

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

82918



FROM: County Counsel

SUBMITTAL DATE: March 3, 2003

SUBJECT: Approval of the amended appendix to the Conflict of Interest Code for the Riverside County Transportation Commission

RECOMMENDED MOTION: That the Board of Supervisors approve the amended appendix for the conflict of interest code submitted by the Riverside County Transportation Commission

BACKGROUND: Government Code Section 87306.5 requires that all local agencies review their codes and make any appropriate amendments to their conflict of interest codes, and the listing of designated positions for employees who must disclose along with the types of disclosure required.

The Riverside County Transportation Commission recently revised the appendix for its conflict of interest code and has submitted the revised appendix for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the revised appendix and has found that it complies with statutory requirements. It is recommended that the new appendix be approved and that the clerk notify the Commission of the action taken.

Lee A. Vinocour

LEE A. VINOCOUR
Deputy County Counsel

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C.E.O. RECOMMENDATION:

APPROVE

Lisa Brandt

County Executive Office Signature

Policy

Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist.

AGENDA NO.

LEGISLATIVE VERSION

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
RIVERSIDE COUNTY TRANSPORTATION COMMISSION

(Amended December 13, 2000) ^{3/}

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

~~All~~ Commission Officials who manage public investments are included in and governed by this Conflict of Interest Code only with respect to its disqualification provisions. For purposes of disclosure, all Commission Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are subject to the statutory conflict of interest provisions of Article 2 of Chapter 7 of the Political Reform Act of 1974 are NOT subject to the Commission's Code, but are subject to the disclosure requirements of the Act. (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 investments^{4/}:

Members of the Board of the Commission and their Alternates

Executive Director

Deputy Executive Director

Chief Financial Officer and Director of Management & Budget

Financial Consultants ^{5/}

^{3/} Titles updated as of December 2002.

^{4/} Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS
GOVERNED BY THE CONFLICT OF INTEREST CODE

| <u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u> | <u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u> |
|---|---|
| Clerk of the Commission & Director of Administrative Services | 4, 5 |
| Director of Plans & Programs Transportation Planning & Policy | 2, 3, 6, 7 |
| Director of Regional Issues & Communications Program & Public Affairs | 6, 7 |
| General Counsel | 1, 2 |
| Program Manager (ALL) | 6, 7 |
| Property Agent | 3, 6 |
| Public Information & Media Relations Officer | 6 |
| Consultant ^{5/} | |

^{5/} Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Executive Director 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. 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.

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in, and sources of income from, business entities that do business or own real property within the jurisdiction of the Commission, plan to do business or own real property within the jurisdiction of the Commission within the next year, or have done business or owned real property within the jurisdiction of the Commission within the past two (2) years.

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 Commission.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Commission, plan to engage in such activities within the jurisdiction of the Commission within the next year, or have engaged in such activities within the jurisdiction of the Commission within the past two (2) years.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Commission.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

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