



Item #13

Date: September 10, 2014
To: GCT Board of Directors
From: Steve L. Rosenberg
Director of Finance and Administration
RE: Consider Approval of Resolution 2014-107, to Revise Gold Coast Transit District's Conflict of Interest Code

I. EXECUTIVE SUMMARY

The GCT Board of Directors last approved an update to the agency's Conflict of Interest Code (COIC) on Board Resolution 2012-11 in September 2012. The agency is due to file a COIC review before October 1, 2014. The issues that require updating are establishing GCTD as a district and addressing staffing changes that have taken place in the past two years. Staff proposes Board Resolution 2014-107 to revise GCT's COIC to address these issues.

First, the COIC will be updated to reference the agency by its new name, Gold Coast Transit District. Additionally, Exhibit "A" has been revised from its most recent update to reflect staffing changes that have taken place over the past two years. The job title of the Director of Administrative Services has been revised to Director of Finance and Administration, and two new positions have been created that will be added to the COIC as designated positions; Director of Human Resources and Facility Project Manager.

No other changes are proposed for this revision.

II. SUMMARY AND RECOMMENDATIONS

It is recommended that the Board Approve Resolution 2014-107, to Revise Gold Coast Transit District's Conflict of Interest Code

Concurrence:

Steven P. Brown
General Manager

Concurrence:

Nancy Kierstyn Schreiner
General Counsel

RESOLUTION NO. 2014-107
A RESOLUTION OF THE BOARD OF DIRECTORS OF GOLD COAST
TRANSIT DISTRICT AMENDING THE CONFLICT OF INTEREST CODE
FOR GOLD COAST TRANSIT DISTRICT

WHEREAS, the Political Reform Act, Government Code section 81000 *et seq.*, requires local governmental agencies and special districts to adopted and promulgate Conflict of Interest Codes.

WHEREAS, on July 2, 2014, the Board adopted Resolution No. 2014-102, which carried forward and adopted the prior conflict of interest code from Gold Coast Transit, a joint powers agency as the GCTD's Conflict of Interest Code.

WHEREAS, the Board desires to update its conflict of interest code to reflect the new transit district name and new and updated positions, titles and disclosure categories.

NOW THEREFORE BE IT RESOLVED that the Board of Gold Coast Transit District (GCTD) hereby amends the previous Conflict of Interest Code for Gold Coast Transit District 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 (FPPC) to conform to amendments in the Political Reform Act after public notice and hearings conducted by the FPPC.

BE IT FURTHER RESOLVED that 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 (the Code).

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 Ventura County Clerk of the Board of Supervisors, which shall retain the original statements.

This Code establishes no additional filing requirements or public officials specified by Government Code section 7200 if they are designated in this Code in that same capacity or if the geographical jurisdiction is the same as or is wholly included with the jurisdiction in which those persons must report their economic interest pursuant to Government Code section 87200 *et seq.*

A person holding a designated position with an assigned disclosure category shall (i) submit an initial statement of economic interest within 30 days after the effective date of this Code and (ii) file annual statements of economic interest and other require statements pursuant to Section 5 of the Standard Code, as set forth in Title 2 California Code of Regulation section 18730.

Such statements shall be available for public inspection and reproduction as required by law. (Government Code section 81008).

BE IT FURTHER RESOLVED that GCTD existing Conflict of Interest Code adopted on July 2, 2014 as set forth in Resolution No. 2014-102 shall remain in effect until pursuant to Government Code section 87303, the Ventura County Board of Supervisors as the code reviewing body for GCTD approves these revisions and amendments to the Conflict of Interest Code. At such time the Conflict of Interest Code adopted on July 2, 2014, shall be repealed and rescinded and this Conflict of Interest Code adopted pursuant to this Resolution shall become effective.

Passed, approved and adopted by Board of Directors for Gold Coast Transit District at a regular meeting this 10th day of September, 2014, by the following vote:

AYE:
NAY:
ABSTAIN:
ABSENT:

Carl E. Morehouse
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 10th day of September, 2014.

Steven P. Brown
Secretary of the Board

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

<u># OF POSITIONS</u>	<u>POSITION TITLE</u>	<u>DISCLOSURE CATEGORY</u>
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
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	Officials	*
	Consultants	**

*** Officials Who Manage Public Investments:**

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.

**** 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;

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

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

(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.