency held on this 28th day of August, 2012.

BIGHORN-DESERT VIEW WATER AGENCY

BY:

  
Michael McBride, Board President

ATTEST:

By   
David Larson, Board Secretary

**CONFLICT OF INTEREST CODE**  
**FOR THE**  
**BIGHORN-DESERT VIEW WATER AGENCY**

The Political Reform Act (Government Code Sections 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 CA. Code of Regs., Section 18730), which 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, the regulation 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 regulation, and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the Bighorn-Desert View Water Agency.

Designated employees shall file their statements of economic interests with the Bighorn-Desert View Water Agency, which will make the statements available for public inspection and reproduction. (Government Code Section 81008.) Statements for Directors of the Agency, and the General Manager shall be filed with the Agency, which shall reproduce and retain a copy for public inspection and reproduction, and forward the originals to the Board of Supervisors of the County of San Bernardino.

# BIGHORN-DESERT VIEW WATER AGENCY

## APPENDIX

### Designated Positions

Consultant\* (including but not limited to General Counsel, Chief Financial Officer, Agency Engineer)

### Disclosure

Individuals holding Designated Positions must report the following:

Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, and interests in real property.

\* The General Manager 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 written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. Such determination shall be a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

### Public Officials Who Manage Public Investments

The following positions are not covered by the code because they must file under Government Code Section 87200 and, therefore, are listed for informational purposes only:

Directors  
General Manager  
Consultants that manage the Agency's investments

An individual 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 Section 87200.

This is the last page of the Conflict of Interest Code for the **Bighorn-Desert View Water Agency**.

**CERTIFICATION OF COUNTY APPROVAL**

Pursuant to Government Code Section 87303, the Conflict of Interest Code for the **Bighorn-Desert View Water Agency** was approved on \_\_\_\_\_, 2012. The Code will be effective on \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_

COUNTY OF SAN BERNARDINO

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

May 07, 2013

**FROM: JEAN-RENE BASLE, County Counsel  
County Counsel**

**SUBJECT: CONFLICT OF INTEREST CODES**

**RECOMMENDATION(S)**

1. Approve new Conflict of Interest Codes in the following jurisdictions as on file with the Clerk of the Board of Supervisors:
  - a. Big Bear Fire Authority
  - b. Department of Water & Power of the City of Big Bear
  - c. Homeownership Protection Program JPA
2. Approve amended Conflict of Interest Codes in the following jurisdictions as on file with the Clerk of the Board of Supervisors:
  - a. Altus Mirus
  - b. Apple Valley Fire Protection District
  - c. Apple Valley Unified School District
  - d. Barstow Community College District
  - e. Barstow Unified School District
  - f. Bear Valley Community Health Care District
  - g. Bighorn Desert View Water Agency
  - h. Big Bear Area Regional Wastewater Agency
  - i. Big Bear City Community Service District
  - j. Central School District
  - k. Chaffey Community College District
  - l. Chino Valley Independent Fire District
  - m. Chino Valley Unified School District
  - n. Committee on School District Organization
  - o. Crestforest Fire Protection District
  - p. Crestline-Lake Arrowhead Water Agency
  - q. Cucamonga Valley Water District
  - r. Department of Water & Power of the City of Big Bear Lake
  - s. East Valley Water District
  - t. Excelsior Education Center
  - u. Helendale Community Services District

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cc: Basle - County Counsel  
Ebright - County Counsel  
Forster - County Administrative Office  
File - Multiple Entities  
ma 05/13/2013

Record of Action of the Board of Supervisors  
**APPROVED (CONSENT CALENDAR)**  
COUNTY OF SAN BERNARDINO  
Board of Supervisors

MOTION	<u>NO</u>	<u>AYE</u>	<u>AYE</u>	<u>SECOND</u>	<u>AYE</u>
	1	2	3	4	5

LAURA H. WELCH, CLERK OF THE BOARD

BY 

DATED: May 07 2013

ITEM 35

- v. Hesperia Recreation & Park District
  - w. Hi-Desert Memorial Health Care District
  - x. Hi-Desert Water District
  - y. Housing Authority of SBC
  - z. IVDA/San Bernardino Airport Authority
  - aa. Lake Arrowhead Community Service District
  - bb. Lewis Center for Educational Research (High Desert Partnership)
  - cc. Local Agency Formation Commission
  - dd. Mariana Ranchos County Water District
  - ee. Morongo Unified School District
  - ff. OmniTrans Board of Directors
  - gg. Phelan Pinon Hills Community Services District
  - hh. Running Springs Water District
  - ii. Rim of the World Recreation & Park District
  - jj. San Bernardino County Superintendent of Schools/Board of Education
  - kk. San Bernardino International Airport Authority
  - ll. San Bernardino Mountains Community Hospital District
  - mm. San Bernardino Valley Water Conservation District
  - nn. Victor Elementary School District
  - oo. Water Facilities Authority
  - pp. West Valley Mosquito and Vector Control District
3. Approve amended Conflict of Interest Code for the County of San Bernardino.  
(Presenter: Jean-Rene Basle, County Counsel, 387-5477)

**BOARD OF SUPERVISORS COUNTY GOALS AND OBJECTIVES**

**Improve County Government Operations.**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**Pursue County Goals and Objectives by Working with Other Governmental Agencies.**

**FINANCIAL IMPACT**

No financial impact from approval of these actions.

**BACKGROUND INFORMATION**

State law requires all public agencies to adopt a conflict of interest code. The conflict of interest code of each agency identifies those positions that are required to disclose financial interests annually on the Form 700. The Board of Supervisors (Board) is also the code reviewing body for local government agencies, other than cities, located entirely within the geographical jurisdiction of the County. The new county conflict of interest codes for new entities within the jurisdiction of the County are being submitted for approval under Recommendation No. 1.

State law also requires local government agencies to review and update their conflict of interest code every two years to account for position changes. The revised conflict of interest codes submitted for approval in Recommendation No. 2 are a result of that process. The changes in the codes include the addition of new positions, changes in titles in positions, and deletion of old positions.

The County is also required to periodically review and amend its own conflict of interest code to account for new positions and title changes. The last Board action amending the County's conflict

**CONFLICT OF INTEREST CODES**

**MAY 07, 2013**

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of interest code countywide was on August 28, 2012. The amended San Bernardino County Conflict of Interest Code is being submitted under Recommendation No. 3.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Adam Ebright, Deputy County Counsel, 387-5456) on March 19, 2013; the County Administrative Office (Tom Forster, Administrative Analyst, 387-4635) on April 23, 2013; and the Clerk of the Board of Supervisors (Laura Welch, Clerk of the Board, 387-4265) on March 19, 2013.