

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



**ITEM: 2.5  
(ID # 11023)**

**MEETING DATE:**  
Tuesday, October 29, 2019

**FROM :** COUNTY COUNSEL:

**SUBJECT:** COUNTY COUNSEL: Approval of an Amendment to the Conflict of Interest Code for Sunline Transit Agency; District 4 [\$]

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

1. Approve the Conflict of Interest Code of the Sunline Transit Agency; and
2. Direct the Clerk of the Board to notify the Sunline Transit Agency of the action taken.

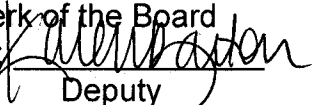
**ACTION:**Consent

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Spiegel, Washington and Perez  
Nays: None  
Absent: Hewitt  
Date: October 29, 2019  
xc: Co.Co., COB

Kecia R. Harper  
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>	No
			<b>For Fiscal Year:</b>	N/A

**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 Sunline Transit Agency.

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 Sunline Transit Agency recently amended its Conflict of Interest Code on January 23, 2019 to add titles or revise titles of existing positions that participate in making governmental decisions. The Board of Directors for Sunline Transit Agency has adopted Ordinance No. 2018-01, amending its Conflict of Interest Code. The Sunline Transit Agency 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 Sunline Transit Agency and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Sunline Transit Agency is attached.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the Sunline Transit Agency, and direct the Clerk of the Board to notify the Sunline Transit Agency of the action taken.

**Impact on Residents and Businesses**

N/A

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

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

**Attachment A:** Certified Minutes

**Attachment B:** Ordinance No. 2018-01

  
Susana Garcia-Bocanegra, Principal Management Analyst

10/10/2019

  
Gregory V. Priaplos, Director County Counsel

10/8/2019

## MINUTES

### SunLine Transit Agency Board of Directors Meeting January 23, 2019

A regular meeting of the SunLine Transit Agency Board of Directors was held at 12:09 p.m. on Wednesday, January 23, 2019 in the Board Room at SunLine Transit Agency, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

#### 1. CALL TO ORDER

The meeting was called to order at 12:09 p.m. by Vice-Chairperson Kathleen Kelly.

#### 2. ROLL CALL

##### Members Present:

Kathleen Kelly, Vice-Chair, SunLine Agency Board Member, City of Palm Desert  
Robert Radi, SunLine Agency Board Member, City of La Quinta  
Steven Hernandez, SunLine Agency Board Member (Alternate), City of Coachella  
Russell Betts, SunLine Agency Board Member, City of Desert Hot Springs  
Ty Peabody, SunLine Agency Board Member, City of Indian Wells  
Lupe Ramos Amith, SunLine Agency Board Member, City of Indio  
Lisa Middleton, SunLine Agency Board Member, City of Palm Springs  
V. Manuel Perez, SunLine Agency Board Member, County of Riverside

##### Members Absent

City of Cathedral City  
G. Dana Hobart, SunLine Agency Board Member, City of Rancho Mirage

#### 3. PRESENTATIONS

A Transit Network Redesign Briefing was provided by Ken Potts, Chief Planning Consultant.

#### 4. FINALIZATION OF AGENDA

No changes to the agenda.

#### 5. APPROVAL OF MINUTES – DECEMBER 5, 2018 BOARD MEETING

SunLine Transit Agency Board Member Peabody moved to approve the minutes of the December 5, 2018 Board meeting. The motion was seconded by SunLine Transit Agency Board Member Middleton. The motion was approved by a vote of 7 yes; 0 no; 1 abstain

**6. PUBLIC COMMENTS**

Public comments were made by:

Amy Stuart

**7. BOARD MEMBER COMMENTS**

Board Member comments were made by:

Steven Hernandez, City of Coachella  
Russell Betts, City of Desert Hot Springs

**8. CONSENT CALENDAR**

- a) Checks \$1,000 and Over Report for November 2018
- b) Credit Card Statement for November 2018
- c) Monthly Budget Variance Report for November 2018
- d) Contracts Signed in Excess of \$25,000 November & December 2018
- e) Union & Non-Union Pension Investment Asset Summary November 2018
- f) Ridership Report for November & December 2018
- g) SunDial Operational Notes for November & December 2018
- h) Metrics for November & December 2018
- i) Board Member Attendance for December 2018
- j) Quarterly Capital Project Update for 4<sup>th</sup> Quarter 2018

SunLine Agency Board Member Radi moved to approve the consent calendar. The motion was seconded by SunLine Agency Board Member Middleton. The consent calendar was approved by a unanimous vote of 8 yes; 0 no; 0 abstain

**9. ELECTION OF INTERIM OFFICER**

The Clerk of the Board opened the floor for nominations of Interim Chairperson of the Board. SunLine Board Member Peabody nominated Kathleen Kelly and the motion was seconded by Board Member Middleton. The motion was approved by a vote of 8 yes; 0 no; 0 abstain.

Board Chair Kelly opened the floor for nominations of Interim Vice-Chairperson of the Board. SunLine Board Member Middleton nominated Robert Radi and the motion was seconded by Board Member Betts.

The Election of Interim Officer was approved by a vote of 8 yes; 0 no; 0 abstain

**10. SECOND READING OF REVISED CONFLICT OF INTEREST CODE ORDINANCE**

Tamara Miles, Compliance/Eligibility Officer, provided a brief report on this item. SunLine Transit Agency Board Member Peabody moved to approve the Second Reading of Revised Conflict of Interest Code Ordinance. The motion was seconded by SunLine Transit Agency Board Vice-Chair Radi. The motion was approved by a vote of 8 yes; 0 no; 0 abstain

**11. DBE PROGRAM UPDATE**

Tamara Miles, Compliance/Eligibility Officer, provided a brief report on this item. SunLine Transit Agency Board Member Peabody moved to approve the DBE Program Update. The motion was seconded by SunLine Transit Agency Board Member Vice-Chair Radi. The motion was approved by a vote of 8 yes; 0 no; 0 abstain

**12. ELECTRIC BUS CHARGER INSTALLATION (DIVISION II)**

Finance/Audit Committee Vice-Chair Radi reported that this item was brought to the Committee and they unanimously approved the item. SunLine Transit Agency Board Vice-Chair Radi moved to approve the Electric Bus Charger Installation (Division II). The motion was seconded by SunLine Transit Agency Board Member Middleton. The motion was approved by a vote of 8 yes; 0 no; 0 abstain

**13. AMENDMENT TO CONTRACT FOR HYDROGEN ELECTROLYZER**

Finance/Audit Committee Vice-Chair Radi reported that this item was brought to the Committee and they unanimously approved the item. SunLine Transit Agency Board Vice-Chair Radi moved to approve the Amendment to Contract for Hydrogen Electrolyzer, delegating authority to the CEO/General manager to (a) negotiate and execute an amendment to the contract with Proton Energy Systems Inc. (Proton) in an amount not to exceed \$750,000; and (b) execute an assignment from Proton Energy Systems Inc. to Nel Hydrogen Inc. The motion was seconded by SunLine Transit Agency Board Member Peabody. The motion was approved by a vote of 8 yes; 0 no; 0 abstain

**14. REVISION OF APPENDIX A FROM CHECK POLICY NO. B-030403**

Finance/Audit Committee Vice-Chair Radi reported that this item was brought to the Committee and they unanimously approved the item. SunLine Transit Agency Board Vice-Chair Radi moved to approve the Revision of Appendix A from Check Policy No. B-030403. The motion was seconded by SunLine Transit Agency Board Member Peabody. The motion was approved by a vote of 8 yes; 0 no; 0 abstain

**15. CREDIT CARD POLICY NO. B-030503 REVISION APPROVAL**

Finance/Audit Committee Vice-Chair Radi reported that this item was brought to the Committee and they unanimously approved the item. SunLine Transit Agency Board Vice-Chair Radi moved to approve the Credit Card Policy No. B-030503 Revision Approval. The motion was seconded by SunLine Transit Agency Board Member Middleton. The motion was approved by a vote of 8 yes; 0 no; 0 abstain

**16. RESOLUTION NO. 0771 FOR AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES GRANT APPLICATION**

Finance/Audit Committee Vice-Chair Radi reported that this item was brought to the Committee and they unanimously approved the item. SunLine Transit Agency Board Vice-Chair Radi moved to approve Resolution No. 0771 for Affordable Housing and Sustainable Communities Grant Application. The motion was seconded by SunLine Transit Agency Board Member Peabody. The motion was approved by a vote of 8 yes; 0 no; 0 abstain

**17. AWARD OF CONTRACT FOR CNG TRUCKS**

Finance/Audit Committee Vice-Chair Radi reported that this item was brought to the Committee and they unanimously approved the item. SunLine Transit Agency Board Vice-Chair Radi moved to approve the Award of Contract for CNG Trucks. The motion was seconded by SunLine Transit Agency Board Member Peabody. The motion was approved by a vote of 8 yes; 0 no; 0 abstain

**18. APPROVAL OF TEMPORARY LOCAL TRANSPORTATION FUND (LTF) REQUEST**

Finance/Audit Committee Vice-Chair Radi reported that this item was brought to the Committee and they unanimously approved the item. SunLine Transit Agency Board Vice-Chair Radi moved to approve the Temporary Local Transportation Fund (LTF) Request. The motion was seconded by SunLine Transit Agency Board Member Peabody. The motion was approved by a vote of 8 yes; 0 no; 0 abstain

**19. CHANGE ORDER #2 FOR SURVEILLANCE CAMERAS**

Finance/Audit Committee Vice-Chair Radi reported that this item was brought to the Committee and they unanimously approved the item. SunLine Transit Agency Board Vice-Chair Radi moved to approve Change Order #2 for Surveillance Cameras. The motion was seconded by SunLine Transit Agency Board Member Betts. The motion was approved by a vote of 7 yes; 0 no; 0 abstain

*Board Member Ty Peabody briefly excused himself from the meeting – the vote record reflects 1 non-vote*

SUNLINE TRANSIT AGENCY  
BOARD OF DIRECTORS MEETING  
MINUTES – JANUARY 23, 2019

ITEM 6

20. CHANGE ORDER FOR SURVEILLANCE CAMERAS

CEO/General Manager, Lauren Skiver, provided a brief report on this information item.

21. AGREEMENT FOR IT (INFORMATION TECHNOLOGY) SECURITY AUDIT

CEO/General Manager, Lauren Skiver, provided a brief report on this information item.

22. CHANGE OF COMMITTEE APPOINTMENTS

In this discussion item, Board Chairperson Kathleen Kelly asked for the Board Members to review the committee membership and connect with her prior to the February Board meeting to relay their desired appointment.

23. CEO/General Manager's Report

A report was provided to the Board by CEO/General Manager, Lauren Skiver.

24. CLOSED SESSION

No reportable action was taken.

25. NEXT REGULAR BOARD MEETING DATE

Wednesday, February 27, 2019 at 12:00 p.m.  
SunLine Transit Agency Board Room  
32-505 Harry Oliver Trail  
Thousand Palms, CA 92276

22. MEETING ADJOURNMENT

The meeting was adjourned at 1:15 p.m.

Respectfully Submitted,

Brittney B. Sowell  
Clerk of the Board

I, Brittney Sowell Clerk of the Board, SunLine Transit Agency,  
Thousand Palms, California, do hereby certify under penalty of perjury  
that the foregoing document is a full, true and correct copy of the original  
document.

03/11/19  
Date

Brittney B. Sowell  
Clerk of the Board, SunLine Transit Agency

Minutes  
Approved by Board at February 27, 2019  
Board of Directors Meeting



**ORDINANCE NO. 2018-01**

**AN ORDINANCE OF SUNLINE TRANSIT AGENCY  
AMENDING ORDINANCE NO. 2016-1 ESTABLISHING THE  
SUNLINE TRANSIT AGENCY CONFLICT OF INTEREST  
CODE**

WHEREAS, the County of Riverside and the Coachella Valley cities comprising the joint powers agency known as SunLine Transit Agency ("SunLine") is a local government agency required by Government Code Section 87300 to promulgate a Conflict of Interest Code; and

WHEREAS, the Political Reform Act, Government Code sections 81000, et seq., requires local agencies to review their conflict of interest codes in even numbered years and make any amendments that are necessary; and

WHEREAS, the Fair Political Practices Commission has adopted a provision at Title 2, section 18730 of the California Code of Regulations which sets forth the terms of a standard model conflict of interest code which may be incorporated by reference so as to constitute the adoption of a Conflict of Interest Code by SunLine; and

WHEREAS, the provisions of Title 2, section 18730 of the California Code of Regulations require local agencies to prepare a list of designated employees that are required to file a statement of economic interest and the formulation of disclosure categories for such employees; and

WHEREAS, the SunLine Board of Directors adopted the provisions of Title 2, section 18730 of the California Code of Regulations as SunLine's Conflict of Interest Code through the adoption of Ordinance No. 2016-1, which included a list of designated employees that must file statements of economic interests as Appendix A and disclosure categories in Appendix B; and

WHEREAS, SunLine has reviewed its Conflict of Interest Code and determined that amendments to the list of designated employees are necessary and that no other amendments are necessary.

NOW, THEREFORE, the Board of Directors of SunLine Transit Agency does hereby ordain as follows:

SECTION 1: Ordinance No. 2016-1 is amended to revise Appendix A of the Conflict of Interest Code as stated herein.

**APPENDIX A**

The following designated employees make or participate in the making of decisions, which may have a material effect on a financial interest:

<u>Designated Positions</u>	<u>Disclosure Category</u>
CEO/General Manager	I, II, III
Chief Financial Officer	I, II, III
Deputy Chief Financial Officer	I, II, III
Deputy Chief Financial Services	I, II, III
Chief Performance Officer	I, II, III
Deputy Chief Performance Officer	I, II, III
Chief Administrative Officer	I, II, III
Deputy Chief Administrative Officer	I, II, III
Chief Operations Officer	I, II, III
Deputy Chief Operations Officer - Transportation	I, II, III
Deputy Chief Operations Officer - Maintenance	I, II, III
Chief Safety Officer	I, II, III
Deputy Chief Safety Officer	I, II, III
Taxi Administrator	I, II, III
Deputy Taxi Administrator	I, II, III
Superintendent of Transportation	I, II, III
Maintenance Superintendent	I, II, III
Facilities Maintenance Superintendent	I, II, III
Clerk of the Board	I, II, III
Compliance/Eligibility Officer	I, II, III
Alternative Fuels Manager	I, II, III
Procurement Manager	I, II, III

<u>Designated Positions</u>	<u>Disclosure Category</u>
Contracts Administrator	I, II, III
Contracts Assistant	I, II, III
IT Administrator	I, II, III
Assistant IT Administrator	I, II, III
Fuel Systems Specialist II	I, II, III
Materials & Inventory Manager	I, II, III
Materials Inventory Technician	I, II, III
Project Manager	I, II, III
Project Manager Assistant	I, II, III
Public Outreach Specialist	I, II, III
Consultants <sup>1</sup>	I, II, III
Any other employee at the discretion of the CEO/General Manager	I, II, III

<sup>1</sup> 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.

PART 2: SunLine shall certify to the passage and adoption of this ordinance and shall cause the same to be posted and published in the manner required by law.

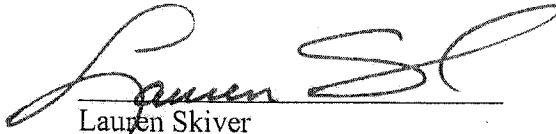
PASSED, APPROVED AND ADOPTED by the Board of Directors of SunLine at a regular meeting held on the 23rd day of January, 2018

Date: 1/23/19

Patricia M. Kelly  
Chairperson of the Board of Directors  
SunLine Transit Agency

Date:

2/8/19



Lauren Skiver  
CEO/General Manager  
SunLine Transit Agency

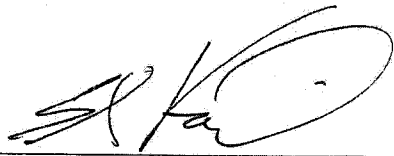
Date:

2/8/19



Brittney Sowell  
Clerk of the Board


APPROVED AS TO FORM:



Eric S. Vail, General Counsel

I, Brittney Sowell Clerk of the Board, SunLine Transit Agency,  
Thousand Palms, California, do hereby certify under penalty of perjury  
that the foregoing document is a full, true and correct copy of the original  
document.

02/26/19  
Date

  
Clerk of the Board, SunLine Transit Agency