

**APPENDIX**

**CONFLICT OF INTEREST CODE**

**OF THE**

**NORTH COUNTY TRANSIT DISTRICT**

(Amended March 17, 2011)

**EXHIBIT "A"**

**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 are subject to the disclosure requirements of the Act. (Government Code Section 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<sup>1</sup>:

Board Members and Alternates  
Executive Director  
Chief Financial & Administrative Officer  
Financial Consultants

Approved and/or authorized by the Board  
of Supervisors of the County of San Diego  
Date 5/24/11 Minute Order No. 16  
THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors  
By [Signature]  
Deputy Clerk

<sup>1</sup> 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.

## **DESIGNATED POSITIONS**

### **GOVERNED BY THE CONFLICT OF INTEREST CODE**

<b><u>DESIGNATED EMPLOYEES'</u></b> <b><u>TITLE OR FUNCTION</u></b>	<b><u>DISCLOSURE CATEGORIES</u></b> <b><u>ASSIGNED</u></b>
Assistant Controller	5
Benefits Administrator	5
Business Applications Administrator	5
Buyer	1
Chief Engineer - Rail	2, 3, 5
Chief Management Accountant	1, 2
Chief Technology and Sustainability Officer	5
Chief of Bus Operations, Planning & Safety	1, 2
Chief of Rail Operations	2, 3, 5
Chief of Transit Enforcement	5
Community & Governmental Affairs Specialist	1
Contracts Administrator	4
Controller	5
Data Analyst (ALL)	5
Director of Communications	5
Director, Real Estate & Property Management	1, 2
Director, Service Planning	1, 2
Executive Administrator/Clerk of the Board	5
Fare Revenue Administrator	4
Fare Revenue Supervisor	5
General Counsel	1, 2
General Services Supervisor	5
Grants Specialist	1
Human Resources Specialist	5
Intergovernmental Affairs Officer	5

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Manager, Business Development	1
Manager, Contract Operations & Maintenance	5
Manager, Contracts & Procurement	1, 2
Manager, Human Resources	5
Manager, Maintenance-of-Way	5
Manager, Rail Services	5
Manager, Risk & Insurance	5
Manager, Service Implementation	5
Manager, Service Quality & Accessibility	2, 3, 5
Manager, System Safety & Compliance	6
Marketing Representative	5
Network Engineer	5
Program Director, CTC & PTC Projects	3, 5
Project Manager – IT	5
Quality Control Supervisor	5
Rail Mechanical Maintenance Officer	5
Real Estate Asset Administrator	1, 2
Right-of-Way Coordinator	6
Senior Contract Administrator	1, 2
Senior Graphic Communications Designer	5
Senior Programmer	5
Senior Project Manager	2, 3, 5
Senior System Engineer	5
Consultant <sup>2</sup>	

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<sup>2</sup> Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation: The Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described 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 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.

# EXHIBIT "B"

## DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, including gifts, loans and travel payments, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

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, 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, and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

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

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

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THOMAS J. PASTUSZKA  
CLERK OF THE BOARD  
OF SUPERVISORS

**Dianna Marie Valdez**

Conflicts of Interests & Ethics Coordinator  
(951) 826-8252  
DiannaMarie.Valdez@BBKLAW.COM

March 25, 2011

Teresa Zurita, Deputy  
Clerk of the Board of Supervisors  
County of San Diego  
1600 Pacific Highway, Room 402  
San Diego, CA 92101-2471

Re: North County Transit District – Amendment of Conflict of  
Interest Code and Request for Notice

Dear Teresa:

Enclosed for review and approval by the Board of Supervisors is the amended Appendix of the Conflict of Interest Code of the North County Transit District. The Appendix was amended by the District's Board of Directors on March 17, 2011, by Resolution No. 11-05, a copy of which is also enclosed. As you can see by the enclosed legislative version of the Appendix, this amendment was done to include new positions that must be designated, to revise the title of an existing position and to delete titles of positions that have been abolished. Also enclosed is a clean copy of the Appendix, as amended, for your records.

Please notify me as to when this matter will be submitted to the Board for approval. I would also appreciate a copy of the Resolution or Minute Order approving the District's amended Appendix.

**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

Teresa Zurita, Deputy  
Clerk of the Board of Supervisors  
County of San Diego  
March 25, 2011  
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Please feel free to call or email me if you or County Counsel have any questions regarding the enclosed or this matter.

Sincerely,



Dianna Marie Valdez  
Conflicts of Interests & Ethics Coordinator  
for BEST BEST & KRIEGER LLP  
General Counsel  
North County Transit District


:dmv  
Encls:  
cc: Judy Ortiz, North County Transit District

COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
CONFLICT OF INTEREST CODE FOR THE  
SAN DIEGO COUNTY PUBLIC SAFETY GROUP

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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 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix in which members and employees are designated and disclosure categories set forth, constitute the conflict of interest code of the Public Safety Group Executive Office.

Designated employees shall file statements of economic interests with the agency who will make the statements available for public inspection and reproduction (Gov. Code Section 81800). Upon receipt of the statements of the San Diego County Public Safety Group Executive Office, the agency shall make and retain a copy and forward the original of these statements to the Clerk of the Board of Supervisors. Statements for all other designated employees will be retained by the agency.

  
Raymond A. Fernandez  
Deputy Chief Administrative Officer  
Public Safety Group Executive Office

3-22-11

Date