

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

209 A



FROM: County Counsel

SUBMITTAL DATE:
February 2, 2015

SUBJECT: Approval of the Conflict of Interest Code of the Desert Recreation District; District 4;
[\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Conflict of Interest Code submitted by Desert Recreation District; and
2. Direct the Clerk of the Board to notify Desert Recreation District 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.

Departmental Concurrence

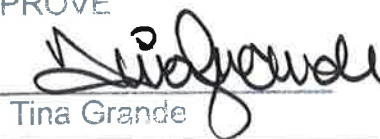

GREGORY P. PRIAMOS
County Counsel

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 Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: 11/20/12; 2.8

District: 4

Agenda Number:

2-12

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 Desert Recreation District.

Desert Recreation District recently revised its Conflict of Interest Code (appendix) and has submitted it to the Board of Supervisors as the code reviewing body.

This office has reviewed the revised Conflict of Interest Code (appendix) and has found that it complies with statutory requirements. A copy of Desert Recreation District's revised Conflict of Interest Code (appendix) is attached.

It is recommended that the Board of Supervisors approve Desert Recreation District'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.

RESOLUTION NO. 14-51

APPENDIX "A"

DESIGNATED POSITIONS & DISCLOSURE CATEGORIES

The persons in the following positions are deemed to be designated employees" within the meaning of Government Code section 82019 and the District's Conflict of Interest Code. Such persons shall file appropriate disclosure statements in accordance with the disclosure category listed for them, as specified below:

<u>Position</u>	<u>Disclosure Category</u>
Board Member	1
General Manager	1
Assistant General Manager	1
Executive Director – First Tee	1
Human Resources Administrator	1
District Clerk	1
Information Systems Administrator	1
Accounting Supervisor	1
Facilities & Fleet Manager	1
Golf Course, Parks & Grounds Manager	1
Community Services Supervisor	1
Consultant*	1

Disclosure Category 1:

(1) All sources of income, (2) all interest in real property, and (3) all investments and business positions in business entities.

* The General 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 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. The General 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.

RESOLUTION NO. 14-53

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE DESERT RECREATION DISTRICT
AMENDING THE DESERT RECREATION DISTRICT'S CONFLICT OF INTEREST CODE PURSUANT TO
THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the Legislature of the State of California has enacted the Political Reform act of 1974, Government Code Section 81000 et. seq. (the "Act"), which requires all public agencies, including but not limited to the Desert Recreation District ("District") to adopt and keep updated a conflict of interest code; and

WHEREAS, the District has a Conflict of Interest Code which was last amended October 10, 2012 and which now requires updating; and

WHEREAS, the regulations implementing the Act provide that the District may adopt the terms of 2 Cal. Code of Regulations Section 18730 in order to adopt a conflict of interest code which will be self-updating as the regulations are updated; and

WHEREAS, at the same time as the District adopts Section 18730, the District must also update and adopt a designation of employees covered by the conflict of interest code and the disclosure categories for each employee as set out in **Appendix A** to this Resolution adopting Section 18730 by reference; and

WHEREAS, such designation and disclosures for each designated employee are set out in the Appendix to this Resolution; and

WHEREAS, the designated employees shall file forms with the District's Clerk of the Board, who shall forward them to the Riverside County Code Clerk of the Board; 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 District 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 the District Board meeting and of consideration by the Board of the proposed amended Conflict of Interest Code has been provided to each designated employee and publicly posted for review at the offices of the District Secretary.



RESOLUTION NO. 14-53

BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall become effective on December 10, 2014 and that the District Clerk of the Board shall provide a copy of such Code to the Riverside County Clerk of the Board of Supervisors, the code reviewing body.

PASSED, APPROVED AND ADOPTED this 10th day of December 2014 by the following vote:

AYES: Duran, Gilbert, McGalliard and Acosta

NOES: None

ABSENT: Paz

ABSTAIN: None

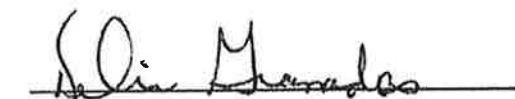
Desert Recreation District

By:



President of the Board

I hereby certify that the Board of Directors of the Desert Recreation District adopted the foregoing Resolution No. 14-53 at a regular meeting held on December 10, 2014.



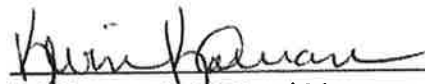
Della Granados, District Clerk



**DECLARATION OF
CHIEF EXECUTIVE OFFICER/GENERAL MANAGER**

The proposed Conflict-of-Interest Code specifically enumerates each of the positions within the agency that involve the making or participation in the making of decisions that may foreseeably have a material financial effect on any financial interest. The agency has satisfied all of the requirements of Title 2, Division 6 of the California Code of Regulations Section 18750.1 (c) preliminary to approval of the proposed code.

Dated: 12/16/14


Kevin Kalman, General Manager