

COUNTY OF SAN DIEGO

2014 AUG 29 PM 3 09 2014 CONFLICT OF INTEREST CODE
BIENNIAL REVIEW REPLY FORM

CLERK OF THE BOARD
Contact Person: Karen Tucholski Telephone Number: 760-966-6574

Name of Agency: North County Transit District

Mailing Address: 810 Mission Avenue, Oceanside, CA 92054

This agency has reviewed its conflict of interest code and has determined that:

Amendments are necessary: (Attach Amended Code)
(Check all that applies)

- Include new positions (including consultants) which must be designated
- Revise the titles of existing positions
- Delete titles of positions that have been abolished
- Delete positions that manage public investments
- Revise disclosure categories
- Other _____

No amendments are necessary. Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foresee-ably be affected materially by the decision made by those designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer: Mark O'Z Date: 8/28/14

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than October 1, 2014 to:**

**Clerk of the Board of Supervisors
(Conflict of Interest Code)
1600 Pacific Highway, Room 402
San Diego, CA 92101**

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: <u>12/2/14</u>	Minute Order No. <u>23</u>
By: <u>[Signature]</u>	Date: <u>12/2/14</u>
Deputy Clerk of the Board Supervisors	

2014 NOV 3 AM 9 08

Board Policy No. 8
Conflict of Interest Code

Summary

This policy establishes the NCTD Conflict of Interest Code pursuant to the Political Reform Act (Government Code § 81000, et seq.).

Purpose

The Political Reform Act (Government Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission ("FPPC") has adopted 2 Cal. Code of Regs. § 18730 ("Regulation 18730") which contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing, Regulation 18730 may be amended by the FPPC to conform to amendments in the Political Reform Act. Therefore, the terms of Regulation 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the North County Transit District (the "District"). Government Code § 87306.5, also requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or if the code must be amended. Once the determinations have been made, a notice must be submitted to the code reviewing body per the biennial review.

All officials set forth in Government Code § 87200 and designated positions shall file their statements of economic interest with the Human Resources Manager as the District's Filing Officer. The Human Resources Manager shall make and retain a copy of all statements filed by Members of the Board and the Executive Director, and forward the originals of such statements to the Clerk of the County of San Diego Board of Supervisors. The Human Resources Manager shall retain the originals of the statements of all other designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

Officials Who Manage Public Investments

District officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but must file disclosure statements under Government Code § 87200 et seq. [Regs. 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments (Note: Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by 87200.):

Board Policy No. 8 – Conflict of Interest Code (continued)

Board Members and Alternates
Executive Director
Chief Financial Officer
Financial Consultants

Disclosure Requirements

- A. Public Officials and employees holding positions designated in this Conflict of Interest Code are required to file the initial, annual, and leaving office statement of economic interest for the types of interests in the categories set forth in the applicable Disclosure Categories. It has been determined that these persons make or participate in making decisions, which foreseeably may have a material effect on such financial interests.
- B. Where the Disclosure Category requires disclosure of interests in real property, the designated employee is only required to disclose real property which is located in whole or in part within or not more than two (2) miles outside the boundaries of the jurisdiction or within two (2) miles of any land owned or used by the District.
- C. Where the Disclosure Category requires disclosure of investments or sources of income, the designated employee is only required to disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two (2) years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction.
- D. Where the Disclosure Category requires disclosure of business positions, the designated employee is only required to disclose positions of director, officer, partner, employee, or any position of management in organizations or enterprises operated for profit.

Designated Positions Governed by the Conflict of Interest Code

DESIGNATED EMPLOYEES' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
ADA Administrator	2, 3, 5
Assistant Controller	5
Administrator of Operations Systems	5
Buyer	1
Chief Administrative Officer	1, 2
Chief Development Officer	1, 2
Chief Financial Officer	1, 2, 3, 4, 5, 6
Chief of Procurement and Contract Administration	1, 2
Chief of Safety	5
Intergovernmental Affairs Officer	1, 2

Board Policy No. 8 – Conflict of Interest Code (continued)

DESIGNATED EMPLOYEES' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Chief of Transit Enforcement	5
Chief Operations Officer	1, 2
Chief Planning Officer	1, 2
Chief Technology Officer	5
Civil Engineer	2, 3, 5
Civil Rights Officer	1, 2
Code Enforcement Supervisor	5
Compliance Officer/Internal Audit	1
Contracts Administrator	4
Controller	1, 2
Customer Service Lead	5
Data Analyst	5
Deputy Chief Operations Officer – Bus Operations	1, 2
Deputy Chief Operations Officer –Mechanical	1, 2
Deputy Chief Operations Officer – Rail Operations	1, 2
Deputy Chief Operations Officer – Rail Systems	1, 2
Deputy Chief, Development Services	1, 2
Deputy Chief, Procurement and Contract Administration	1, 2
Director of Real Estate and Facilities	1, 2, 3, 5, 6
Executive Director	1, 2, 3, 4, 5, 6
Facilities Coordinator	5
Fare Revenue Administrator	4
General Counsel	1, 2
Grants Manager	1
Human Resources Generalist	5
IT Coordinator	5
Management Analyst	5
Manager, Administration	5
Manager, Customer Service	5
Manager, Facilities	5
Manager, Finance	4
Manager, Human Resources	5

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DESIGNATED EMPLOYEES' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Manager, Marketing and Communications	5
Manager, Transit Enforcement	5
Manager, Service Implementation	5
Public Information Officer	5
Network Engineer – All	5
Paralegal	5
Project Manager – Mobility Management Program	5
Project Manager (All)	3, 5
Project Safety Review Officer	5
Quality Control Supervisor (All)	5
Rail Operations Officer	5
Rail Systems Engineer	5
Rail Systems Safety Specialist	5
Real Estate Coordinator	6
Right of Way Coordinator	6
Right of Way Officer (All)	5
Risk and Insurance Management Specialist	4
Senior Procurement Contracting Officer	1, 2
Senior Graphic Communications Designer	5
Senior Planner	2, 5
Senior Programmer	5
Signal Engineer	5
Systems Analyst/Engineer (All)	5
System Safety and Compliance Inspector	5
Web Developer	5

Consultants and New Positions

Individuals providing services as a Consultant defined in Regulation 18701, or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Executive Director may determine that due to the range of duties or contractual

Board Policy No. 8 – Conflict of Interest Code (continued)

obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

Disclosure Categories

The disclosure categories listed below identify the types of economic interests that the Designated Position must disclose for each disclosure category to which he or she is assigned. (Note: This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg.18730.1))

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

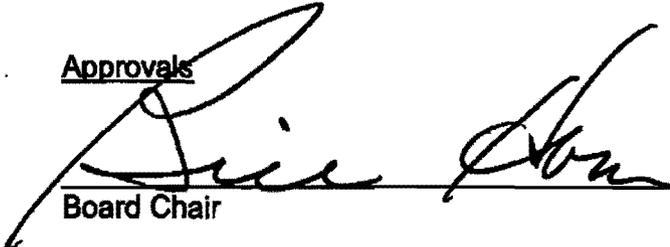
Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position's department, unit or division.

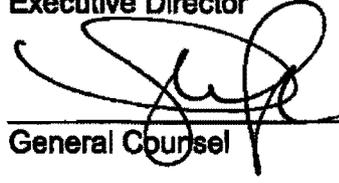
Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the Designated Position's department, unit or division.

Board Policy No. 8 – Conflict of Interest Code (continued)

Approvals


Board Chair _____ Date _____

 10/16/14
Executive Director _____ Date _____

 10-16-2014
General Counsel _____ Date _____

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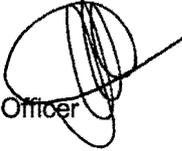
DATE ISSUED	REVISION NUMBER	COMMENTS
10/18/2012	Adopted	
10/17/2013	1	2013 Revision
10/16/2014	2	2014 Revision

**NORTH COUNTY
TRANSIT DISTRICT** 

MEMO

Date October 30, 2014

To Clerk of the Board of Supervisors

From Karen L. Tucholski, Chief Administrative Officer 

CC

810 Mission Avenue
Oceanside, CA 92054

www.gonctd.com

RE Conflict of Interest Code

Attached is the revised Conflict of Interest Code for North County Transit District.
Please let me know if you have any questions.