



DATE: July 26, 2018

TO: Transportation Authority of Marin Board of Commissioners

FROM: Dianne Steinhauser, Executive Director
David Chan, Programming and Legislation Manager

SUBJECT: Amend the Accompanying Resolution to Conflict of Interest Section of the Administrative Code on Designated Positions Requiring Compliance with State Disclosure Requirements (Action), Agenda Item No. 6g

RECOMMENDATION

Amend the accompanying resolution to Conflict of Interest Section under Article VII of TAM's Administrative Code to include the TAM Deputy Executive Director to the list of designated positions requiring compliance to State disclosure requirements.

BACKGROUND

Under the Conflict of Interest Section under Article VII of the Administrative Code are the policies governing disclosure requirements. Article VII subjects TAM to the Political Reform Act of 1974 that requires all public agencies to adopt, periodically review, and update a Conflict of Interest Code. It also requires all public agencies to adopt a Resolution specifying designated positions that require compliance with State disclosure requirements.

DISCUSSION

The current list of designated positions for TAM include the following: Board of Commissioners, Citizens' Oversight Committee members, Executive Director, Financial Manager, Programming Manager, Project Delivery Manager, Principal Project Delivery Manager, Public Information Coordinator, and Planning Manager.

On January 26, 2017, the TAM Board authorized the creation of a new position, Deputy Executive Director. The Deputy Executive Director position has been filled by existing managers on a temporary rotational basis. As noted above, all existing TAM managers are already included in the designated position list and have been complying with State disclosure requirements, avoiding any lapses required by the new position.

Nevertheless, it would be prudent to add the Deputy Executive Director to the list of designated positions in the event a new employee is hired to fill the position in the future. Adding the Deputy Executive Director to the designated positions is also consistent with the requirement to periodically update our Conflict of Interest policies.

Attachment A is the accompanying resolution that updates the designated positions requiring financial disclosure pursuant to the Political Reform Act of 1974.

FISCAL IMPACTS

There are no fiscal impacts with approving this administrative action. The title of Deputy Executive Director will be added to the list of designated positions requiring compliance with State disclosure requirements.

NEXT STEPS

Upon approval by the TAM Board, the current Deputy Executive Director will be asked to file necessary forms to comply with State disclosure requirements.

ATTACHMENT

Attachment A: Resolution No. 2018-12

ATTACHMENT A

RESOLUTION NO. 2018-12

**A RESOLUTION OF THE TRANSPORTATION AUTHORITY OF MARIN
AMENDING A CONFLICT OF INTEREST CODE TO ADD A NEW POSITION TO
THE DESIGNATION POSITION LIST**

WHEREAS, The Political Reform Act, Government Code sections 81000 et seq., requires state and local government agencies to adopt Conflict of Interest Codes, and to review those codes every two years; and

WHEREAS, In 2004, the Transportation Authority of Marin adopted an Administrative Code containing the conflict of interest code pursuant to state law, and has determined that to remain in compliance with state law that code should be amended to add and designate positions; and

WHEREAS, Resolution No. 2005-12b was adopted on November 17, 2005 to specify a disclosure category for each position; and

WHEREAS, Resolution 2006-11, Resolution 2008-20, and Resolution 2009-11 were adopted on July 27, 2006, July 24, 2008, and October 27, 2011, respectively, to amend the list of designated positions and the disclosure categories assigned to each position; and

WHEREAS, The TAM Board created a new position, Deputy Executive Director, on January 26, 2017; and

WHEREAS, The Deputy Executive Director position has been established as one of the designated positions necessitating compliance with State disclosure requirements

WHEREAS, The Administrative Code allows changes to designated positions and designated disclosure categories by resolution; now, therefore, be it

RESOLVED, That the positions of Deputy Executive Director shall be added to the list of designated positions, as shown below, in Section 107.2 to report in both disclosure categories.

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Member and Alternate of the Board of Commissioners	1, 2
Member and Alternate of the Citizens' Oversight Committee	1, 2

ATTACHMENT A

Executive Director	1, 2
Deputy Executive Director	1, 2
Financial Manager	1, 2
Programming Manager	1, 2
Project Delivery Manager	1, 2
Associate Project Delivery Manager	1, 2
Public Information Coordinator	1, 2
Planning Manager	1, 2

PASSED AND ADOPTED at a regular meeting of the Transportation Authority of Marin held on the 26th day of July 2018, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Stephanie Moulton-Peters, Chair
Transportation Authority of Marin

ATTEST:

Dianne Steinhauser
Executive Director