



Date: July 1, 2015

Item # 7

To: GCTD Board of Directors

From: Steve L. Rosenberg   
Director of Finance and Administration

RE: Consider Approval of Resolution 2015-11, to Amend Gold Coast Transit District's Conflict of Interest Code

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## I. EXECUTIVE SUMMARY

The GCTD Board of Directors approved an update to the agency's Conflict of Interest Code (COIC) on Board Resolution 2014-107 in September 2014. In May 2015, GCTD received a determination from the Ventura County Clerk of the Board of Supervisors that it is necessary for GCTD to submit an amended COIC. The determination requested that GCTD specifically include the Board of Directors within the designated positions section of Exhibit A, and that the District designate either the Clerk of the Board or the District itself, not the County Clerk, be listed as the filing officer.

The current and prior COIC documents contained a statement that *"It has been determined that GCT Board Members and their duly appointed alternates are "other public officials who manage public investments" within the meaning of Government Code Section 87200 and are thus required to file Statements of Economic Interest with the County Clerk, Ventura County, pursuant to Section 87200 et seq. Thus, their positions are not designated in this code."* County Counsel and the Clerk-Recorder's Office have determined this should be revised and the Board Members should be added.

The appropriate changes to the COIC have been made. GCTD staff recommends that the Board designate the Clerk of the Board of Supervisors as the Filing Officer for GCTD. This will place the filing responsibility with the entity most knowledgeable and will give GCTD filers access the Clerk of the Board's E-File system.

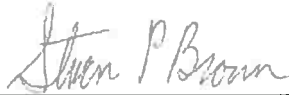
No other changes are proposed for this revision. The revised COIC appears as an attachment both in finalized form and in markup form,

### GOLD COAST TRANSIT DISTRICT

**II. SUMMARY AND RECOMMENDATIONS**

**It is recommended that the Board Approve Resolution 2015-11, to Amend Gold Coast Transit District's Conflict of Interest Code**

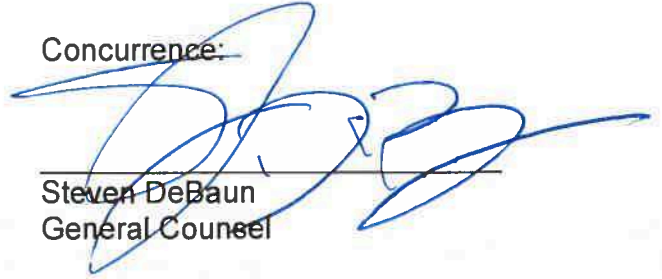
Concurrence:



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Steven P. Brown  
General Manager

Concurrence:



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Steven DeBaun  
General Counsel

**RESOLUTION NO. 2015-11**  
**A RESOLUTION OF THE BOARD OF DIRECTORS OF GOLD COAST**  
**TRANSIT DISTRICT AMENDING THE CONFLICT OF INTEREST CODE**  
**FOR GOLD COAST TRANSIT DISTRICT**

RESOLVED THAT the Board of Gold Coast Transit District (GCTD) hereby amends the previous Conflict of Interest Code for Gold Coast Transit District in its entirety, amending it as follows.

BE IT FURTHER RESOLVED that the Political Reform Act, Government Code section 81000 et seq., requires local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (Title 2, California Code of Regulations section 18730) which contains the terms of a standard Conflict of Interest Code (“Standard Code”), which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings.

BE IT FURTHER RESOLVED The terms of California Code of Regulations, Title 2, section 18730 and any amendment to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference as the Conflict of Interest Code for Gold Coast Transit District, and along with the attached Exhibit A, which designates positions requiring disclosure and Exhibit B, which sets forth disclosure categories, constitute the Conflict of Interest Code for Gold Coast Transit District.

BE IT FURTHER RESOLVED that the Ventura County Board of Supervisors is the code reviewing body for the Gold Coast Transit District Conflict of Interest Code. Pursuant to Section 4 of the Standard Code, persons holding positions designated in Exhibit A shall file statements of economic interests covering the disclosure categories designated for their respective position directly with the Clerk of the Ventura County Board of Supervisors, which shall retain the original statements.

Passed and adopted this 1<sup>st</sup> day of July, 2015

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Paul Blatz  
Board Chair

ATTEST:

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Board of Directors of Gold Coast Transit District a regular meeting thereof held on the 1<sup>st</sup> day of July, 2015

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Steven P. Brown  
Secretary of the Board

**CONFLICT OF INTEREST CODE  
FOR GOLD COAST TRANSIT DISTRICT  
EXHIBIT A  
DESIGNATED POSITIONS**

<b><u># OF POSITIONS</u></b>	<b><u>POSITION TITLE</u></b>	<b><u>DISCLOSURE CATEGORY</u></b>
1	General Manager	1
1	Director of Finance and Administration	1
1	Director of Transit Operations	1
1	Director of Planning and Marketing	1
1	Director of Fleet and Facilities	1
1	Director of Human Resources	1
1	Facility Project Manager	1
1	Purchasing Manager / DBE Officer	1
1	General Counsel	1
5	GCTD Board Member	1
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	Consultants	*

**CONFLICT OF INTEREST CODE**

**\* Consultants**

Consultants, as defined by Title 2, California Code of Regulations section 18701(a)(2), shall disclose pursuant to the broadest disclosure category in this code subject to the following limitation: 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 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 is to be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Title 2, California Code of Regulations Section 18701(a)(2) reads as follows:

"Consultant" means an individual who, pursuant to a contract with a state or local government agency:

(A) Makes a governmental decision whether to:

(i) Approve a rate, rule, or regulation;

(ii) Adopt or enforce a law;

(iii) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;

**FOR GOLD COAST TRANSIT DISTRICT**

**EXHIBIT A**

**DESIGNATED POSITIONS**

(iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;

(v) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract; (vi) Grant agency approval to a plan, design, report, study, or similar item;

(vii) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

(B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in regulation 18702.2 or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code under Government Code section 87302.

**CONFLICT OF INTEREST CODE  
FOR GOLD COAST TRANSIT DISTRICT**

**Exhibit B**  
**Disclosure Categories**

Subject to the definitions set forth in the Political Reform Act and applicable regulations:

**Category 1 – BROADEST DISCLOSURE**

- (1) All sources of income including gifts, loans and travel payments;
- (2) All interests in real property; and
- (3) All investments and business positions in business entities.

**Category 2 – REAL PROPERTY**

All interests in real property.

**Category 3 – LAND DEVELOPMENT AND TRANSACTION**

All investments, business positions and income including gifts, loans and travel payments, from sources of the type which engage in land development, construction, or acquisition or sale of real property.

**Category 4 – PROCUREMENT**

All investments, business positions and income including gifts, loans and travel payments, from sources of the type which provide services, facilities, supplies, materials, machinery or equipment of the type utilized by Gold Coast Transit District.

**Category 5 – PROCUREMENT – DEPARTMENT/AGENCY-SPECIFIC**

All investments, business positions and income including gifts, loans and travel payments, from sources of the type which provide services, facilities, supplies, materials, machinery or equipment of the type utilized by Gold Coast Transit District.

**Category 6 – REGULATION AND PERMITTING**

All investments, business positions and income including gifts, loans and travel payments, from sources of the type which are subject to the regulatory, permitting or licensing authority of, or have an application or license pending before Gold Coast Transit District.

**Category 7 – FUNDING**

All investments, business positions and income including gifts, loans and travel payments, from sources of the type which receive grants or other monies from or through Gold Coast Transit District.

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<b><u>Consultants</u></b>		*
<b><u>Officials</u></b>		

~~\* Officials Who Manage Public Investments:~~

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