

AGENDA ITEM 5 B  
Consent Item

**MEMORANDUM**

**DATE:** August 28, 2008  
**TO:** El Dorado County Transit Authority  
**FROM:** Barbara McDonald, Admin Services/HR Manager  
**SUBJECT:** Conflict of Interest Code Review

**REQUESTED ACTION:**  
**BY MOTION,**

1. Approve the Revised El Dorado County Transit Authority (EDCTA) Conflict of Interest Code; and
2. Direct the Clerk of the EDCTA Board to Submit the Revised Conflict of Interest Code to the El Dorado County Board of Supervisors as per Govt. Code 87306.5

**BACKGROUND**

Government Code 87306.5 requires that each local agency review its Conflict of Interest Code and submit a written statement to the reviewing body every even-numbered year. The code reviewing body for the EDCTA is the El Dorado County Board of Supervisors.

**DISCUSSION**

After review by Bill Wright, EDCTA legal counsel, a title change has been made from Transit Director to **Executive Director** on the Conflict of Interest Code and Appendix A.

**FISCAL IMPACT**

None

## **CONFLICT OF INTEREST CODE FOR THE EL DORADO COUNTY TRANSIT AUTHORITY**

The Political Reform Act, Government Code Section 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 California Code of Regulations Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, attached hereto, and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A and B in which members and employees are designated and disclosure categories are set fourth, constitute the conflict of interest code of the El Dorado County Transit Authority.

Pursuant to Section 18730 of Title 2 California Code of Regulations, Board Members, the ~~Transit Director~~ **Executive Director** and designated employees shall file statements of economic interests with the El Dorado County Transit Authority. Upon receipt of the statements of the El Dorado County Transit Authority Board Members and ~~Transit Director~~ **Executive Director**, the Clerk of the El Dorado County Transit Authority shall make and retain a copy of each statement and forward the original of these statements to the El Dorado County Elections Department. Statements of all other designated employees will be retained by the El Dorado County Transit Authority. The Clerk shall make all statements of economic interests available for public inspection and reproduction.

EL DORADO COUNTY TRANSIT AUTHORITY

CONFLICT OF INTEREST CODE

APPENDIX A

Designated Employee Position

The designated employees whose duties or positions within El Dorado County Transit Authority involve the making or participation in the making of decisions which may foreseeably have a material financial effect on any financial interest are as follows:

Board Members  
Attorney  
~~Transit Director~~  
**Executive Director**  
Treasurer  
Operations Manager  
Fiscal Administration Manager

The aforesaid designated employees shall comply with disclosure categories 1 through 5.

Specialized Consultant: the Special Consultants employed by the El Dorado County Transit Authority in a decision-making capacity shall make such disclosure as the ~~Transit Director~~ **Executive Director** shall determine, if any, is required by any particular consultant or any particular task order of employment.

**EL DORADO COUNTY TRANSIT AUTHORITY**

**CONFLICT OF INTEREST CODE**

**APPENDIX B**

**DISCLOSURE CATEGORIES**

- CATEGORY 1: Investments, business positions in business entities, and sources of income, of the type which contract with the El Dorado County Transit Authority to supply materials, commodities, supplies, books, machinery, vehicles, or equipment utilized by the Authority.
- CATEGORY 2: Investments, business positions in business entities, and sources of income, which are contractors, subcontractors, or consultants engaged in the performance of work or services of the type utilized by the agency, including, but not limited to, insurance companies, carriers, holding companies, underwriters, agents, or accounting firms.
- CATEGORY 3: Investments, business positions in business entities, and sources of income, which have filed claims against the Authority.
- CATEGORY 4: All interest in real property located within the jurisdiction of the agency or within two miles of its boundaries.
- CATEGORY 5: All investments and business position in any business entity and income from any source with is (1) a private transit or transportation company; or (2) an entity or person engaged in real estate, or real estate development within the jurisdiction of the Authority.