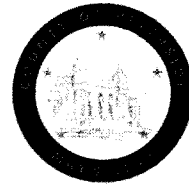


SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
2.41  
(ID # 4959)

**MEETING DATE:**

Tuesday, August 29, 2017

**FROM :** COUNTY COUNSEL:

**SUBJECT:** COUNTY COUNSEL: Approval of the Conflict of Interest Code of the Riverside County Transportation Commission [Districts: All] [\$0]

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

1. Approve the Conflict of Interest Code submitted by Riverside County Transportation Commission; and
2. Direct the Clerk of the Board to notify Riverside County Transportation Commission of the action taken.

**ACTION:** Consent

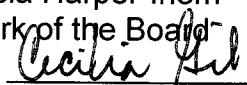
  
\_\_\_\_\_  
Gregory V. Priamos, Director County Counsel 8/11/2017

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Washington, Perez and Ashley  
Nays: None  
Absent: Tavaglione  
Date: August 29, 2017  
xc: Co.Co., District, COB<sub>cm</sub>

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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

<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>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	N/A
			<b>For Fiscal Year:</b>	N/A

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

**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.

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 the Riverside County Transportation Commission.

Riverside County Transportation Commission recently amended its Conflict of Interest Code and has submitted it for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the amended Conflict of Interest Code and has found that it complies with statutory requirements. A complete copy of the Riverside County Transportation Commission's Conflict of Interest Code as amended is attached.

It is recommended that the Board of Supervisors approve the Riverside County Transportation Commission's Code as revised and that the Clerk of the Board notify the Agency of the action taken.

**Impact on Residents and Businesses**

N/A.

**SUPPLEMENTAL:**

N/A.

**Contract History and Price Reasonableness**

N/A.

**ATTACHMENTS:**

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

ATTACHMENT A. CONFLICT OF INTEREST CODE FOR THE RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION.

ATTACHMENT B. RESOLUTION NO. 17-011 OF THE RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION AMENDING THE CONFLICT OF INTEREST CODE.



Tina Grande, Principal Management Analyst 8/18/2017

**CONFLICT OF INTEREST CODE FOR THE**  
**RIVERSIDE COUNTY TRANSPORTATION COMMISSION**

**(Amended June 14, 2017)**

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and positions and establishing disclosure categories, shall constitute the conflict of interest code of the Riverside County Transportation Commission (the "Commission").

All officials and designated employees required to submit a statement of economic interests shall file their statements with the Clerk of the Board as the Commission's Filing Officer. The Clerk of the Board shall make and retain a copy of all statements filed by Members of the Board of the Commission and the Executive Director, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The Commission's Clerk of the Board shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

## RIVERSIDE COUNTY TRANSPORTATION COMMISSION

(Amended June 14, 2017)

### PART "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Commission Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3(b), are NOT subject to the Commission's Code, but must file disclosure statements under 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<sup>1</sup>:

Members of the Board of the Commission and their Alternates

Executive Director

Deputy Executive Director

Chief Financial Officer

Financial Consultants

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<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Capital Projects Manager	1, 2
Clerk of the Board	2, 4
Commuter and Motorist Assistance Manager	5
Deputy Director of Finance	1
External Affairs Director	1, 2
Facilities Administrator	1, 2
General Counsel	1, 2
Goods Movement Manager	5
Government Relations Manager	1
Human Resources Administrator	4
Management Analyst – Multimodal Services (ALL)	2, 3, 5
Management Analyst – Programming (ALL)	5
Management Analyst – Rail (ALL)	1, 2
Management Analyst – Right of Way (ALL)	1, 2
Multimodal Services Director	2, 3, 5
Planning and Programming Director	2, 3, 5
Planning and Programming Manager	2, 5, 6
Procurement Analyst	1, 2
Procurement Manager	1, 2

LAW OFFICES OF  
BEST BEST & KRIEGER

<u>DESIGNATED POSITIONS' TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES ASSIGNED</u>
Project Delivery Director	1, 2
Public Affairs Manager	5
Rail Manager	1, 2
Right of Way Manager	1, 2
Senior Administrative Assistant, Procurement	5
Senior Financial Analyst	5
Senior Management Analyst – External Affairs	1, 2
Senior Management Analyst – Legislative Affairs	1, 2
Senior Management Analyst – Toll Program	5
Toll Operations Manager	2, 3, 5
Toll Program Director	2, 3, 5
Toll Project Manager	2, 3, 5
Toll Technology Manager	3, 5
Transit Manager	2, 3, 5

Consultant and New Positions<sup>2</sup>

<sup>2</sup> 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 in this Code subject to the following limitation:

The Executive Director may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement, described in this Section. 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 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 (Gov. Code Sec. 81008).

## Part "B"

### DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, including gifts, loans and travel payments, or real property which the Designated Position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup> "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and 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 Commission.

Category 1: All investments and business positions and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the Commission.

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 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 Commission.

Category 4: All investments and business positions and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Commission.

Category 5: All investments and business positions and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position's department, unit or division.

Category 6: All investments and business positions and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of 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)



**RESOLUTION NO. 17-011**

**RESOLUTION OF THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION  
AMENDING THE CONFLICT OF INTEREST CODE  
PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

**WHEREAS**, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Riverside County Transportation Commission (the "Commission") and requires all public agencies to adopt and promulgate a conflict of interest code; and

**WHEREAS**, the Commission adopted a Conflict of Interest Code (the "Code") which was amended on December 14, 2016, in compliance with the Act; and

**WHEREAS**, subsequent changed circumstances within the Commission have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Commission's Code; 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 Commission 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 a public meeting on, and of consideration by the Commission of, the proposed amended Code was provided each affected designated employee and publicly posted for review at the offices of the Commission; and

**WHEREAS**, a public meeting was held upon the proposed amended Code at a regular meeting of the Members of the Board of the Commission on June 14, 2017, at which all present were given an opportunity to be heard on the proposed amended Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Members of the Board of the Commission of the Riverside County Transportation Commission that the Members of the Board of the Commission do hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Clerk of the Board and available to the public for inspection and copying;

**BE IT FURTHER RESOLVED** that the said amended Code shall be submitted to the Board of Supervisors of the County of Riverside for approval and said Code shall become effective upon approval by the Board of Supervisors.

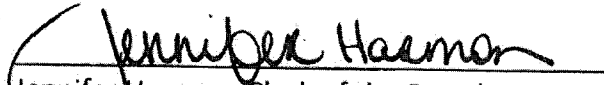
**APPROVED AND ADOPTED** this 14<sup>th</sup> day of June, 2017.



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John F. Tavaglione, Chair  
Riverside County Transportation Commission

ATTEST:



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Jennifer Harmon, Clerk of the Board  
Riverside County Transportation Commission