Attachment B - Conflict of Interest Codes - Supporting Docs

Conflict of Interest Code: Grossmont Union High School District

CONFLICT OF INTEREST CODE FOR GROSSMONT UNION HIGH SCHOOL DISTRICT

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 adopted a regulation (2 Cal. Code of Regs. Section 18730) that contains the terms of a standard conflict of interest code and may be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the corresponding exhibit (E9270) designating positions and establishing disclosure requirements, shall constitute the conflict of interest code of the Grossmont Union High School District.

Individuals holding positions designated in Appendix I shall file their statement directly with the Clerk of the Board of Supervisors via the County's online eDisclosure system.

Individuals holding designated positions designated in Appendix II shall file their statements with the Grossmont Union High School District—, which will retain the statements and make the statements available for public inspection and reproduction. (Gov. Code Section 81008.)

Upon receipt of the statements for the Governing Board Members, Superintendent,
Cabinet Members, Citizens' Bond Oversight Committee Members, Purchasing Director,

and Internal Auditor, Grossmont Union High School District shall make and retain a copy and forward the original of these statements to the County of San Diego Board of Supervisors.

Appendix I

Designated Positions	Disclosure Categories
Asst. Superintendent, Human Resources	1
Asst. Superintendent, Educational Services	1
CBOC-Citizen's Bond Oversight Committee	1
Deputy Superintendent, Business Services	1
Director, Purchasing	1
Director, School Safety	2,3
Director I, Adult Education	2,3
Director I, College & Career Readiness	2,3
Director I, Human Resources	2.3
Director I, Learning & Innovation	2.3
Director I, Special Education	2,3
Director I, Student Support Services & Alternative Education	2,3
District Superintendent	1
Executive Director, Communications	2.3
Executive Director, Educational Technology Services	1
Executive Director, Facilities Management	1
Executive Director, Fiscal Services	1
Governing Board	1
Internal Auditor	1

Appendix<u>II</u>

Designated Positions	Disclosure Categories	
Administrative Coordinators	4,6	
Assistant Principals	4,6	
Asst. Superintendent, Human Resources	4	
Asst. Superintendent, Educational Services	4	
Benefit Services Coordinator	2,3	
Buyers	3	
CBOC-Citizen's Bond Oversight Committee	4	
*Contract Consultants	3	
Coordinator, Testing & Accountability	2,3	
Deputy Superintendent, Business Services	4	
Director, Food Services & Warehouse	2,3	
Director, Maintenance & Operations	2,3	
Director, Purchasing	4	
Director, Research and Evaluation	2,3	
Director, Risk Management	2,3,5	
Director, School Safety	2,3	
Director, Technical Services	2,3	
Director, Transportation	2,3	
Director I, Adult Education	2,3	
Director I, College & Career Readiness	2,3	
Director I, Human Resources	2,3	
Director I, Learning & Innovation	2,3	
Director I, Special Education 2,3		
Director I, Student Support Services & Alternative Education	2,3	
Director II, Academic Intervention / Alternative Programs	2,3	
Director II, Adult Education	4,6	
Director II, College and Career Readiness	2,3	
Director II, ELL Ed Programs	2,3	
Director II, Extended Curricular Programs	2,3	
Director II, Instructional Technology	2,3	
Director II, Special Education	2,3	
Director II, Student Support Services	2,3	
Director II, Title 1; Categorical Programs/Grants	2,3	

District Superintendent	4
Executive Director, Communications	2,3
Executive Director, Educational Technology Services	4
Executive Director, Facilities Management	4
Executive Director, Fiscal Services	4
Governing Board	4
Internal Auditor	4
Manager, Payroll	2,3
Manager, School Facilities	4,6
Operations Manager, Maintenance & Operations	4,6
Principals	4,6
Project Manager, Planning & Construction	1

* All eContract consultants who make or participate in the making of decisions which may foreseeably have a material effect on the economic interests of the District. Such contract consultants -

The Superintendent 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 comply fully 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 Superintendent'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.

Disclosure Categories

Individuals holding designated positions must report their interests according to the following corresponding disclosure category(ies) to which their position has been assigned. Please see FPPC Form 700 instructions for more detailed information.

Disclosure Category 1

Interests in real property located, excluding personal residence, within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency; and investments and business positions in business entities, and income, including loans, gifts (see FPPC Form 700 Schedule D instructions for exceptions), and travel payments, from all sources.

Disclosure Category 2

Interests in real property, excluding personal residence, located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.

^{*}Consultants shall be included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this code subject to the following limitations:

Disclosure Category 3

Investments and business positions in business entities, and income, including loans, gifts (see FPPC Form 700 Schedule D instructions for exceptions), and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by the agency.

Disclosure Category 4

Investments and business positions in business entities, and income, including loans, gifts (see FPPC Form 700 Schedule D instructions for exceptions), and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by the department or division to which the filer is assigned duties.

Disclosure Category 5

Investments and business positions in business entities, and income, including loans, gifts (see FPPC Form 700 Schedule D instructions for exceptions), and travel payments, from sources, that filed a claim against the agency during the previous two years, or have a claim pending.

Disclosure Category 6

Investments and business positions in business entities, and income, including loans, gifts (see FPPC Form 700 Schedule D instructions for exceptions), and travel payments, from sources, that are of the type to request an entitlement to use agency property or facilities, including, but not limited to:

- 1. A license
- 2. Utility permit
- 3. Station vendor permit.

Public Officials Who Manage Public Investments

The following positions are not covered by this conflict of interest code because those individuals holding these positions must file under Government Code Section 87200. These positions are listed for informational purposes only:

None at time of update

An individual holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.



Grossmont Union High School District

Agenda Item Details

Meeting May 09, 2023 - REVISED - Regular Governing Board Meeting

Category N. Action Items - Governing Board

Subject 2. Approval of First Reading and Option to Waive Second Reading of BB 9270 and E 9270 -

Conflict of Interest Code

Access Public

Type Action, Policy Revision/Update - 1st Read

Recommended Approval of First Reading and to Waive Second Reading of BB 9270 and E 9270 - Conflict of

Action Interest Code

Public Content

GUHSD policies BB 9270 and E 9270 comprise the District's Conflict of Interest Code (COI). The COI currently specifies that certain individuals must file their Statement of Economic Interests Form 700 with San Diego County's Clerk of the Board of Supervisors and other individuals must file with the District (forms are retained at the District Office).

"Cabinet Members" is currently listed as one such category of individuals who must file with San Diego County's Clerk of the Board of Supervisors. In order to identify the titles of staff members that make up District Cabinet, the attached revisions are proposed.

Appendix I lists individuals who must file their Statement of Economic Interests Form 700 with San Diego County: Governing Board, Superintendent, Citizens' Bond Oversight Committee Members, Purchasing Director, Internal Auditor and staff members who make up the District Cabinet. Appendix II lists individuals whose forms are retained at the District Office.

Other minor revisions: One outdated title is struck from Appendix II and the correct/current title is added. "Contract Consultant" is added to Appendix II along with language clarifying under what circumstances Contract Consultants must file.



9270 BB - Conflict of Interest.pdf (36 KB)



9270 E - Conflict of Interest.pdf (71 KB)

Executive Content

Motion & Voting

Approval of First Reading and to Waive Second Reading of BB 9270 and E 9270 - Conflict of Interest Code

Motion by Jim Kelly, second by Chris Fite. Final Resolution: Motion Carried

Yes: Rob Shield, Gary Woods, Jim Kelly, Chris Fite, Elva Salinas

Book

Board Policy Manual

Section

9000 Board Bylaws

Title

Copy of Conflict of Interest

Code

9270 BB

Status

Adopted

March 2, 2000

Last Revised

May 9, 2023

Board Bylaw

Conflict Of Interest

BB 9270

Board Bylaws

Incompatible Activities

Governing Board members shall not engage in any employment or activity which is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the district. (Government Code 1126)

Conflict of Interest Code

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 adopted a regulation (2 Cal. Code of Regs. Section 18730) that contains the terms of a standard conflict of interest code and may be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

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Legal Reference:
EDUCATION CODE
1006 Qualifications for holding office
35107 School district employees
35230-35240 Corrupt practices, especially:
35233 Prohibitions applicable to members of governing boards
41000-41003 Moneys received by school districts
FAMILY CODE
297.5 Rights, protections, and benefits of registered domestic partners
GOVERNMENT CODE
1090-1099 Prohibitions applicable to specified officers
1125-1129 Incompatible activities
81000-91014 Political Reform Act of 1974, especially:
82011 Code reviewing body
87100-87103.6 General prohibitions
87200-87210 Disclosure
87300-87313 Conflict of interest code
87500 Statements of economic interests
89501-89503 Honoraria and gifts
91000-91014 Enforcement
PENAL CODE
85-88 Bribes
CODE OF REGULATIONS, TITLE 2
18110-18997 Regulations of the Fair Political Practices Commission, especially:
18702.5 Public identification of a conflict of interest for Section 87200 filers
COURT DECISIONS
Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469
Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655
Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511
ATTORNEY GENERAL OPINIONS
92 Ops.Cal.Atty.Gen. 26 (2009)
92 Ops.Cal.Atty.Gen. 19 (2009)
89 Ops.Cal.Atty.Gen. 217 (2006)
86 Ops.Cal.Atty.Gen. 138(2003)
85 Ops.Cal.Atty.Gen. 60 (2002)
82 Ops.Cal.Atty.Gen. 83 (1999)
81 Ops.Cal.Atty.Gen. 327 (1998)
80 Ops.Cal.Atty.Gen. 320 (1997)
69 Ops.Cal.Atty.Gen. 255 (1986)
68 Ops.Cal.Atty.Gen. 171 (1985)
65 Ops.Cal.Atty.Gen. 606 (1982)
63 Ops.Cal.Atty.Gen. 868 (1980)
```

Management Resources:

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010 FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005 INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

WEBSITES

CSBA: http://www.csba.org

Fair Political Practices Commission: http://www.fppc.ca.gov

Institute of Local Government: http://www.ca-ilg.org

Policy GROSSMONT UNION HIGH SCHOOL DISTRICT adopted: March 2, 2000 La Mesa, California

revised: April 19, 2012 revised: May 8, 2012 revised: September 13, 2018

revised: September 13, 2022 revised: May 9, 2023

Book

Board Policy Manual

Section

9000 Board Bylaws

Title

Copy of Conflict Of Interest

Code

9270 E

Status

Adopted

March 2, 2000

Last Revised

May 9, 2023

Exhibit

Conflict Of Interest

E 9270

Board Bylaws

Appendix I

Designated Positions	Disclosure Categories
Asst. Superintendent, Human Resources	1
Asst. Superintendent, Educational Services	1
CBOC-Citizen's Bond Oversight Committee	
Deputy Superintendent, Business Services	1
Director, Purchasing	1
Director, School Safety	2,3
Director I, Adult Education	2,3
Director I, College & Career Readiness	2,3
Director I, Human Resources	2,3
Director I, Learning & Innovation	2,3
Director I, Special Education	2,3
Director I, Student Support Services & Alternative Education	2,3
District Superintendent	1
Executive Director, Communications	2,3
Executive Director, Educational Technology Services	

Executive Director, Facilities Management	1
Executive Director, Fiscal Services	1
Governing Board	1
Internal Auditor	1

Appendix II

Designated Positions	Disclosure Categories	
Administrative Coordinators	4,6	
Assistant Principals	4,6	
Asst. Superintendent, Human Resources	1	
Asst. Superintendent, Educational Services	1	
Benefit Services Coordinator	2,3	
Buyers	3	
CBOC Citizen's Bond Oversight Committee	1	
*Contract Consultants	3	
Coordinator, Testing & Accountability	2,3	
Deputy Superintendent, Business Services	1	
Director, Food Services & Warehouse	2,3	
Director, Maintenance & Operations	2,3	
Director, Purchasing	1	
Director, Research and Evaluation	2,3	
Director, Risk Management	2,3,5	
Director, School Safety	2,3	
Director, Technical Services	2,3	
Director, Transportation	2,3	
Director I, Adult Education	2,3	
Director I, College & Career Readiness	2,3	
Director I, Human Resources	2,3	
Director I, Learning & Innovation	2,3	
Director I, Special Education	2,3	
Director I, Student Support Services & Alternative Education	2,3	
Director II, Academic Intervention / Alternative Programs	2,3	
Director II, Adult Education	4,6	
Director II, College and Career Readiness	2,3	
Director II, ELL Ed Programs	2,3	
Director II, Extended Curricular Programs	2,3	
Director II, Instructional Technology	2,3	
Director II, Special Education	2,3	

Director II, Student Support Services	2,3
Director II, Title 1; Categorical Programs/Grants	2,3
District Superintendent	1
Executive Director, Communications	2,3
Executive Director, Educational Technology Services	±
Executive Director, Facilities Management	1
Executive Director, Fiscal Services	1
Governing Board	1
Internal Auditor	1
Manager, Payroll	2,3
Manager, School Facilities	4,6
Operations Manager, Maintenance & Operations	4,6
Principals	4,6
Project Manager, Planning & Construction	1

* All eContract consultants who make or participate in the making of decisions which may foreseeably have a material effect on the economic interests of the District. Such contract consultants -

* Consultants shall be included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this code subject to the following limitations:

The Superintendent 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 comply fully 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 Superintendent'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.

Disclosure Categories

Individuals holding designated positions must report their interests according to the following corresponding disclosure category(ies) to which their position has been assigned. Please see FPPC Form 700 instructions for more detailed information.

Disclosure Category 1

Interests in real property located, excluding personal residence, within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency; and investments and business positions in business entities, and income, including loans, gifts (see FPPC Form 700 Schedule D instructions for exceptions), and travel payments, from all sources.

Disclosure Category 2

Interests in real property, excluding personal residence, located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.

Disclosure Category 3

Investments and business positions in business entities, and income, including loans, gifts (see FPPC Form 700 Schedule D instructions for exceptions), and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by the agency.

Disclosure Category 4

Investments and business positions in business entities, and income, including loans, gifts (see FPPC Form 700 Schedule D instructions for exceptions), and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by the department or division to which the filer is assigned duties.

Disclosure Category 5

Investments and business positions in business entities, and income, including loans, gifts (see FPPC Form 700 Schedule D instructions for exceptions), and travel payments, from sources, that filed a claim against the agency during the previous two years, or have a claim pending.

Disclosure Category 6

Investments and business positions in business entities, and income, including loans, gifts (see FPPC Form 700 Schedule D instructions for exceptions), and travel payments, from sources, that are of the type to request an entitlement to use agency property or facilities, including, but not limited to:

- 1. A license
- 2. Utility permit
- 3. Station vendor permit.

Public Officials Who Manage Public Investments

The following positions are not covered by this conflict of interest code because those individuals holding these positions must file under Government Code Section 87200. These positions are listed for informational purposes only:

None at time of update

An individual holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

Exhibit GROSSMONT UNION HIGH SCHOOL DISTRICT version: March 2, 2000 La Mesa, California

revised: April 19, 2012 revised: May 8, 2012

revised: September 13, 2018 revised: September 13, 2022

revised: May 9, 2023



GOVERNING BOARD MEMBERS

CHRIS FITE
JIM KELLY
ELVA SALINAS
ROBERT SHIELD
DR. GARY C. WOODS

SUPERINTENDENT

MARY BETH KASTAN

May 10, 2023

Clerk of the Board of Supervisors Attn: Alejandro Chavira, Board Assistant County Administration Center 1600 Pacific Highway, Fourth Floor, Room 402 San Diego, California 92101

Dear Alejandro,

Attached is a copy of the Grossmont Union High School District (GUHSD) Governing Board approval for amending GUHSD's Conflict of Interest Code (COI).

Please forward the revised COI to the County Board of Supervisors for approval.

Thank you,

Monica Osterloh

Executive Assistant, Business Services

Monica Offerlat

Conflict of Interest Code: Helix Charter High School

BP 0100

Helix Charter High School A California Charter School

BP 0100 formally Policy Statement # 19

CONFLICT OF INTEREST CODE

APPROVED; DECEMBER 15, 2003; FIRST READING OF EDITS: JANUARY 28, 2019;

APPROVED FEBRUARY 25, 2019; APPROVED: APRIL 17, 2023

I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., Helix Charter High School hereby adopts this Conflict of Interest Code ("Code"), which shall apply to all governing board members, candidates for member of the governing board, and all other designated employees of Helix Charter High School ("Charter School"), a specifically required by California Government Code Section 87300.

II. DESIGNATED EMPLOYEES

Employees of this Charter School, including governing board members and candidates, who hold positions that involve the making or participation in the making, of decisions that may foreseeably have a material effect on any financial interest, shall be designated employees. The designated positions are listed in Exhibit "A" attached to this policy and incorporated by reference herein.

III. STATEMENT OF ECONOMIC INTERESTS: TIME OF FILING

Each designated employee, including governing board members and candidates, shall file a Statement of Economic Interest ("Statement") at the time and manner prescribed below, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the employee's position is assigned in Exhibit A.

An investment interest in real property or income shall be reportable, if the business entity in which the investment is held, the interest in real property, the business position, or source of income may foreseeably be affected materially by a decision made or participate in by the designated employee by virtue of his or her position. The specific disclosure responsibilities assigned to each position are set forth in Exhibit B.

A. Initial Statements: All designated employees employed by the Charter School on the effective date of this Code, as originally adopted, promulgated and approved by the Charter School, shall file statements within 30 days after the effective date of this Code. Thereafter, each person in a position that becomes by an amendment to this Code a

- "designated employee" shall file an Initial Statement within 30 days after the effective date of the amendment.
- B. Governing Board Candidates: Candidates for election to the governing board shall file statements within 5 days after the final date for filing nomination intention.
- C. Assuming Office Statements: All persons assuming designated positions after the effective date of the Code shall file statements within 30 days after assuming designated positions.
 - 1. Annual Statements: All designated employees shall file statements no later than June 1.
 - 2. Leaving Office Statements: All persons who leave designated positions shall file statements within 30 days after leaving office.
 - 3. Statements for Persons Who Resign 30 Days After Appointment: Persons who resign within 30 days of initial appointment are not deemed to have assumed office or left office provided they did not make or participate in the making of, or use their position to influence any decision and did not receive or become entitled to receive any form of payment as a result of their appointment. Such persons shall not file either an Assuming or Leaving Office Statement.
 - 4. Statements Filed With the Charter School: All Statements shall be supplied by the Charter School. All statements shall be filed with the Charter School. The Charter School's filing officer shall make and retain a copy and forward the original to the County Board of Supervisors.

IV. STATEMENTS OF ECONOMIC INTEREST: CONTENTS OF AND TIME PERIOD COVERED BY THE STATEMENTS

- A. Contents of Initial Statements: Initial Statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the Code and income received during the 12 months prior to the effective date of the Code.
- B. Contents of Assuming Office Statements: Assuming Office Statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office and income received during the 12 months prior to the date of assuming office.
- C. Contents of Annual Statements: Annual Statements shall disclose any reportable investments, interest in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first Annual Statement shall begin on the effective date of the Code or date of assuming office, whichever is later. The statement shall include any

reportable investment or interest in real property, partially or wholly acquired or disposed of during the period covered by the statement, with the date of acquisition of disposal.

D. Contents of Leaving Office Statements. Leaving Office Statements shall disclose reportable investments, interest in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office. The statement shall include any reportable investment or interest in real property, partially or wholly acquired or disposed of during the period covered by the statement, with the date of acquisition or disposal.

V. STATEMENTS OF ECONOMIC INTERESTS: MANNER OF REPORTING

A. Investment and Real Property Disclosure

When an investment or interest in real property is required to be disclosed, the statement shall contain the following:

- 1. A statement of the nature of the investment or interest;
- 2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
- 3. The address or other precise location of the real property; and
- 4. A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000). This information need not be provided with respect to an interest in real property, which is used principally as the residence of the filer. Reportable investments or interest in real property do include those in excess of one thousand dollars (\$1,000) held by the filer's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the filer, spouse and dependent children together own a direct, indirect or beneficial interest of 10% or more.

B. Personal Income Disclosure

Personal income is required to be reported under this Code, the statement shall contain the following:

1. The name and address of each source of income aggregating \$250 or more in value or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

- 2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), or greater than ten thousand dollars (\$10,000);
- 3. A description of the consideration, if any, for which the income was received;
- 4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was received; and
- 5. In the case of a loan, the annual interest rate and the security, if any, given for the loan.

C. Business Entity Income Disclosure

When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

- 1. The name, address, and a general description of the business activity; and
- 2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such a person was equal to or greater than ten thousand dollars (\$10,000).

D. Business Positions Disclosure

When reporting business positions, a designated employee shall list the name of each business entity not specified above in which he/she is a director, officer, partner, trustee, employee, or in which he/she holds any position of management; a description of the business activity in which the entity is engaged; and designated employee's position with the business entity.

VI. DISQUALIFICATION

No designated employee shall make, participate in making, or try to use his/her official position to influence any Charter School decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

- A. Any business entity or real property in which the designated employee has a direct or indirect investment or interest worth one thousand dollars (\$1000) or more.
- B. Any source of income totaling two hundred fifty dollars (\$250) or more provided or promised to the designated employee within twelve months prior to the decision.

(This category does not include gifts or loans made at regular rates by commercial lending institutions.)

- C. Any business entity in which the designated employee is the director, officer, partner, trustee, employee, or any kind of manager.
- D. Any donor of gifts totaling \$250 or more in value provided or promised to the designated within twelve months prior to the decision; any intermediary or agency for such a donor.

No designated employee shall be prevented from making or participating in any decision to the extent that his/her participation is legally required for the decision to be made. (The need to break a tie vote does not make the designated employee's participation legally required.)

VII. MANNER OF DISQUALIFICATION

When a designated employee determines that he/she should not make a decision because of a disqualifying interest, he/she should submit a written disclosure of the disqualifying interest to his/her immediate supervisor. The supervisor shall immediately reassign the matter to another employee and shall forward the disclosure notice to the Charter School Executive Director who shall record the employee's disqualification

Governing Board members shall disclose a disqualifying interest at the meeting during which consideration of the decision takes place. This disclosure shall be made part of the Board's official record. The Board member shall then refrain from participating in the decision in any way.

VIII. DEFINITION OF TERMS

As applicable to a charter school, the definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission, specifically California Code of Regulations Section 18730, and any amendments or modifications to the Act and regulations are incorporated by reference to this Code.

EXHIBIT A

Designated Positions

Persons occupying the following positions are designated employees and must disclose financial interests in all categories defined in Exhibit B (i.e. categories 1, 2, and 3).

- A. Members of the Governing Board
- B. Candidates for member of the Governing Board
- C. Executive Director
- D. Grade Level Principal
- E. Office Manager
- F. Manager of School Facilities
- G. Chief Business Official
- H. Director of Data Systems and Information Technology Chief Information Officer
- I. Consultants ¹
- J. Other Employees ²

Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 1 of Exhibit B.

A. Other Employees ³

Persons occupying the following positions are designated employees and must disclose financial interests defined in Categories 2 and 3 of Exhibit B.

- A. Contractor
- B. Procurement and Receivables Technician
- C. ASB Director
- D. Other Employees *
- ¹ The Executive Director 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 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 Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location of interest code.
- ² "Other Employees" include any employee occupying a position that requires the employee to make a governmental decision that foreseeably and materially affects a personal financial interest, source of income, or a business position in a business entity.
- ³ "Other Employees" include any employee with authority to make purchases that may foreseeably and materially affect an investment and/or business position in business entities or who are in a position to influence a governmental decision that may foreseeably and materially affect an investment and/or business position in a business entity.
- ⁴"Other Employees" include employees with authority to make purchases that may foreseeably and materially effect investments and business positions in business entities which provide services, supplies, materials or equipment in which the employee has authority to purchase.

EXHIBIT B

Disclosure Categories

Category 1 Reporting:

- A. Interest in real property which is located in whole or in part either (1) within the boundaries of the District, or (2) within two miles of the boundaries of the District, including any leasehold, beneficial or ownership interests or option to acquire such interest in real property, if the fair market value of the interest is greater than \$1,000.
 - (Interests in real property of an individual include a business entity's share of interest in real property of any business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly, or beneficially, a ten percent interest or greater.)
- B. Investments in or income from persons or business entities which are contractors or subcontractors, which are or have been within the previous two-year period engaged in the performance of building construction or design within the District.
- C. Investments or income from persons or business entities engaged in the acquisition or disposal of real property within the jurisdiction.
 - (Investment includes any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments and any partnership interest or other ownership interests.)

(Investments of any individual include a pro rata share of investments of any business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly or beneficially, a ten percent interest or greater.)

(Investment does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, or any bond or other debt instrument issued by any government or government agency.)

(No investment or interest in real property is reportable unless its fair market value exceeds \$1,000. No source of income is reportable unless the income received by or promised to the public official aggregates \$250 or more in value or \$50 or more in value if the income was a gift during the preceding 12-month reporting period.)

Category 2 Reporting:

A. Investments in or income from business entities which manufacture or sell supplies, books, machinery or equipment of the type utilized by the charter school. Investments include interest described in Category 1.

Category 3 Reporting:

A. Investments in or income from business entities which are contractors or sub-contractors engaged in the performance of work or services of the type utilized by the charter school. Investments include the interests described in Category 1.

Helix Charter Board Regular Meeting March 6, 2023 Charter Board Notes

Board Members Present:; Arielle Carroll; Kim Carter; Kristy Drake; Matt Guarnotta; Melanie Harrington; Gayle Neville; Natalie Winspear

Board Members Absent: Luis Altamirano; Tricia Olsen

Student Representatives Present: none

Other Representatives Present: Kevin Osborn, Executive Director; Elena Smith, Grade Level Principal on Special Assignment; Brian Kick, Chief Information Officer; Mark Demers, Office Manager

I. Open Session – Call to Order

Chairperson Guarnotta called the meeting to order at 4:00 p.m. and immediately adjourned to closed session.

II. Adjourn to Closed Session

The Governing Board met in (closed) session to consider student discipline, public employee matters, employer-employee negotiations, and potential litigation.

III. Reconvene Open Session

A. Call to Order

Chairperson Guarnotta called the meeting to order at 4:35 p.m.

IV. Awards/Recognitions/Special Reports or Presentations

- 1. Student Representative Applicants
 - a. Kyndall Walsh
 - b. Brayden Pape
 - c. Aimee Gutierrez
- 2. Idling Policy Presentation

Shaelen Taylor

V. Communications from the Public

None

VI. Procedural

A. Public Report of Action Taken (if any) in Closed Session

B. Student Matters

Chairman reported the Governing Board, in closed session, reviewed the findings of fact, the conclusion of law and any written objection to the same, which were presented by staff on student matters. The Governing Board then took action in public session to approve the following recommendations. Separation action was taken on each item:

- 1. The Charter Board Approved Stipulated Suspended Expulsion of Student in cases *none*
- 2. The Charter Board Approved Stipulated Expulsion none
- C. Possible Litigation
- D. Employee Matters
- E. Approval of Minutes from 2023-03-06 Charter Board Minutes

MSC (Neville/Harrington) motion approved

Altamirano Absent

Carroll Yes

Carter Yes

Drake Yes

Guarnotta Yes

Harrington Yes

Neville Yes

Olsen Absent

Winspear Yes

G. Approval of Agenda

MSC (Winspear/Carroll) motion approved

Altamirano Absent

Carroll Yes

Carter Yes

Drake Yes

Guarnotta Yes

Harrington Yes

Neville Yes

Olsen Absent

Winspear Yes

VII. Consolidated Agenda (One motion to approve items V.A. – V. C.

		this section are considered to be routine and are acted on by the Board in one
motion		
A.	Educa	
	1.	Approval of Long-Distance Student Travel: Key Club Convention to Ontario
	2.	Approval of Long-Distance Student Travel: Speech and Debate.pdf
B.	Busine	ess
	1.	Approval of Check Register - February 2023
	1.	Approval of 2022-23 P-2 Attendance Report
	2.	Approval of ESSER III Summer Grant Program Memorandum of Agreement with
		San Diego County Office of Education
	3.	Approval of FY 2022-23 ASSETs Grant Memorandum of Agreement with San
		Diego County Office of Education
C.	Person	
0.	1 01001	
	MSC (Neville/Carroll) motion approved
		Altamirano Absent
		Carroll Yes
		Carter Yes
		Drake Yes
		Guarnotta Yes
		Harrington Yes
		Neville Yes
	Olsen Absent	
		Winspear Yes
IX.	Items	pulled from consolidated motion and voted on separately:
		2 3 4 5 6 7 8 9 10.
X. St	aff Rep	orts/Discussion/Action
A.	Educa	tional/Curriculum/Executive Director's Report
	1.	Executive Director's Report
		Approval of Edits to Policy 13 - Edits March 2023
		Neville/Drake) motion approved
	MBC (Altamirano Absent
		Carroll Yes
		Carter Yes
		Drake Yes
		Guarnotta Yes

Harrington Yes Neville Yes Olsen Absent Winspear Yes

3. Approval of ■ Target Enrollment 2023/2024

MSC (Neville/Drake) motion approved Altamirano Absent Carroll Yes Carter Yes Drake Yes Guarnotta Yes Harrington Yes Neville Yes Olsen Absent Winspear Yes 4. Approval of ☐ Charter Board Meeting dates 2023/2024 MSC (Carter/Carroll) motion approved Altamirano Absent Carroll Yes Carter Yes Drake Yes Guarnotta Yes Harrington Yes Neville Yes Olsen Absent Winspear Yes

B. Personnel

1. Approval of Sabbatical Leave Employee # 05289145

MSC (Winspear/Carter) motion approved

Altamirano Absent

Carroll Recuse

Carter Yes

Drake Yes

Guarnotta Recuse

Harrington Recuse

Neville Yes

Olsen Absent

Winspear Yes

2. Approval of Unpaid Leave of Absence Employee # 10276735

MSC (Neville/Carter) motion approved

Altamirano Absent

Carroll Recuse

Carter Yes

Drake No

Guarnotta Recuse

Harrington Recuse

Neville Yes

Olsen Absent

Winspear Yes

3. Approval of Certificated Leave of Absence Employee # 01163667

MSC (Carter/Neville) motion approved

Altamirano Absent

Carroll Recuse

Carter Yes

Drake Yes

Guarnotta Recuse

Harrington Recuse

Neville Yes

Olsen Absent

Winspear Yes

4. Approval of

■ 2023.04-17 Tentative Agreement with HCA Employment Status and Discipli...

MSC (Neville/Drake) motion failed

Altamirano Absent

Carroll Recuse

Carter No

Drake No

Guarnotta Recuse

Harrington Recuse

Neville No

Olsen Absent

Winspear Yes

5. Approval of Assistant Manager Academic Support Job Description 2023.04.07

Assistant Manager of Academic Support Program Explanatory

MSC (Winspear/Neville) motion approved

Altamirano Absent

Carroll Recuse

Carter Yes

Drake Yes

Guarnotta Recuse

Harrington Recuse

Neville Yes

Olsen Absent

Winspear Yes

C. Business

1. Consideration and Approval of Edit to

BP 0100 Conflict of Interest Code edits April 2023

MSC (Winspear/Drake) motion approved

Altamirano Absent

Carroll Yes

Carter Yes

Drake Yes

Guarnotta Yes

Harrington Yes

Neville Yes

Olsen Absent

Winspear Yes

- 2. First Reading of new Board Policy
 Idling Policy Shaelen Taylor ESC Edits
- 3. Approval of HELIX STAFF REDBOOK 2023

MSC (Winspear/Drake) motion approved

Altamirano Absent

Carroll Yes

Carter Yes

Drake Yes

Guarnotta Yes

Harrington Yes

Neville Yes

Olsen Absent

Winspear Yes

D. Financial

1. Approval of Financial Report - February 2023

MSC (Harrington/Neville) motion approved

Altamirano Absent

Carroll Yes

Carter Yes

Drake Absent

Guarnotta Yes

Harrington Yes

Neville Yes

Olsen Absent

Winspear Yes

E. Community Relations April 2023 Charter Board Updates

L. Knuth

XII. Communication on Items Not on the Agenda

- A. Board Communication
- B. Public Input

XII. Adjournment - 5:53 p.m.



HELIX CHARTER HIGH SCHOOL Kevin Osborn, Executive Director



COSD CLERK OF THE BOARD 2023 APR 26 PM1:38

April 24, 2023

Alejandro Chavira **Board Assistant** Clerk of the Board of Supervisors 1600 Pacific Hwy. Rm 402 San Diego, CA 92101

Please accept this letter on behalf of the Helix Charter Board in regards to our updated Conflict of Interest Code. At our April 17, 2023 Charter Board Meeting, our Charter Board approved the change to our Conflict of Interest Code indicating the update to one of the job titles of our Admin Team.

The change is from Director of Data and Information Technology to Chief Information Officer.

Enclosed you will find the minutes from the board meeting, the strikethrough version and the clean copy of the Conflict of Interest Code.

Please reach out to me if you have any questions.

Thank you,

Mark Demers Clerk to the Governing Board

Conflict of Interest Code: San Diego Metropolitan Transit System (MTS)

CONFLICT OF INTEREST CODE

OF THE

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

CONFLICT OF INTEREST CODE OF THE

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

(Amended November 10, 2022 February 16, 2023)

The Political Reform Act, (Government Code Sections 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. 18730) that contains the terms of a standard model conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission 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 **San Diego Metropolitan Transit System (MTS)**.

All officials and designated positions shall file their statements of economic interests with MTS's Clerk of the Board as MTS's Filing Officer. The Clerk of the Board shall make and retain a copy of all statements filed by Members and Alternates of the Board of Directors, Chief Executive Officer and the Chief Financial Officer, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The Clerk of the Board shall retain the originals of the statements filed by all other designated positions. The Clerk of the Board will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

(Amended November 10, 2022 February 16, 2023)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

MTS Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to MTS's Code, but must file disclosure statements under 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 investments¹:

Board of Directors and Alternates

Chief Executive Officer

Chief Financial Officer

Investment Consultant

Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

DESIGNATED POSITIONS'	DISCLOSURE CATEGORIES
TITLE OR FUNCTION	ASSIGNED
Administrative Assistant (Copy Center)	4
Applications Development & Support Manager	5
Assistant Manager of Maintenance	5
Assistant Manager of Stores	5
Associate Transportation Planner	5
Business Systems Analyst (ALL)	5
Buyer	4
Chief Human Resources Officer	5
Chief Information Officer	5
Chief of Staff	1
Chief Operating Officer – Rail	1
Chief Operating Officer – Transit Services	1
Community Engagement Specialist	5
Contract Administrator (ALL)	4
Controller	1, 2
Creative Design Manager	5
Deputy Director of Transit Enforcement	5
Deputy Fare Systems Administrator	5
Deputy General Counsel	2, 5, 6, 7
Director of Capital Projects	1, 2

DESIGNATED POSITIONS' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Director of Contract Services & Passenger Facilities	3, 5
Director of Financial Planning & Analysis	1, 2
Director of Fleet and Facility Maintenance	5
Director of Human Resources	5
Director of Marketing & Communications	5
Director of Planning & Scheduling	1, 2
Director of Supply & Operations	4
Director of Support Services	5
Director of Transit Security & Passenger Safety	5
Director of Transportation	1
Division Manager of Maintenance	5
Environmental Health & Safety Specialist	5
Fare Systems Administrator	5
Financial Analyst	4
For-Hire Vehicle Administration Manger	5
General Counsel	1, 2
Grants Administrator	9
Graphic Designer	5
Information Security & Intelligence Engineer	5
Information Security & Intelligence Manager	5
Information Technology Development Manager	5

DESIGNATED POSITIONS' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Information Technology Enterprise Architect (IoT)	5
Information Technology Operation Manager	5
Internal Auditor	4
Lead-Revenue Maintenance Supervisor (ALL)	5
Liability Claims Supervisor	1, 2, 7
Manager of Benefits & Compensation	5
Manager of Contract Operations & Passenger Facilitie	es 2, 4
Manager of Government Affairs	1
Manager of Human Resources	5
Manager of Inventory Operations	4
Manager of Marketing and Communications	5
Manager of Paratransit & Mini Bus	5
Manager of Procurement	4
Manager of PRONTO AND Passenger Support	5
Manager of Real Estate Assets	1, 2
Manager of Risk and Claims	1, 2, 7
Manager of Scheduling	5
Manager of Service Quality and Special Operations	5, 8
Manager of Support Services	2, 3, 5
Manager of Talent Acquisition	5
Multimedia Designer Marketing and Communications	Specialist 5

DESIGNATED POSITIONS' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Network Operations Manager	5
Operating Budget Supervisor	1, 2
Principal Contract Administrator	4
Procurement Specialist (ALL)	4
Project Administrator	<u>5</u>
Project Engineer	<u>1, 2</u>
Professional Standards Manager	7
Project Manager (ALL)	1, 2
Public Relations Specialist	5
Regulatory Enforcement Supervisor	6
Report Development Analyst	5
Right-of-Way Permit Coordinator	2, 5, 6
Security System Administrator	5
Senior Contract Operations Administration	5
Senior Data Warehouse Engineer	5
Senior Human Resources Analyst	5
Senior Project Manager - Rail Systems	1, 2
Senior SAP Architect	5
Senior Transportation Planner	1, 2
Software Developer	5
Superintendent of Facilities	5

DESIGNATED POSITIONS' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Superintendent of LRV Maintenance	5
Superintendent of Transportation	5
Superintendent of Wayside Maintenance	5
Supervisor of Paratransit & Mini Bus	5
Supervisor Revenue Operations	5
Technical Project Manager	5
Transit Asset Management Program Manager	2, 4
Transportation Operations Specialist (ALL)	2, 5
Worker's Compensation Analyst (ALL)	7
ZEV and Sustainability Manager	5

Consultant and New Positions²

Individuals serving as a Consultant defined in Regulation 18700.3, or in a new position created since this Code was last amended that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Chief Executive Officer may determine that, due to the range of duties or contractual 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 Chief Executive Officer'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.)

PART "B"

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 the designated is assigned.3 "Investment" means financial interest in any business entity (including a consulting business, or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of MTS.

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 MTS.

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 MTS, including any leasehold, beneficial or ownership interest or option to acquire property.

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 iurisdiction of MTS.

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 MTS.

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.

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 of the position. (Reg. 18730.1)

<u>Category 6</u>: 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.

<u>Category 7</u>: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, if such entities or sources have filed claims against MTS in the past 2 years, or have a claim pending before MTS.

<u>Category 8</u>: Disclose 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 geographical area of, and within two miles of, the designated position's assigned project area.

<u>Category 9:</u> All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a nonprofit or other organization, if the source is of the type to receive grants or other monies from or through MTS or its subdivisions.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

Resolution No. 23-01

Resolution of The Board of Directors of the San Diego Metropolitan Transit System Adopting an Amended Conflict of Interest Code Pursuant to the Political Reform Act of 1974

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the San Diego Metropolitan Transit System ("MTS") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in MTS being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the "Code") which was amended on November 10, 2022, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within MTS have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update MTS's Code; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Conflict of Interest Code was provided each designated employee and publicly posted for review at the offices of MTS; and

WHEREAS, a public meeting was held upon the proposed amended Conflict of Interest Code at a regular meeting of the Board of Directors on February 16, 2023, at which all present were given an opportunity to be heard on the proposed amended Conflict of Interest Code.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the General Counsel and available to the public for inspection and copying during regular business hours.

SECTION 2. The said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval.

SECTION 3. The said amended Conflict of Interest Code shall become effective immediately after the Board of Supervisors approves the proposed amended Code as submitted.

PASSED AND ADOPTED by the Board of Directors this <u>16th</u> day of <u>February</u>, 2023 by the following vote:

AYES: Chavez, McCann, Donavan, Golole, Leyba-Ganzalez, Dillard, Gastal, Radriguez, Frank, Montgamery Steppe, Elo-Rivera, Moreno, Whitburn, Hall
NAYS:

ABSENT: Fletcher

ABSTAINING:

VICE Chairperson

San Diego Metropolitan Transit System

Filed by:

Clerk of the Board

San Diego Metropolitan Transit System

Approved as to form:

General Counsel

San Diego Metropolitan Transit System

Resolution 23-01

Attachment: A. Final Conflict of Interest Code

Chavira, Alejandro

From:

Cathy Tisnado < cathy.tisnado@bbklaw.com>

Sent:

Monday, April 24, 2023 1:57 PM

To:

Chavira, Alejandro

Subject:

[External] SAN DIEGO METROPOLITAN TRANSIT SYSTEM: 2023 REVIEW - REQUEST FOR

APPROVAL AND NOTICE

Attachments:

Resolution 23-01-c1.pdf; MTS - CIC 2.16.23 (Final)-c1-c1.doc; MTS - CIC 2.16.23

(Legislative)-c1-c1.doc

Follow Up Flag:

Follow up

Flag Status:

Flagged

Good afternoon Alejandro... we have completed another review and update of the Conflict of Interest Code for San Diego Metropolitan Transit System (MTS). Attached for review and approval by the Board of Supervisors is a copy of San Diego Metropolitan Transit System's Resolution No. 23-01 as adopted on February 16, 2023, a copy of the clean final version of the amended Conflict of Interest Code, and a legislative version of the amended Code showing the specific changes made. I also included the clean final version of the amended Code in Word format. You can see from the legislative version that the Code was amended to include new positions must be designated, revises the titles of existing positions, revises disclosure categories and delete titles of position that have been abolished and/or positions that no longer make or participate in making governmental decisions.

Please let us know when this item is set for approval by the BOS. I would also like to receive a copy of the minute order approving the Code for our records.

As always, please let me know if you or County Counsel have any questions or concerns regarding the attached.

Thank you for your assistance with this project,

Cathy



Cathy Tisnado

Paralegal Cathy.Tisnado@bbklaw.com

T: (951) 826-8214 www.BBKlaw.com in 💆 💇

This email and any files or attachments transmitted with it may contain privileged or otherwise confidential information. If you are not the intended recipient, or believe that you may have received this communication in error, please advise the sender via reply email and immediately delete the email you received.

Conflict of Interest Code: Upper San Luis Rey Groundwater Management Authority

UPPER SAN LUIS REY

Groundwater Management Authority

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF UPPER SAN LUIS REY GROUNDWATER MANAGEMENT AUTHORITY

COSD CLERK OF THE BOARD 2023 APR 24 AM8:46

Date: September 20, 2022

Time: 3:00 p.m.

Call to Order

The Regular Meeting of the Board of Directors of the Upper San Luis Rey Groundwater Management Authority was held at the offices of the Yuima Municipal Water District at 34928 Valley Center Rd., Valley Center, California on Wednesday, the 20th day of September, 2022. The meeting was called to order at 3:03 p.m. and the Pledge of Allegiance was performed.

Roll Call - Determination of Quorum

Administrator Reeh conducted the roll-call and a quorum of the Board was established.

Directors In Attendance

Charles Bandy Warren Lyall Rich Stehly
Greg Kamin Michael Perricone Jack Hoagland
Roland Simpson Steve Wehr Bobby Graziano

Others In Attendance

Amy Reeh Andy Lyall Steve Anderson

Approval of the Agenda

Upon motion being offered by Director Wehr, second by Director Simpson the Agenda of the meeting was approved and carried unanimously by the following roll-call vote, to wit:

AYES: Kamin, Wehr, Lyall, Perricone, Simpson, Stehly, Bandy, Wehr, Hoagland,

Grazziano

NOES: None ABSTAIN: None ABSENT: None

Public Comment

There were no requests to speak during the public comment period.

Consent Calendar

With motion being offered by Director Hoagland and seconded by Director Wehr, the Minutes of the August 3, 2022 meeting were approved by the following roll-call vote, to wit:

AYES:

Kamin, Wehr, W. Lyall, Perricone, Simpson, Stehly, Bandy, Wehr, Hoagland,

Graziano

NOES:

None

ABSTAIN: ABSENT:

None None

Action Discussion

Review and Approval of the Conflict-of-Interest Code

Following a brief discussion, Chair Kamin asked for Public Comment, hearing no public comment, Director Bandy moved approval of the Conflict-of-Interest Code. The Motion was seconded by Director Perricone. After Chair Kamin called for Public Comment, to which none was received, *The Upper San Luis Rey Groundwater Management Authority Conflict-of-Interest Code* was approved and carried unanimously by the following roll-call vote, to wit:

AYES:

Kamin, Wehr, W. Lyall, Perricone, Simpson, Stehly, Bandy, Wehr, Hoagland,

Graziano

NOES:

None

ABSTAIN:

None

ABSENT:

None

Geoscience Change Order

A brief discussion relative to the cost coverage of the change being covered by the already existing grants took place. Administrator Reeh explained which grants were going to cover each task Director Hoagland motioned for approval, seconded by Director Wehr. After Chair Kamin called for Public Comment, to which none was received, the change to the Geoscience Contract to Perform an Aquifer Test and Analysis and Monitoring Well Construction Management was approved and carried unanimously by the following roll-call vote, to wit:

AYES:

Kamin, Wehr, W. Lyall, Perricone, Simpson, Stehly, Bandy, Wehr, Hoagland,

Graziano

NOES:

None

ABSTAIN:

None

ABSENT:

None

Proposed Resolution Consenting to Enter the Joint Protection Programs of the Association of California Water Agencies / Joint Powers Insurance Authority

Following a brief discussion in where Staff was directed to ask some clarifying questions regarding coverage, Director Perricone motioned to approve the Resolution. The motion was seconded by Director Bandy. Chair Kamin called for public comment and upon hearing none, Resolution 02-2022 Adopting Administration Agreement for the Authority was approved and carried unanimously by the following roll-call vote, to wit:

AYES:

Kamin, Wehr, W. Lyall, Perricone, Simpson, Stehly, Bandy, Wehr, Hoagland,

Graziano

NOES:

None

ABSTAIN:

None

ABSENT:

None

Discussion and Possible Action Regarding Engaging in an RFP Process to Obtain General Counsel for the Authority or Possible Appointment of General Counsel

Discussion was held by the Board as to the purpose and role General Counsel would have at this time for the Authority. Current Litigation Counsel would only be able to engage in matters regarding specific litigation and not be able to advise the Board on everyday matters that may arises such as the Brown Act, Public Record Request, FPPC and Form 700 filings, or even the JPA agreement itself. Director Hoagland inquired as to any possible conflict of interest and Mr. Jungreis and Mr. Anderson indicated the existing waiver signed by the individual agencies in relation to litigation work could be expanded to include General Counsel work. The Board felt that Rutan & Tucker, LLP and Best, Best & Krieger are most familiar with the Authority, its history and inception and would be best to avoid additional costs if they also served as co-counsel. A call for public comment from Chair Kamin did not produce any comments and upon motion being offered by Director Warren Lyall, seconded by Director Wehr, the motion to engage the current litigation counsels as General co-counsel was approved and carried unanimously by the following roll-call vote, to wit:

AYES:

Kamin, Wehr, W. Lyall, Perricone, Simpson, Stehly, Bandy, Wehr, Hoagland,

Graziano

NOES:

: None

ABSTAIN:

None

ABSENT:

None

Selection of Official Logo

This item was tabled until next meeting so that additional ideas could be brought before the Board.

Closed Session

The Board entered Closed Session at 3:47 p.m. to discuss one case: San Luis Rey Indian Water Authority V. Pauma Valley Groundwater Sustainability Agency – Pursuant to Government Code §54956.9.

Director Simpson left the meeting at 4:04 p.m.

The Board exited closed session at 4:35 p.m.

Report from closed session: There was no report from closed session.

Adjournment

The meeting of the Board of Directors of the Upper San Luis Rey Groundwater Management Authority was adjourned at 4:40 p.m. until the next meeting on October 18, 2022 at 3:00 p.m.

Michael Perricone, Secretary

Greg Kamin, Chairman



Board of Directors
Greg Kamin - Chairman
Tim Lyall - Vice-Chairman
Michael Perricone - Secretary
Roland Simpson - Treasurer
Charles Bandy - Director
William Pankey - Director
Eric Steinlich - Director
Richard Stehly - Director
Stephen Wehr - Director

COSD CLERK OF THE BOARD 2023 APR 20 PM3:35

April 14, 2023

Nora Vargas County Board of Supervisors 1600 Pacific Highway San Diego, CA 92101

Dear Mrs. Vargas:

The Upper San Luis Rey Groundwater Authority is requesting approval on the Conflict-of-Interest Code that was approved by our Board on September 20, 2022.

The Upper San Luis Rey Groundwater Management Authority was established by a Joint Exercise of Powers Agreement on May 1, 2022 as a fourth amendment to the Memorandum of Understanding for the development of a Groundwater Sustainability Plan dated June 27, 2017.

The goal of the Upper San Luis Rey Groundwater Management Authority is to perform sustainable and equitable groundwater management, in accordance with SGMA, that will protect groundwater resources in the Upper San Luis Rey Groundwater Basin for all beneficial users into the foreseeable future.

Sincerely,

Amy Reeh

Administrator

Upper San Luis Rey

Groundwater Management Authority

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