

AGENDA ITEM 1 H
Consent Item

MEMORANDUM

DATE: March 1, 2018
TO: El Dorado County Transit Authority
FROM: Megan Wilcher, Administrative Coordinator
SUBJECT: Biennial Conflict of Interest Code Review

REQUESTED ACTION:
BY MOTION,

**Adopt Resolution No. 18-11 Amending the El Dorado County
Transit Authority Conflict of Interest Code for 2018**

BACKGROUND

Government Code 87306.5 requires that each local agency review its Conflict of Interest Code and submit a written statement to the reviewing body every even-numbered year. The code reviewing body for the El Dorado County Transit Authority (El Dorado Transit) is the El Dorado County Board of Supervisors.

DISCUSSION

To comply with Govt. Code 87306.5 staff recommends adoption of Resolution No. 18-11 to amend the El Dorado County Transit Authority Conflict of Interest Code attached as Exhibit A.

Also attached is Exhibit B showing redline corrections to the previously amended Conflict of Interest Code.

FISCAL IMPACT

None

**EL DORADO COUNTY TRANSIT AUTHORITY
RESOLUTION NO. 18-11**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE EL DORADO COUNTY
TRANSIT AUTHORITY AMENDING THE CONFLICT OF INTEREST CODE**

WHEREAS, The Political Reform Act, Government Code Section 81000, et, seq., requires state and local government agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations, Section 18730) containing terms of a standard conflict of interest code that may be incorporated by reference into an agency's conflict of interest code; and

WHEREAS, the Fair Political Practices Commission, after proper public notice and hearing, may amend the standard conflict of interest code to conform to amendments in the Political Reform Act; and

WHEREAS, the Political Reform Act requires the El Dorado County Transit Authority (El Dorado Transit) to review its conflict of interest code biennially to determine if it is accurate or, alternatively that the code must be amended; and

WHEREAS, El Dorado Transit's existing conflict of interest code, as last amended by the El Dorado Transit Board on April 7, 2016, requires updating to memorialize changes in designated staff positions subject to the code's reporting requirements, and make other minor changes.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the El Dorado County Transit Authority as follows:

1. The Board of Directors hereby adopts the revised El Dorado Transit conflict of interest code attached hereto as Exhibit A, which supersedes the amended conflict of interest code adopted by the Board on April 7, 2016 and all prior codes.
2. All Statements of economic interest will be available for public inspection and reproduction (upon request) pursuant to Government Code Section 81008.

PASSED AND ADOPTED BY THE GOVERNING BOARD OF THE EL DORADO COUNTY TRANSIT AUTHORITY at a regular meeting of said Board held on the 1st day of March 2018, by the following vote of said Board:

AYES:

NOES:

ABSTAIN:

ABSENT:

Shiva Frentzen, Chairperson

ATTEST:

Megan Wilcher, Secretary to the Board

Exhibit A

CONFLICT OF INTEREST CODE THE EL DORADO COUNTY TRANSIT AUTHORITY

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 Practices Commission has adopted a regulation, 2 California Code of Regulations Title 2 Section 18730, which contains the terms of a standard conflict of interest code (hereafter incorporated by reference). Appendix A and B lists designated members and employees and disclosure categories.

Pursuant to Section 18730 of Title 2 California Code of Regulations, Board Members, the Executive Director and designated employees shall file statements of economic interests with the El Dorado County Transit Authority. Upon receipt of the statements of the El Dorado County Transit Authority Board Members, Executive Director, and all other designated employees, the Clerk of the El Dorado County Transit Authority shall retain a copy of each statement. The Clerk shall make all statements of economic interests available for public inspection and reproduction.

EL DORADO COUNTY TRANSIT AUTHORITY

CONFLICT OF INTEREST CODE

APPENDIX A

Designated Employee Position

The designated employees whose duties or positions within El Dorado County Transit Authority involve the making or participation in the making of decisions which may foreseeably have a material financial effect on any financial interest are as follows:

Designated Employee	Disclosure Categories
Board Members	1 - 5
Legal Counsel	1 - 5
Executive Director	1 - 5
Treasurer	1 - 5
Operations Manager	1 - 5
Finance Manager	1 - 5

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

EL DORADO COUNTY TRANSIT AUTHORITY

CONFLICT OF INTEREST CODE

APPENDIX B

DISCLOSURE CATEGORIES

- CATEGORY 1: Investments, business positions in business entities, and sources of income, of the type which contract with the El Dorado County Transit Authority to supply materials, commodities, supplies, books, machinery, vehicles, or equipment utilized by the Authority.
- CATEGORY 2: Investments, business positions in business entities, and sources of income, which are contractors, subcontractors, or consultants engaged in the performance of work or services of the type utilized by the agency, including, but not limited to, insurance companies, carriers, holding companies, underwriters, agents, or accounting firms.
- CATEGORY 3: Investments, business positions in business entities, and sources of income, which have filed claims against the Authority.
- CATEGORY 4: All interest in real property located within the jurisdiction of the agency or within two miles of its boundaries.
- CATEGORY 5: All investments and business position in any business entity and income from any source which is (1) a private transit or transportation company; or (2) an entity or person engaged in real estate, or real estate development within the jurisdiction of the Authority.

**CONFLICT OF INTEREST CODE THE
EL DORADO COUNTY TRANSIT AUTHORITY**

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Pursuant to Section 18730 of Title 2 California Code of Regulations, Board Members, the Executive Director and designated employees shall file statements of economic interests with the El Dorado County Transit Authority. Upon receipt of the statements of the El Dorado County Transit Authority Board Members ~~and~~, Executive Director, and all other designated employees, the Clerk of the El Dorado County Transit Authority shall ~~make and~~ retain a copy of each statement. ~~and forward the original of these statements to the El Dorado County Elections Department. Statements of all other designated employees will be retained by the El Dorado County Transit Authority.~~ The Clerk shall make all statements of economic interests available for public inspection and reproduction.

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<u>Designated Employee</u>	<u>Disclosure Categories</u>
<u>Board Members</u>	<u>1 - 5</u>
<u>Attorney Legal Counsel</u>	<u>1 - 5</u>
<u>Executive Director</u>	<u>1 - 5</u>
<u>Treasurer</u>	<u>1 - 5</u>
<u>Operations Manager</u>	<u>1 - 5</u>
<u>Fiscal Administration Manager Finance Manager</u>	<u>1 - 5</u>

~~Board Members~~
~~Attorney~~
~~Executive Director~~
~~Treasurer~~
~~Operations Manager~~
~~Fiscal Administration Manager~~

~~The aforesaid designated employees shall comply with disclosure categories 1 through 5.~~

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