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July 18, 2017

TO: Don Garcia
Andrew Hurley
Pamela Sund
Eileen Cohen

FROM: Ken Wales

SUBJECT: **CONFLICT OF INTEREST CODE FOR THE BROAD BEACH
GEOLOGICAL HAZARD ABATEMENT DISTRICT**

Attached for your review is the proposed Conflict of Interest Code for the Broad Beach Geological Hazard Abatement District.

The Authority was established on September 12, 2011, and its boundaries are located entirely within Los Angeles County, in the City of Malibu, in the areas of Broad Beach and a portion of Victoria Point, to implement long-term shoreline protection plan to return Broad Beach to its proportions and splendor.

There is not a previous Conflict of Interest and Disclosure Code on file. The Authority will be incorporating, by reference, Regulation 18730 that contains the terms of their Conflict of Interest Code. They will also be adopting the County's Model Disclosure Categories. See attached proposed Conflict of Interest and Disclosure Code.

The district is adding six (6) positions:

- *Board Members*
These positions can make major policy recommendations, seek state and private funds, approve contracts granting funding to sub-contractors, approve budgets, and employ and terminate consultants, and contracting firms. **It is recommended that this position file under Categories 1, 2, 3.**

- *Project Manager*
The position manages the administrative and commercial aspects for the construction of Broad Beach Restoration Project (“Project”). The position oversee sand/aggregate trucking logistic, solicits and negotiates the construction contracts, prepares budgets, and assists in the preparation of the engineering reports to assess necessary expenditures included in the property assessment. The position is currently held by an international engineering consultant firm with expertise in sand restoration capital improvement projects. **It is recommended that this position files under Categories 1, 4.**
- *Project Engineer*
The position coordinates and oversees the technical aspects involved with Project implementation, including drafting all engineering reports, construction plans and ensuring permit compliance. The position is responsible for engaging sub-consultants as necessary to provide specialized technical expertise, which include the following: Biologist, Dune Planner, Dune Designer, Surveyor, Army Corps/Regional Water Quality Control Board Resource Consultant, Air Emissions Consultant, and Traffic Consultant. The position is currently held by a global infrastructure advisory firm with specialized expertise in structural, coastal, and civil engineering, environmental science, economic analysis, inspection and rehabilitation, and program management solutions. **It is recommended that this position files under Categories 1, 2, 3.**
- *Project Counsel*
The position provides legal advice and counsel concerning implementation of the Project, primarily in the areas of environmental compliance. The position relies on Special Counsel to provide legal advice in the areas of public agency law and public finance and revenue generating measures. **It is recommended that this position files under Categories 1, 2, 3.**
- *Special Counsel*
The position provides legal advice in the areas of public agency law and public finance and revenue generating measures, e.g. Proposition 218. The position does not advise on how the agency should invest revenue, but instead, on whether the agency does so in accordance with the law. **It is recommended that this position files under Categories 1, 2, 3.**

- *Consultants/New Positions**
These positions will be held by individuals who perform duties that require broad disclosure unless determined by the District or their designee that limited disclosure is warranted. These individuals participate in the making of decisions that may affect financial interests by providing information, advice, recommendation or counsel to the District. **It is recommended that this position files under category 5.**

We recommend the described amendments, listed above be approved.

The Panel has reviewed the attached proposed amendment(s) and has indicated their recommendation(s) as follows: <input type="checkbox"/> Approve <input type="checkbox"/> Reject
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_____	_____
Signature	Date
_____	_____
Signature	Date
_____	_____
Signature	Date

Comments:

DG:kw

Attachments

S: KEN: 2017 Panel Memo: Broad Beach Geological Hazard Abatement District