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 Chapter 2-100: Conflict of Interest Code

**Conflict of Interest Code**

**of the**

**Tehachapi Valley Recreation and Park District**

**of the**

**County of Kern**

The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted regulations, 2 Cal. Code of Regs. Section 18730, which contain the terms of a standard conflict of interest code. It can be incorporated by reference, and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. **Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference** and, along with the **attached Appendix** in which members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the Tehachapi Valley Recreation and Park District.

Designated employees shall file their statements with the Tehachapi Valley Recreation and Park District. Upon receipt of the statements of economic interest of the head of the agency and Board of Directors, the agency shall make a copy of each and forward the originals of these statements to the Clerk of the Board of Supervisors, the filing officer with respect to these statements, who will make the statements available for public inspection and reproduction. (Gov. Code Section 81008). Tehachapi Valley Recreation and Park District will retain “copies” of the original statements of the head of the agency and Board of Directors and “original“ statements for all other designated employees.

# APPENDIX A

# DESIGNATED DISTRICT POSITIONS

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| **DESIGNATED POSITION** | **DISCLOSURE CATEGORY** |
| Members of the Board of Directors | Category 1 |
| District Manager | Category 1 |
| District Legal Counsel | Category 1 |
| Park and Facility Maintenance Supervisor | Category 1 |
| Recreation Manager  Tots Manager  Facility Supervisor | Categories 2 & 3  Categories 2 & 3  Categories 2 & 3 |
| Business Manager | Categories 2 & 3 |
| Consultants\* | Category 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 Manager 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 requirement 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 District 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. |

# APPENDIX B

# DISCLOSURE CATEGORIES

# Category 1

A designated employee in this category must report all interests in real property located within the jurisdiction, as well as investments, business positions and sources of income, including gifts, loans and travel payments.

# Category 2

A designated employee in this category must report all investments and business positions in, or income from business entities, including gifts, loans and travel payments, which manufacture or sell supplies, books, machinery or equipment of the type utilized by the department for which the designated employee is Manager or Director.

# Category 3

A designated employee in this category must report all investments and business positions in, or income from business entities, including gifts, loans, and travel payments, which are contractors or subcontractors engaged in the performance of work or services of the type utilized by the department for which the designated employee is Manager or Director.



Chapter 2-200: General Agreements

General Agreements

**Purpose**

In order to provide the greatest range of services possible to the community, it is the policy of Tehachapi Valley Recreation and Park District to encourage the development of cooperative agreements between public and private agencies whenever feasible if such agreements:

* Minimize duplication of efforts, equipment, and facilities;
* Promote planned, integrated, and orderly development of the entire community;
* Provide for the greatest range of services possible at the lowest cost.

**Nature of Agreements**

Although the District makes use of informal, unwritten agreements under certain conditions, this practice is kept to a minimum. Written agreements constitute the majority of cooperative agreements in order to insure continuity, stability, and legality.

Such written agreements utilize policy statements, resolutions, leases, and binding contractual agreements. Each agreement entered will state in detail:

* Specific areas of agreement;
* Services and staffing to be provided by each party;
* Financial responsibilities of each party;
* Length of agreement;
* Procedures for terminating the agreement;
* Liabilities of each party; and
* All other statements deemed necessary to clarify the agreement and make it legally binding.

All first-time agreements and renewal agreements with significant changes entered into by the District will be reviewed by District legal counsel and approved and signed by the Board of Directors or by the District Manager as authorized by the Board.

The District will not enter into an agreement that is deemed by the TVRPD Board of Directors:

* To be detrimental to the interests of the District or its citizens;
* Of no immediate interest to the District; or
* Would significantly impact District operations.

The District will strive to arrive at agreements mutually beneficial to all parties concerned.

**Enabling Legislation**

The statute providing primary authority to enter into agreements is Section 5786.1 (f) (k) of the Public Resources Code.

**School District Agreements**

Tehachapi Valley Recreation and Park District recognizes the relationship between the public educational system and recreation services. It is the policy of the District to utilize, wherever possible, the park-school concept in order to achieve the most efficient use of land resources.

In addition to maintaining a planning relationship with the public educational system, the District will strive, in the appropriate circumstances, to develop agreements regarding:

* Mutual use of facilities, equipment, personnel;
* Mutual financing of specific operations;
* Circulation of public relations information; or
* Exchange of research resources designed to produce better, more accurate knowledge in the field of recreation.

**County/City Agreements**

Tehachapi Valley Recreation and Park District recognizes the relationship between the District, the County and City in providing the greatest range of services possible to the community. The District will strive, in the appropriate circumstances, to develop agreements regarding:

* County/City support in financing land acquisition and development;
* Mutual use of facilities;
* Tax assessment and collection by the County for the District;
* County/City provision of law enforcement services during program activities;
* County purchasing of specified items; and
* Other such agreements encouraged in the effective service to the public.

**State and Federal Agreements**

Agreements with the State of California and the Federal government will revolve primarily around financial assistance in the form of grants and/or loans under State and Federally administered programs.

**Agreements with Private Business**

The District may, in the course of its operations, enter into agreements with private businesses for any appropriate purpose deemed advantageous to the promotion or conduct of District functions. This includes, but is not limited to:

* Business sponsorship of District activities;
* Contractual agreements for the provision of services by business;
* District use of facilities; or
* Other such agreements.