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**CONSENT CALENDAR**

**STAFF REPORT**

**DATE:** JULY 3, 2008  
**TO:** EL DORADO COUNTY TRANSPORTATION COMMISSION  
**FROM:** JONI RICE, EXECUTIVE ASSISTANT  
**SUBJECT:** CONFLICT OF INTEREST CODE REVIEW

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**REQUESTED ACTION**

By motion, review and approve the revised EDCTC Conflict of Interest Code (Attachment B), and direct the Executive Assistant to submit it to the El Dorado County Board of Supervisors as per Government 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 that effect to the code reviewing body every even-numbered year. The code reviewing body for the EDCTC is the El Dorado County Board of Supervisors.

**DISCUSSION**

The current EDCTC Conflict of Interest Code (Code) (Attachment A) states that designated employees who must file statements of economic interest, also referred to as "Fair Political Practices Commission Form 700," includes: Commissioners, Legal Counsel, the Executive Director, and Specialized Consultants, as determined by the Executive Director.

After the review of the current Code and job descriptions of staff, Paul Chrisman of Miller, Owen & Trost recommended revising the Code to include the Senior and Associate Transportation Planners, as they "participate in decision making that could affect real property and business interests" and to add the Administrative Services Officer as this person "participates in making financial and contracting decisions for the Commission."

Approved for Agenda:

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Kathryn F. Mathews, AICP  
Executive Director

Attachments: A) Current EDCTC Conflict of Interest Code  
B) Recommended EDCTC Conflict of Interest Code

**EL DORADO COUNTY TRANSPORTATION COMMISSION**

**CONFLICT OF INTEREST CODE**

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 Practice Commission has adopted a regulation, 2 Cal. Code of Regs. 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 Practice Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practice Commission are hereby incorporated by reference and, along with the attached Appendix in which members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the El Dorado County Transportation Commission (“Commission”).

Designated employees shall file statements of economic interests with the Commission who will make the statements available for public inspection and reproduction (Gov. Code Section 81008). Statements for all designated employees will be retained by the Commission.

Amended 8/19/2004

Reviewed and Approved October 5, 2006

**EL DORADO COUNTY TRANSPORTATION COMMISSION**

**CONFLICT OF INTEREST CODE**

**APPENDIX A**

Designated Employee Positions

The following employees are designated employees under the Conflict of Interest Code for the El Dorado County Transportation Commission:

Commissioners  
Legal Counsel  
Executive Director

Specialized Consultant: the Special Consultants employed by the Commission in a decision-making capacity shall make such disclosure as the Executive Director shall determine, if any, is required by any particular consultant of any particular task order of employment.

Adopted July 11, 1996

**EL DORADO COUNTY TRANSPORTATION COMMISSION  
CONFLICT OF INTEREST CODE**

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**EL DORADO COUNTY TRANSPORTATION COMMISSION  
CONFLICT OF INTEREST CODE  
APPENDIX A**

**Designated Employee Positions**

The following employees are designated employees under the Conflict of Interest Code for the El Dorado County Transportation Commission:

Designated Employees                      Disclosure Categories

Commissioners	<u>All</u>
Legal Counsel	<u>All</u>
Executive Director	<u>All</u>
<u>Senior Transportation Planner</u>	<u>All</u>
<u>Associate Transportation Planner</u>	<u>All</u>
<u>Administrative Services Officer</u>	<u>3</u>

Specialized Consultant: the Special Consultants employed by the Commission in a decision-making capacity shall make such disclosure as the Executive Director shall determine, if any, is required by any particular consultant of any particular task order of employment.

**Disclosure Categories**

Disclosure Category 1

Persons in this category shall disclose all interests in real property which are located in whole or in part within El Dorado County.

Disclosure Category 2

Persons in this Category shall disclose all investments, business positions and sources of income, including gifts, loans and travel payments, if the businesses or sources of income are located in whole or in part within El Dorado County.

Disclosure Category 3

Persons in this Category shall disclose all investments, business positions, and sources of income, including gifts, loans, and travel payments, if the businesses or sources of income are of a type that contracts with the Commission to provide services, supplies, materials, leased facilities, machinery, or equipment.

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