



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

626



**FROM:** Executive Office


**SUBMITTAL DATE:**  
November 16, 2005

**SUBJECT:** Ordinance No. 761.2 an Ordinance of the County of Riverside Amending Ordinance 761.1 Concerning Disqualification Of Former Officers And Employees And Penalties For Violation

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

- 1) Introduce and adopt on successive weeks Ordinance No. 761.2, an ordinance of the County of Riverside amending Ordinance 761.1 Concerning Disqualification of Former Officers and Employees and Penalties for Violation.
- 2) Direct the Human Resources Department to notify all current and incoming employees who are covered by this ordinance.

**BACKGROUND:** On October 25, 2005 the Board of Supervisors requested the Executive Office review Ordinance 761.1, which disqualifies former officers and specific employee classifications from representing any person other than the County of Riverside for a period of one year from termination of service.

  
 Tina Grande  
 Management Analyst

COUNTY COUNSEL  
 NOV 14 2005  
 BY *[Signature]*  
 Departmental Concurrence

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b> N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**

**County Executive Office Signature** *Gary M. Christmas*

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Wilson and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of the reading..

Ayes: Buster, Tavaglione, Stone, Wilson and Ashley  
 Nays: None  
 Absent: None  
 Date: November 22, 2005  
 xc: E.O., QOB

Nancy Romero  
 Clerk of the Board  
 By: *[Signature]*  
 Deputy

Policy  Policy  
 Consent  Consent  
 Dept't Recomm.:  
 Per Exec. Ofc.:

The Board of Supervisors expressed concern that Ordinance 761.1 unfairly burdens some classes of employees, and is unclear as to who is covered. Concern was also raised as to lack of notification.

Ordinance No. 761 was originally adopted on November 26, 1996. It was modeled, in part, after Government Code 87400, which applies to state administrative officials, members of the legislature, elected state officers, former members of a district board, and designated employees of state administrative agencies. However, Government Code 87400 does not include staff members of legislators as a prohibited class with post-employment restrictions. On July 15, 1997 the ordinance was amended (Ordinance No. 761.1) to include the County Librarian as the position was newly designated to manage the Board-approved contract for operation of the Riverside County Library System by a private company.

An informal survey on post-employment policies of other California counties was conducted. Only 4 of the 16 counties surveyed have guidelines on post-employment. Fresno County appears to be the most restrictive, as it does not allow any county employee to seek post-employment with any private organization that contracts with the county. It was adopted on November 1, 2005. Ventura County allows for post-employment contracting with approval by the Board of Supervisors. The County of San Diego's post-employment guidelines do not cover the staff of a member of the Board of Supervisors. San Bernardino County's ordinance mirrors Riverside County's current policy.

The attached amendment removes board staff member classifications, which is in keeping with State of California statutes and regulations. Board staff members will continue to file Statements of Economic Interest. It also clarifies the designation of assistant department or agency head rather than the ambiguous designation of assistant to an agency or department head. The position of County Librarian should remain in the ordinance because of the unique nature of the library service provider contract. The ordinance does not include any reference to contracting, since department and agency heads, and their assistants, award contracts or recommend contracts for approval by the Board of Supervisors; therefore, those persons who are responsible for contracts in the county are still covered by this ordinance.

Notification of affected employees has typically been done informally if it occurs at all. The Human Resources Director will include this information in future new employee orientations.