CITY OF RIALTO

DISCLOSURES REQUIRED BY PERSONS OR ENTITIES CONTRACTING WITH THE CITY OF RIALTO*

Pursuant to City of Rialto Code of Ordinances Section 2.48.145, all persons or business entities supplying any goods or services to the city, or seeking a loan or grant awarded by the city, whether through an application or proposal, shall disclose in such application or proposal whether any city officer, employee, or consultant may have a financial or non-financial interest in the person or business entity, or in any member, employee, owner, or officer of the business entity.

- A financial interest shall mean any interest that is prohibited under state law, including California Government Code Sections 1090 and 87100, and California Code of Regulation Section 18700 *et seq*.
- A non-financial interest shall mean any interest that is prohibited by City of Rialto Code of Ordinances Section 2.48.140 (attached here).

For the purpose of helping the City understand whether City personnel might have a conflict of interest in you or your organization, please disclose below whether you or any of your members, employees, paid or unpaid officers, paid or unpaid directors, or owners are (or are related to) a City elected or appointed official, a City officer, or a City employee or consultant.

Name of Your Organization's Affected Member, Employee, Paid or Unpaid Officer, Paid or Unpaid Director, or Owner	Name of City Elected or Appointed Official, City Officer, a City Employee or Consultant	Relationship Between the Two	Nature of Financial or Non-Financial Interest
None (n/a)	n/a	n/a	n/a
n/a	n/a	n/a	n/a

By submitting this [application/proposal], or supplying any goods or services to the City, the [applicant/vendor/contractor/consultant] hereby attests under penalty of perjury, personally and/or on behalf of the entity [submitting this application/proposal or supplying any goods or services to the City] that no City of Rialto elected or appointed official, employee or consultant has a financial or non-financial interest, as such terms are defined in California Government Code Sections 1090 and 87100 and in City of Rialto Code of Ordinances Section 2.48.145, in the [applicant/vendor/contractor/consultant], except as specifically disclosed herein.

Person/Entity: **Drop Mobility**

By: _____ 4/29/21

Name: **Qiming Weng**

Title: **CEO**

*Attach a copy of the Conflict of Interest and Disclosure Ordinances for reference.

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ORDINANCE NO. 1655

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AMENDING THE CITY'S CONFLICT OF INTEREST ORDINANCE (CITY OF RIALTO CODE OF ORDINANCES SECTION 2.48.140) AND CONFLICT OF INTEREST DISCLOSURE ORDINANCE (CITY OF RIALTO CODE OF ORDINANCES SECTION 2.48.145).

WHEREAS, in June, 2019, a fiscal year-end audit identified conflict of interest concerns related to the City's federal program spending, and specifically with federal CDBG grants; and

WHEREAS, subsequent review of the City's conflict of interest ordinances and internal controls process identified several issues with these ordinances and processes; and

WHEREAS, Subsequent to the resolution of the initial conflict of interest, the federal Department of Housing and Urban Development (HUD) has requested that the City update and strengthen its conflict of interest ordinance and internal controls process, to avoid similar future conflicts of interest; and

WHEREAS, this proposed new conflict of interest ordinance will minimize the potential for future conflicts of interest in the award of City contracts and grants, and in particular, federal CDBG grants; and

WHEREAS, the substantive changes in this proposed new conflict of interest ordinance have been reviewed and approved by HUD.

NOW, THEREFORE, the City Council hereby finds, determines, and ordains as follows:

SECTION 1. The City Council hereby specifically finds that all the facts set forth in the recitals above of this Ordinance are true and correct and incorporated herein.

SECTION 2. Amendment of the City of Rialto's conflict of interest ordinances is necessary to bring the City's conflict of interest rules in line with best practices and would bring the City into compliance with HUD's request for additional conflict of interest regulations and controls.

SECTION 3. The City Council hereby deletes existing City of Rialto Code of Ordinances section 2.48.140 in its entirety, and replaces it with the following:

(a) No covered person shall participate in the making of a grant or contract by the city in which the covered person has a conflicting interest.

(b) For purposes of this prohibition, the following definitions shall apply:

(1) A "covered person" includes any person who holds an elected or appointed City office, a City officer, a City employee, and any person who is a consultant to the City.

(2) A "conflicting interest" includes, but is not limited to, those decisions where:

(A) A covered person holds or has held within the previous twelve months a position with a potential grant or contract recipient;

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(B) A close relative of a covered person holds or has held within the previous twelve months a position with a grant or contract recipient;

(C) A close relative of the spouse or domestic partner of a covered person holds or has held within the previous twelve months a position with a grant or contract recipient.

(3) "Position" includes the status of a member, employee, owner, paid or unpaid officer of, paid or unpaid leadership position in, or had an ownership interest in, a grant or contract recipient.

(4) A "close relative" includes a spouse, parent, grandparent, child, grandchild, aunt, uncle, or cousin.

(5) "Participate in the making of a grant or contract" includes participation in: drafting a solicitation or contract; negotiating, voting on, approving, or executing a grant or contract; discussion of same with any city officer or employee; or attempts in any way to influence the making of a grant or contract.

(c) This prohibition shall not apply to a contract let by written competitive bid where the contract will be awarded to the person or entity who submits the lowest responsible and responsive bid.

(d) Except for the Mayor or a member of the City Council, a covered person may request a waiver of any potential conflict of interest in writing from the City Manager. Any request for such a waiver must include full disclosure of the potential conflict of interest and a statement detailing any mitigating factors. The request and the City Manager's response shall be provided to the City Council prior to any vote to approve the contract or grant, or if City Council approval is not required, at least five days before the contract or grant is approved. The request and the City Manager's response shall be considered a public record.

(e) The prohibitions in this section are in addition to any applicable federal or state conflict of interest laws, including but not limited to Government Code section 1090, and Government Code section 87100 *et seq*.

(f) Any person who violates this section is subject to the following:

(1) Public censure;

(2) If the conflict of interest was in the making of a contract, a prohibition from participation in the making of a contract by the city for a period of time up to twelve (12) months from the date of the imposition of the discipline;

(3) If the conflict of interest was in the making of a grant, a prohibition from participation in the making of a grant by the city for a period of time of up to twenty-four (24) months from the date of the imposition of the discipline;

(4) An administrative fine pursuant to Chapter 1.10 of this code.

(g) The discipline specified herein may be imposed:

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(1) By the City Manager in the case of any employee or consultant who violates this section.

(2) By the City Council in the case of any person who holds an elected or appointed City office, or any City officer who violates this section.

SECTION 4. The City Council hereby deletes existing City of Rialto Code of Ordinances section 2.48.145 in its entirety, and replaces it with the following:

(a) All persons or business entities supplying any goods or services to the city, or seeking a loan or grant awarded by the city, whether through an application or proposal, shall disclose in such application or proposal whether any elected or appointed city official, city officer, employee, or consultant may have a financial or non-financial interest in the person or business entity, or in any member, employee, owner, or officer of the business entity.

1. For purposes of this prohibition, a financial interest shall mean any interest that is prohibited under state law, including California Government Code Sections 1090 and 87100, and California Code of Regulation Section 18700 *et seq*.

2. For purposes of this prohibition, a non-financial interest shall mean any interest that is prohibited by City of Rialto Code of Ordinances Section 2.48.140.

(b) In order to facilitate disclosure as required by this section, any such application or proposal to the City shall prominently include the following disclosure in any RFP or other solicitation document:

By submitting [this application/proposal], or supplying any goods or services to the city, the [applicant/vendor/contractor/consultant] hereby attests under penalty of perjury, personally and/or on behalf of the entity [submitting this application/proposal or supplying any goods or services to the city] that it/they have they no financial or non-financial interests, as such terms are defined in City of Rialto Code of Ordinances Section 2.48.145, concerning any City of Rialto elected or appointed official or employee, except as specifically disclosed herein.

SECTION 5. The Mayor shall sign the passage and adoption of the Ordinance and thereupon the same shall take effect and be in force.

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PASSED, APPROVED, AND ADOPTED this 9th day of February, 2021.

DEBORAH ROBERTSON, MAYOR

ATTEST:

BARBARA MCGEE, CITY CLERK

APPROVED AS TO FORM:

ERIC S. VAIL, INTERIM CITY ATTORNEY

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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF RIALTO)

I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Ordinance No. 1655 was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the 9th day of February, 2021.

Upon motion of Councilmember Trujillo, seconded by Councilmember Perez, the foregoing Ordinance No. 1655 was duly passed and adopted.

Vote on the Motion:

AYES: Mayor Robertson, Mayor Pro Tem Scott, Council Member Trujillo, Carrizales and Perez

NOES: None

ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto, this 10th day of February, 2021.

Barbara A. McGee

Barbara A. McGee, City Clerk

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HELLOSIGN

Audit Trail

TITLE	Rialto Disclosure
FILE NAME	To sign - Disclos...ance 04-12-21.pdf
DOCUMENT ID	5a4b9be870eb63c7f7467acf8f52bb83a943986a
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	● Completed

Document History

SENT	**04 / 29 / 2021** 01:28:50 UTC	Sent for signature to Qiming Weng (qiming@dropmobility.com) from amber@riide.com IP: 208.58.215.24
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SIGNED	**04 / 29 / 2021** 01:30:16 UTC	Signed by Qiming Weng (qiming@dropmobility.com) IP: 172.58.231.113
COMPLETED	**04 / 29 / 2021** 01:30:16 UTC	The document has been completed.