

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



**ITEM: 2.12**  
**(ID # 27552)**

**MEETING DATE:**  
Tuesday, May 20, 2025

**FROM :** COUNTY COUNSEL

**SUBJECT:** COUNTY COUNSEL: Approval of a Conflict of Interest Code for Desert Recreation District; District 4; [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Amendment to the Conflict of Interest Code of the Desert Recreation District; and
2. Direct the Clerk of the Board to notify the Desert Recreation District of the action taken.

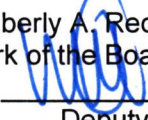
**ACTION:**Consent

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Medina, Spiegel, Washington, Perez and Gutierrez  
Nays: None  
Absent: None  
Date: May 20, 2025  
xc: Co.Co., COB/AB

Kimberly A. Rector  
Clerk of the Board  
By:   
Deputy

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<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	N/A	N/A	N/A	N/A
<b>NET COUNTY COST</b>	N/A	N/A	N/A	N/A
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	<b>N/A</b>
			<b>For Fiscal Year:</b>	<b>N/A</b>

**C.E.O. RECOMMENDATION:** [CEO use]

**BACKGROUND:**

**Summary**

The Political Reform Act prohibits a public official from using his or her position to influence a government decision in which he or she has a financial interest. Government Code section 87300 requires local government agencies to adopt and promulgate a Conflict of Interest Code identifying officials and employees required to file statements of economic interest based on the positions they hold. A local government agency, as defined by Government Code section 82041, includes the Desert Recreation District.

Each even-numbered year, Government Code section 87306.5 requires local government agencies to review their Conflict of Interest Code, make appropriate revisions, if necessary, and submit an amended Conflict of Interest Code to the code reviewing body. Government Code section 82011(b) identifies the Board of Supervisors for the County of Riverside as the code reviewing body for a local government agency within its county.

The Desert Recreation District amended its Conflict of Interest Code on June 26, 2024, to delete titles of existing positions that participate in making governmental decisions. The Board of Directors for the Desert Recreation District has adopted Resolution No. 24-23, amending its Conflict of Interest Code. The Desert Recreation District has submitted its amended Conflict of Interest Code for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the Conflict of Interest Code of the Desert Recreation District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Desert Recreation District is attached.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the Desert Recreation District and direct the Clerk of the Board to notify the Desert Recreation District of the action taken.

**Impact on Residents and Businesses**

N/A

**Additional Fiscal Information**

N/A

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**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

**Attachment A:** Resolution 24-23

**Attachment B:** Appendix A Conflict of Interest Code

**RESOLUTION NO. 24-23**

**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 December 14, 2022, 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 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 Clerk of the Board of Supervisors; 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 an 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 Clerk.

**RESOLUTION NO. 24-23**

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the District does hereby adopt by reference the provisions of 2 Cal. Code of Regulations Section 18730 along with Appendix A containing an updated designation of employees and disclosure categories as its Conflict-of-Interest Code, a copy of which is attached hereto and available for inspection by the public.

**BE IT FURTHER RESOLVED** that said amended Conflict of Interest Code shall become effective on June 26, 2024, 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 26<sup>th</sup> day of June 2024 by the following vote:

**AYES:** Acosta, Espinoza, Gonzalez, Gutierrez, and McGalliard

**NOES:** None.

**ABSENT:** None.

**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. 24-23 at a regular meeting held on June 26, 2024.

\_\_\_\_\_  
Manuel Rios, District Clerk



## **APPENDIX “A”**

### **DESIGNATED POSITIONS**

#### **GOVERNED BY THE CONFLICT-OF-INTEREST CODE**

<b>DESIGNATED POSITIONS’ TITLE OR FUNCTION</b>	<b>DISCLOSURE CATEGORIES ASSIGNED</b>
Assistant General Manager	1, 3, 4, 5
Executive Director – The First Tee/The Golf Center	5
Public Works and Planning Director	1, 2, 3, 4
Administrative Services Director	1, 4, 5
Community Services Director	4
District Clerk	1
Human Resources Manager	4, 5
Accounting Manager	1
Public Works Superintendent	3, 4, 5
Information Systems Manager	4, 5
Marketing Manager	4, 5
Consultants and New Positions <sup>2</sup>	

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2 Individuals serving as a consultant as defined in FPPC Reg 18700.3(a) or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure category set forth in this Code subject to the following limitation:

The General Manager 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 Sec. 82019; FPPC Regulations 18219 and 18734.). 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. (Gov. Code Sec. 81008.)

## APPENDIX “A”

### 2. DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which the designated is assigned.<sup>4</sup> 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 District.<sup>3</sup>

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 District.

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 District, including any leasehold, beneficial or ownership interest or option to acquire property.

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 District.

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 purchased or leased by the District.

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 purchased or leased by the designated position’s department, unit or division.

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<sup>3</sup> 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)