

# **RIVERSIDE COUNTY TRANSPORTATION COMMISSION**

## **EXECUTIVE COMMITTEE**

(COMMISSIONERS MARION ASHLEY, BOB BUSTER, ROGER BERG, TERRY HENDERSON, ROBIN LOWE, JEFF MILLER, JEFF STONE, JOHN TAVAGLIONE, MICHAEL WILSON, ROY WILSON)

**9:30 A.M.**

**Wednesday, October 11, 2006**

County of Riverside Administrative Center  
Conference Room A  
4080 Lemon Street, 3<sup>rd</sup> Floor, Riverside

*In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if you need special assistance to participate in an Executive Committee meeting, please contact the Clerk of the Board at (951) 787-7141. Notification of at least 48 hours prior to meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.*

- 1. CALL TO ORDER**
- 2. PUBLIC COMMENTS**
- 3. APPROVAL OF MINUTES – June 14 and July 12, 2006**
- 4. ADDITIONS/REVISIONS** *(The Committee may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Committee subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Committee. If there are less than 2/3 of the Committee members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.)*
- 5. PROPOSED COURTESY CONFLICT OF INTEREST REVIEW PROGRAM**

### ***Overview***

This item is for the Committee to review and discuss the proposed Courtesy Conflict of Interest Review Program.

**6. REVISION TO LEGISLATIVE BODY REIMBURSEMENT POLICY**

***Overview***

This item is for the Committee to:

- 1) Approve the revision to the Riverside County Transportation Commission Legislative Body Reimbursement Policy; and
- 2) Adopt Resolution No. 06-019, *"A Resolution of the Riverside County Transportation Commission Regarding the Revision to the Riverside County Transportation Commission Legislative Body Reimbursement Policy"*.

**7. ADJOURNMENT**

# **RIVERSIDE COUNTY TRANSPORTATION COMMISSION**

## **EXECUTIVE COMMITTEE**

**June 14, 2006**

### **Minutes**

#### **1. CALL TO ORDER**

Chair Marion Ashley called the meeting to order at 9:36 a.m., on Wednesday, June 14, 2006, at the Riverside County Transportation Commission's Conference Room A, 4080 Lemon Street, Third Floor, Riverside, California 92501.

#### **Commissioners Present**

Marion Ashley  
Roger Berg  
Bob Buster  
Terry Henderson  
Robin Lowe  
Jeff Miller  
Jeff Stone  
Roy Wilson

#### **Commissioners Absent**

John Tavaglione  
Michael Wilson

#### **2. PUBLIC COMMENTS**

There were no public comments.

#### **3. APPROVAL OF MINUTES**

**M/S/C (R. Wilson/Henderson) to approve the minutes of May 10, 2006 as submitted.**

#### **4. ADDITIONS/REVISIONS**

There were no additions or revisions to the Agenda.

## **5. PERSONNEL POLICIES AND PROCEDURES MANUAL**

Michele Cisneros, Accounting and Human Resources Manager, provided an overview of the revised Personnel Policies and Procedures Manual.

Eric Haley, Executive Director, noted that the Harassment-Free Workplace Policy, Violence in the Workplace Policy, Drug-Free Workplace Policy, Equal Opportunity Policy, and Electronic Communications Policy also apply to the Commissioners and will be forwarded to the Commission for its review and approval at its July 12 meeting.

**M/S/C (Stone/Lowe) to:**

- 1) Approve the revised Personnel Policies and Procedures Manual;**
- 2) Adopt Resolution No. 06-013, "*Resolution of the Riverside County Transportation Commission Adopting Personnel Policies and Procedures Manual*"; and**
- 3) Forward the Harassment-Free Workplace Policy, Violence in the Workplace Policy, Drug-Free Workplace Policy, Equal Opportunity Policy, and Electronic Communications Policy to the Commission for approval.**

## **6. FLEXIBLE BENEFITS PLAN**

Theresa Trevino, Chief Financial Officer, provided an overview of the restated Flexible Benefits Plan, Summary Plan Document, and Privacy Policies and Procedures Manual.

**M/S/C (Henderson/Buster) to:**

- 1) Approve the restatement of the Riverside County Transportation Commission Flexible Benefits Plan;**
- 2) Approve the Flexible Benefits Plan Summary Plan Description for distribution to employees;**
- 3) Approve the Privacy Policies and Procedures Manual; and**
- 4) Adopt Resolution No. 06-010, "*Resolution of the Riverside County Transportation Commission Regarding the Restated Flexible Benefits Plan*".**

**7. CLOSED SESSION**

Public Employee Performance Evaluation  
Title: Executive Director

Conference with Labor Negotiators:  
Agency representatives: Chair or designee  
Unrepresented Employee: Executive Director

**The Executive Committee unanimously approved an amendment to the Executive Director's contract.**

**8. ADJOURNMENT**

There being no other items to be considered, the Executive Committee meeting adjourned at 9:55 a.m. The next meeting is scheduled to be held at 9:30 a.m., Wednesday, July 12, 2006.

Respectfully submitted,

A handwritten signature in black ink that reads "Jennifer Harmon". The signature is written in a cursive style with a large, looped initial "J".

Jennifer Harmon  
Clerk of the Board

# ***RIVERSIDE COUNTY TRANSPORTATION COMMISSION***

## **EXECUTIVE COMMITTEE**

**July 12, 2006**

### **Minutes**

#### **1. CALL TO ORDER**

Chair Marion Ashley called the meeting to order at 9:30 a.m., on Wednesday, July 12, 2006, at the Riverside County Transportation Commission's Conference Room A, 4080 Lemon Street, Third Floor, Riverside, California 92501.

#### **Commissioners Present**

Marion Ashley  
Roger Berg  
Bob Buster  
Terry Henderson  
Robin Lowe  
Jeff Miller  
Jeff Stone  
Roy Wilson

#### **Commissioners Absent**

John Tavaglione  
Michael Wilson

#### **2. PUBLIC COMMENTS**

There were no public comments.

#### **3. APPROVAL OF MINUTES**

Minutes for the June 14, 2006 meeting will be submitted at the next regular meeting.

#### **4. ADDITIONS/REVISIONS**

There were no additions or revisions to the Agenda.

**5. LEAVE DONATION PROGRAM**

Michele Cisneros, Accounting and Human Resources Manager, provided an overview of the Leave Donation Program.

**M/S/C (Lowe/Henderson) to:**

- 1) Approve the Leave Donation Program;**
- 2) Approve the revision of the Personnel Policies and Procedures Manual to add Section 5.10, "Leave Donation Program"; and**
- 3) Adopt Resolution No. 06-017, "*Resolution of the Riverside County Transportation Commission Amending Its Personnel Policies and Procedures Manual for Accrued Leave Donation Program*".**

**6. ADJOURNMENT**

There being no other items to be considered, the Executive Committee meeting adjourned at 9:40 a.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Jennifer Harmon". The signature is written in a cursive style with a large, looping initial "J".

Jennifer Harmon  
Clerk of the Board

***RIVERSIDE COUNTY TRANSPORTATION COMMISSION***

<b>DATE:</b>	October 11, 2006
<b>TO:</b>	Riverside County Transportation Commission
<b>FROM:</b>	Jennifer Harmon, Clerk of the Board
<b>THROUGH:</b>	Anne Mayer, Deputy Executive Director
<b>SUBJECT:</b>	Proposed Courtesy Conflict of Interest Review Program

**STAFF RECOMMENDATION:**

This item is for the Committee to review and discuss the proposed Courtesy Conflict of Interest Review Program.

**BACKGROUND INFORMATION:**

At its July 10, 2006 meeting, the Commission requested staff develop a process to obtain and review Commissioner campaign contributions for possible conflicts of interest. Staff would then notify the Commissioner should any conflicts arise. A Commission member may not participate in any discussion or action concerning a contract or amendment if a campaign contribution of more than \$250 is received in the past 12 months from any entity or individual listed.

The Commission's legal counsel has drafted a Courtesy Conflict Review Program for the Committee's review and discussion. It is unknown at this time what the impact on staff time will be. The impact could be significant depending on the number of Commissioners and alternates that decide to utilize the program.

Attachment: Proposed Courtesy Conflict of Interest Review Program

# **RIVERSIDE COUNTY TRANSPORTATION COMMISSION**

## **COURTESY CONFLICT OF INTEREST REVIEW ON BEHALF OF COMMISSIONERS AND THEIR ALTERNATES**

Pursuant to Government Code Section 84308.2 and California Code of Regulations 18438.1 et seq., an RCTC member may not participate in any discussion or action concerning a contract or amendment if a campaign contribution of more than \$250 was received during the 12 months prior to the date for discussion or action concerning the contract or amendment from anyone financially interested therein, such as a Bidder and/or a Bidder's agent. Nor may an RCTC member receive or solicit a campaign contribution of more than \$250 from anyone financially interested in a contract or amendment for 3 months following the last date that RCTC member participated in any discussion or action concerning the contract or amendment.

To assist its Commissioners and their alternates in their compliance with the above-referenced Government Code and the California Code of Regulations, RCTC staff will implement the Courtesy Conflict Review Program ("Program") whereby RCTC staff will maintain, as a courtesy, records of campaign contributions received by RCTC Commissioners and their alternates in accordance with the following policies, procedures, and conditions:

- (1) Participation in the Program is optional for Commissioners and their alternates;
- (2) Any Commissioner and alternate wishing to participate in the Program must timely provide RCTC staff with Campaign Contributor Lists that include (1) the identity and address of the contributor, (2) the amount of funds contributed and (3) the date of contribution;
- (3) To fulfill his or her obligation to timely provide RCTC staff with Campaign Contributor Lists, a Commissioner and alternate participating in the Program should appoint a designee to continually submit updated Campaign Contributor Lists;
- (4) RCTC staff shall send a notice quarterly to the Commissioners and alternates reminding him or her to submit Campaign Contributor Lists if they are participating in the Program;
- (5) RCTC staff shall maintain a current database of campaign contributions by incorporating information only from two sources: (1) the Contributor Lists submitted by the Commissioners and alternates, and (2) Bidder Disclosure Forms (as required from prospective bidders submitting proposals to RCTC);
- (6) Prior to every Commission meeting, Budget and Implementation Committee meeting, and Plans and Programs Committee meeting, RCTC staff shall identify

all contracts appearing on the agenda to be discussed or acted upon and subject to the requirements of Section 84308.2;

- (7) RCTC staff shall cross reference the consultants and their key personnel providing services under a contract subject to Section 84308.2 against names in the current Contributor Lists and bidder disclosures;
- (8) If the cross-reference described above identifies a potential conflict of interest, RCTC staff shall alert the affected Commissioner or alternative of the potential conflict;

### **Program Limitations**

- (1) The Courtesy Conflict Review Program, including the maintenance of the database and all cross reference checks by RCTC staff, will be performed as a courtesy only. Neither RCTC, its staff nor consultants shall assume any liability arising out of the Program;
- (2) The database maintained by RCTC staff is only a record of campaign contributions and shall not include other contributions to Commissioners and alternates, such as personal gifts, that may trigger a conflict of interest;
- (3) RCTC staff will not perform any independent investigation of possible conflicts beyond the procedure described herein;
- (4) While RCTC staff will make every effort to perform the record keeping and conflict checking services of the Program accurately, Commissioners and alternates must be aware that alternate spellings of names and other reporting discrepancies may result in names being missed;
- (5) It is the sole responsibility of the Commissioners and alternates to comply with the Government Code and California Code of Regulations referred herein. The Program does not include any service whereby RCTC staff informs or alerts a Commissioner and/or alternate that he or she is in receipt of a campaign contribution unlawfully accepted 3 months after the Commissioner and/or alternate participated in any discussion or action concerning the contributor's contract.

## ***RIVERSIDE COUNTY TRANSPORTATION COMMISSION***

<b>DATE:</b>	October 11, 2006
<b>TO:</b>	Riverside County Transportation Commission
<b>FROM:</b>	Theresia Trevino, Chief Financial Officer
<b>THROUGH:</b>	Anne Mayer, Deputy Executive Director
<b>SUBJECT:</b>	Revision to Legislative Body Reimbursement Policy

### **STAFF RECOMMENDATION:**

This item is for the Committee to:

- 1) Approve the revision to the Riverside County Transportation Commission Legislative Body Reimbursement Policy; and
- 2) Adopt Resolution No. 06-019, *"A Resolution of the Riverside County Transportation Commission Regarding the Revision to the Riverside County Transportation Commission Legislative Body Reimbursement Policy"*.

### **BACKGROUND INFORMATION:**

At its May 10, 2006 meeting, the Commission approved the Riverside County Transportation Commission Legislative Body Reimbursement Policy (Policy) in compliance with the provisions of AB 1234. It also authorized the Executive Committee to review and take action on subsequent amendments to the Policy.

Staff has determined that certain language regarding specific documentation requirements for meal reimbursements that is included in the Employee Travel and Expense Reimbursement Policy was inadvertently omitted from the Policy. The proposed revision to Section IX.A of the Policy is as follows:

A. Specific Documentation Requirements for Meal Reimbursements.  
Requests for meal reimbursements should include the conference attended or meeting business purpose, date of meal, restaurant name and itemized receipt of food and beverages to ensure no alcoholic beverages are being reimbursed, and listing of attendees, if any, and business relationship.

Reimbursements for room service or hotel dining meals shall be made upon presentation of any itemized receipts. Hotel folio charges for such meals without an itemized receipt are not acceptable.

Attachments:

- 1) Legislative Body Reimbursement Policy
- 2) Resolution No. 06-019

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION  
LEGISLATIVE BODY REIMBURSEMENT POLICY**

**I. PURPOSE**

The purpose of this Reimbursement Policy (“Policy”) is to set forth policies governing the reimbursement of members of any RCTC “legislative body” as that term is defined in *Government Code* section 54952 (“Legislative Body Members”) for actual and necessary expenses incurred in the performance of their official duties. The term “Legislative Body Members” shall not apply to the Technical Advisory Committee.

Whenever issues of remuneration and reimbursement of RCTC’s Legislative Body Members arise, RCTC shall adhere to this Policy and *Government Code* sections 53232.2 and 53232.3.

**II. COMPENSATION FOR MEETINGS AND CONFERENCES**

Legislative Body Members, exclusive of members of the Citizens Advisory Committee (CAC), shall be entitled to receive compensation for attendance of any of the following: (i) a meeting of the legislative body; (ii) a meeting of an advisory body; (iii) a conference or organized educational activity conducted in compliance with *Government Code* section 54952.2, including but not limited to ethics training required by *Government Code* section 53234.

**III. TRANSPORTATION**

**A. Use of Personal Vehicle.** RCTC shall reimburse Legislative Body Members for mileage incurred when they use their vehicles to attend meetings of a legislative or advisory body, conferences, or other meetings in furtherance of RCTC’s affairs. RCTC will reimburse mileage for travel to and from the destination based upon the approved Internal Revenue Service mileage reimbursement rate in effect. Whenever a Legislative Body Member uses his or her vehicle, it shall be fully insured.

**B. Rentals.** RCTC shall reimburse Legislative Body Members for actual and necessary vehicle rental expenses when there is no other economical and convenient transportation available. When there are multiple attendees consisting of Legislative Body Members and/or staff at the same meeting or conference, attendees are encouraged to share car rentals to minimize RCTC’s expense, when feasible. RCTC shall only reimburse economy or compact rate vehicles unless (i) such class of vehicle is unavailable; or (ii) such class of vehicles do not accommodate a disability. When a Legislative Body Member rents a vehicle, he or she shall obtain insurance for the vehicle at RCTC’s expense. Fuel charges for car rentals shall be reimbursed at actual costs.

**C. Shuttle, Bus, Taxi, and Public Transportation.** Shuttle, bus, taxi, and public transportation may be used between an airport, hotel and conference site whenever it is available. Legislative Body Members are encouraged to use the most efficient mode of transportation available. Actual costs, including gratuities, shall be reimbursed.

**D. Air Travel or Other Common Carrier Transportation.** As necessary for the performance of their official duties, Legislative Body Members may use air travel or other mode of common carrier transportation to and from the destination. Legislative Body Members are encouraged to use the most efficient means available. Air travel shall be at coach accommodations, unless the cost differential between upper class and coach accommodation is less than \$10, or single class service. Selection of carrier, reservations, and ticketing should be arranged as early as feasible to obtain the greatest discount. If personal travel is combined with RCTC business-related travel by a Legislative Body Member, documentation of the normal cost of the RCTC business-related travel expenses shall be submitted. The Legislative Body Member shall only be reimbursed for the RCTC business-related portion of the travel.

#### **IV. LODGING**

Lodging costs shall not exceed the maximum group rate published for standard accommodations at single occupancy rates by the conference or activity sponsor, provided that lodging at the group rate is available. If a group rate is not available, the government rate of the provider of lodging shall be used. If neither the group nor governments rates are available, the most economical rate shall be obtained.

Pre/post-conference or pre/post-meeting lodging is available for regional and national travel requiring extensive travel time and adjustment. Pre-conference/pre-meeting lodging shall be offered for regional travel if such conference/meeting starts at or before 9:00 a.m. Lodging for local travel will be permitted if the length of the conference/meeting is more than one day and the distance is more than 60 miles from RCTC's offices or the Legislative Body Member's residence, whichever is more, or if the Legislative Body Member's presence is necessary for RCTC business-related activities before or after the regular conference hours.

#### **V. MEALS**

The actual costs of meals incurred while attending conferences or other meetings in furtherance of RCTC's affairs are reimbursable provided RCTC staff is given a receipt. Meal costs shall be reimbursed at an amount not greater than \$50 per day. The meal rate of \$50.00 per day shall be deemed the reasonable rate of reimbursement for meal expenses and may be increased to \$60 for certain urbanized areas (e.g., New York; Washington, D.C.; San Francisco; and Chicago). In the event submitted receipts are less than \$50.00 per day, Legislative Body Members shall only receive reimbursement equal to the actual amount spent on meals as reflected in his or her submitted receipts.

When a Legislative Body Member is traveling with RCTC staff, the meal rate of \$50.00 per day shall be reduced by the cost of a meal(s) for a Legislative Body Member paid for by RCTC staff.

## **VI. INCIDENTAL EXPENSES**

Incidental expenses incurred related to parking fees and toll charges are reimbursable provided RCTC staff is given a receipt. Other incidental expenses related to miscellaneous gratuities, which were not previously noted, shall not exceed \$10 per day.

## **VII. PERSONAL EXPENSES AND OTHER EXPENSES NOT REIMBURSABLE**

RCTC shall not reimburse the cost of transportation, lodging, meals, or other costs of travel when such costs are of a personal nature incurred in conjunction with the performance of RCTC official duties. Personal costs, not reimbursable by RCTC, shall include, but not be limited, to the following: (i) alcoholic beverages; (ii) parking and traffic violations; (iii) entertainment; (iv) services provided by the provider of lodging; and (v) expenses incurred on behalf of a spouse, dependent, or traveling companion.

## **VIII. CONFERENCES AND OTHER MEETINGS**

Legislative Body Members shall only receive reimbursement of travel, lodging, and meals for conferences or other meetings in furtherance of RCTC's affairs. No other occurrence will be reimbursed unless approved in advance by the RCTC Board of Commissioners in a public meeting.

## **IX. EXPENSE REPORTS**

RCTC shall not reimburse any expense until an Expense Claim Form is submitted to RCTC within a reasonable time after incurring the expense. Reimbursable expenses shall be limited to actual and necessary expenses incurred in attending conferences or other meetings in furtherance of RCTC's affairs. Expense Claim Forms shall be accompanied by receipts documenting each expense. Furthermore, upon returning from a conference or educational event, where expenses are reimbursed by the RCTC, the Legislative Body Member will either prepare a written report for distribution to his or her legislative body, or make a brief oral report during the next regular meeting of his or her legislative body.

A. Specific Documentation Requirements for Meal Reimbursements. Requests for meal reimbursements should include the conference attended or meeting business purpose, date of meal, restaurant name and itemized receipt of food and beverages to ensure no alcoholic beverages are being reimbursed, and listing of attendees, if any, and business relationship.

Reimbursements for room service or hotel dining meals shall be made upon presentation of any itemized receipts. Hotel folio charges for such meals without an itemized receipt are not acceptable.

**X. EXPENSES NOT INCLUDED WITHIN POLICY**

Expenses which do not fall within this Policy or the Internal Revenue Service reimbursable rates must be approved by the RCTC Board of Commissioners in a public meeting before the expense is incurred.

**XI. CANCELLED TRAVEL**

If expenses are prepaid by RCTC and are not used, RCTC shall require reimbursement unless the reason for not attending was due to personal illness or an event that impeded good faith efforts to attend. The RCTC Executive Director or designee will review all cancelled travel and determine whether reimbursement is due.

**XII. MODIFICATIONS**

The forgoing provisions may be reviewed and amended by the RCTC Board of Commissioners.

**RESOLUTION NO. 06-019**

**A RESOLUTION OF THE  
RIVERSIDE COUNTY TRANSPORTATION COMMISSION  
REGARDING THE REVISION TO THE  
RIVERSIDE COUNTY TRANSPORTATION COMMISSION  
LEGISLATIVE BODY REIMBURSEMENT POLICY**

**WHEREAS**, the Riverside County Transportation Commission (the "Commission") currently retains the authority to add, delete or otherwise modify the Commission's policies and procedures; and

**WHEREAS**, the Commission is required to establish a legislative body reimbursement policy in accordance with AB 1234; and

WHEREAS, the Commission has granted the Executive Committee the authority to add, delete or otherwise modify the Commission's policies and procedures.

**THEREFORE BE IT RESOLVED** by the Riverside County Transportation Commission, that the Riverside County Transportation Commission has adopted the following revision to Section IX.A of the legislative body reimbursement policy:

"Specific Documentation Requirements for Meal Reimbursements. Requests for meal reimbursements should include the conference attended or meeting business purpose, date of meal, restaurant name and itemized receipt of food and beverages to ensure no alcoholic beverages are being reimbursed, and listing of attendees, if any, and business relationship.

Reimbursements for room service or hotel dining meals shall be made upon presentation of any itemized receipts. Hotel folio charges for such meals without an itemized receipt are not acceptable."

APPROVED AND ADOPTED this 11<sup>th</sup> day of October, 2006.

---

Marion Ashley, Chair  
Riverside County Transportation Commission

ATTEST:

---

Jennifer Harmon  
Clerk of the Board