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FRESNO REGIONAL WORKFORCE INVESTMENT BOARD

APPLICATION FOR APPOINTMENT

CITY CLERK, FRESNO CA

DATE December 10, 2014

APPLICANT INFORMATION

NAME: William Z. Simon
HOME ADDRESS: 757 E. Pine Ave. CITY: FRESNO ZIP: 93728 PHONE: 859-802-3656
COUNTY SUPERVISORIAL DISTRICT NUMBER FOR RESIDENTIAL ADDRESS: 3
CITY COUNCIL DISTRICT NUMBER FOR RESIDENTIAL ADDRESS (IF APPLICABLE): 1

FRESNO EOC
BUSINESS ADDRESS: 1920 MANHATTAN WAY CITY: FRESNO ZIP: 93721 PHONE: 263-1166
TITLE: COO EMAIL: bill.simon@fresnoeoc.org
COUNTY SUPERVISORIAL DISTRICT NUMBER FOR BUSINESS ADDRESS: 3
CITY COUNCIL DISTRICT NUMBER FOR BUSINESS ADDRESS (IF APPLICABLE): 3
HOW LONG HAVE YOU BEEN EMPLOYED BY THE ABOVE? 3 year(s) 7 month(s)

POSITION FOR WHICH YOU ARE APPLYING

- Business Representative** (must be owner, CEO, COO or other executive with policy-making or hiring authority of a business that reflects employment opportunities in Fresno County). Attach nomination letter from local business organization or trade association.
 - I am seeking appointment by the City of Fresno
 - I am seeking appointment by the County of Fresno
 - Either

Please describe your policy-making or hiring authority: MEMBER EOC LEADERSHIP TEAM. DRAFTS POLICIES FOR BOARD APPROVAL. RECOMMENDS HIRING TO CEO. CREATES INTERNAL OPERATIONS POLICIES AND PROCEDURES.

How many workers does your company/organization employ? 1200+

- Economic Development Agency Representative**, including representatives from Chambers of Commerce, Economic Development Agency, Business Councils, etc.
- Labor Representative.** *Attach nomination letter from local labor federation.*
- Local Educational Entity Representative**, including representatives of local education agencies, school boards, post secondary educational institutions, entities providing adult education and literacy activities. *Attach nomination from regional or local education agency or institution.*
- One Stop Partner.** *Attach official documentation that you are a direct grant recipient of one or more of the funds referenced in Attachment A.*

WIA Title I funded programs: Adults, Dislocated Workers, Youth, Job Corps, Youth Opportunity Grants, Native American programs, Migrant and Seasonal FarmWorker programs, Veterans' Workforce programs.

WIA non-Title I funded programs: Wagner-Peyser Act authorized under Title III of WIA (Employment Development Department Job Services), Adult Education and Literacy activities authorized under Title II WIA, Vocational Rehabilitation programs authorized under Title IV of WIA, Welfare-to-Work programs, Senior Community Service Employment activities under Title V of the Older Americans Act, Post secondary Vocational Education (Carl D. Perkins) activities, Trade Adjustment Assistance and NAFTA Transitional Adjustment Assistance activities, Local veterans' employment representatives and disabled veterans outreach programs, Employment and training activities carried out under the Community Services Block Grant, Employment and training activities carried out by the Department of Housing and Urban Development, Programs authorized under State Unemployment Compensation Laws, CalWORKS (Welfare-to-Work programs administered by County Welfare Departments).

- DROP DOWN MENU OF ALL TYPES OF FUNDING -

APPLICANT BACKGROUND

Educational background, including schools attended, degrees attained and certifications achieved.
BROOKLYN COLLEGE (NY) BA Urban Policy, Planning, Sociology - Dean's list
UNIV. OF CINCINNATI (OH) MCP Community Planning, Organizational Dev.
Housing Policy. Full Scholarship, Teaching Assistant Assistantship

List past or present City and/or County appointments, elected positions held as well as other professional and community affiliation.
CHAUF NDC (OH) Board President
NDC Association of Cincinnati (OH) Member Affordable Housing Fund
(OH) CEO Community Action of N. Kentucky (KY) member

Briefly explain why you are interested in serving on the Fresno Regional Workforce Investment Board.
I have a strong commitment towards moving people out of poverty and
as Fresno FDC's COO I feel it is essential that our staff be involved in
collaborative initiatives to advance community-wide efforts towards
achieving this goal.

What experience or special knowledge can you bring to the Fresno Regional Workforce Investment Board? Please list occupational experience if applicable. I've worked with the WIB
in Cincinnati in collaboration with local community colleges, non-profit
employment training organizations and foundations developing and
implementing job training initiatives for youth and displaced workers.

List any affiliations you or your spouse has with any public agencies: NONE

List any affiliations you or your spouse has with any organizations receiving funding from the Fresno Regional Workforce Investment Board / Fresno Area Workforce Investment Corporation: NONE

Do you or an immediate family member have any professional or financial relationship that may present a potential conflict of interest for this board? No Yes (if yes, please explain)

Do you, or the organization you represent, intend to apply for funds administered by the Fresno Regional Workforce Investment Board / Fresno Area Workforce Investment Corporation?

No Yes

Please provide three (-3-) personal or professional references (include name, address and telephone number).

Reference #1 OUVER BAINES, City Hall, 2600 Fresno St. Fresno, 93721
559-621-9000

Reference #2 TIM BAKEMAN, 5105 E. Belmont, Fresno 93727,
255-0324

Reference #3 BRIAN AUGUS, Fresno voc. 1920 MANIPUSA MNCU,
FRESNO, 93721 263-1000

I have read the Fresno County Board of Supervisor's Administrative Policy No. 35 (Attachment B), the City of Fresno Conflict of Interest Policy (Attachment C) and the Fresno Regional Workforce Investment Board Conflict of Interest Policy (Attachment D) for Board appointees and agree to abide by the policies and procedures at all times while an appointed member of the Fresno Regional Workforce Investment Board. At present, to the best of my knowledge, no conflict of interest exists in my serving on this Board.

W.F. Smith
Signature

12/11/14
Date

PLEASE RETURN COMPLETED APPLICATION TO:

Fresno Regional Workforce Investment Board
2125 Kern Street, #208
Fresno, CA 93721
559.490.7100

One-Stop Partners

Please check the funds for which your organization/agency is a direct grant recipient:

WIA Title I funded programs:

- Adults;
- Dislocated Workers;
- Youth;
- Job Corps;
- Youth Opportunity grants;
- Native American programs;
- Migrant and Seasonal Farmworker programs;
- Veterans' Workforce programs

WIA non-Title I funded programs:

- Wagner-Peyser Act authorized under Title III of WIA (Employment Development Department Job Services);
- Adult Education and Literacy activities authorized under Title II of WIA;
- Vocational Rehabilitation programs authorized under Title IV of WIA;
- Welfare-to-Work programs;
- Senior Community Service Employment activities under Title V of the Older Americans Act;
- Post secondary Vocational Education (Carl D. Perkins) activities;
- Trade Adjustment Assistance and NAFTA Transitional Adjustment Assistance ;
- Local veterans' employment representatives and disabled veterans outreach programs;
- Employment and training activities carried out under the Community Services block Grant;
- Employment and training activities carried out by the Department of Housing and Urban Development;
- Programs authorized under State Unemployment Compensation laws;
- CalWORKS (Welfare-to-Work programs administered by County Welfare Departments)

**FRESNO COUNTY BOARD OF SUPERVISORS
ADMINISTRATIVE POLICY
NO. 35**

SUBJECT: CONFLICT OF INTEREST - BOARD APPOINTEES

POLICY STATEMENT

In addition to any Federal or State conflict of interest requirements which may apply, no member of any board, commission or committee shall make, participate in making or in any way attempt to use their position to influence a decision in which he or she knows or has reason to know that he or she or their spouse has a financial interest. In all such cases, the affected member shall disclose their interests in the records of the board, commission or committee and shall refrain from participating in all discussions and votes concerning the matter in which they or their spouse has a financial interest.

The purpose of this policy is not only to avoid actual improprieties, but also the appearance of possible improprieties. Therefore, it is the policy of the Board of Supervisors that any doubts as to whether a member shall refrain from participating in a particular matter should be resolved in favor of non-participation.

While recognizing that state law and regulations may specify categories of memberships on certain board, commission and committees, to the extent possible, no one shall be appointed to a board, commission or committee which recommends funding allocations to community based organizations, who is or whose spouse is a director or officer of an agency or organization which competes in the funding process before that board, commission or committee.

MANAGEMENT RESPONSIBILITY

The County Administrative Officer shall provide all nominees to County boards, commission and committees with copies of the Board's Conflict of Interest policy. Additionally, the County's staff to each board, commission, and committee shall be provided with a copy of the application of each appointee so as to be able to assist in monitoring compliance with the conflict of interest policy. Monitoring shall include annual review of appointee circumstances as they may change during each appointee's term of office.

APPLICANT/NOMINEE RESPONSIBILITY

All applicants shall state on their application for appointment what affiliation, if any, they or their spouse has with public service agencies. Additionally, all applicants shall certify prior to their participation as a voting representative of the Board of Supervisors that they have read this policy and can serve free of any conflict of interest. The certification will be made by an applicant/nominee by signing the application for their appointment. Further, should any conflict of interest arise during the appointee's term of office, the appointee shall so declare and abstain from participation on the proceeding and business as it relates to the area of conflict.

For those boards, commissions and committees which recommend funding allocations to the Board of Supervisors, no member shall participate in any discussions or decisions related to an agency of which the member or the member's spouse is a director or officer. Additionally, unless state law or regulation require otherwise, any such member shall also refrain from participation in discussions or decisions related to proposals which are in direct competition with a proposal submitted by the agency of which the member or member's spouse is a director or officer.

CITY OF FRESNO
CONFLICT OF INTEREST POLICY

SEC. 2-901. - CONFLICT OF INTEREST CODE.

- (a) 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. Section 18730, which contains the terms of a standard Conflict of Interest Code which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. The terms of such standard Conflict of Interest Code and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference as the City's Conflict of Interest Code, along with the Appendix, which shall be that Council resolution in which employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the City of Fresno.
- (b) Pursuant to Section 4 of the standard Conflict of Interest Code, designated employees shall file statements of economic interest with the City Clerk. Statements for all designated employees will be retained by the City Clerk.

(Am. Ord. 85-111, § 2, eff. 9-13-85; Am Ord. 97-62, § 1, eff. 12-6-97; Am. Ord. 2007-55, § 4, eff. 9-4-07).

SEC. 2-902. - PENALTIES.

A violation of any provision of this article shall constitute a misdemeanor and shall be subject to such additional penalties as are specified in the Political Reform Act of 1974 (Government Code Sections 81000 et seq.).

(Am. Ord. 85-111, § 2, eff. 9-13-85; Am. Ord. 2007-55, § 4, eff. 9-4-07).

SEC. 2-903. - PROJECT AREA COMMITTEE MEMBERS.

For purposes of this article, members of project area committees established under Community Redevelopment Law, Health and Safety Code Section 33000 et seq. shall be deemed designated employees.

(Added Ord. 87-161, § 1, eff. 12-18-87; Am. Ord. 97-62, § 2, eff. 12-6-97; Am. Ord. 2007-55, § 4, eff. 9-4-07).

ATTACHMENT D

CONFLICT OF INTEREST POLICY FOR THE FRESNO COUNTY WORKFORCE INVESTMENT BOARD

This Conflict of Interest Policy was adopted by the Fresno County Workforce Investment Board on November 16, 2000. All new Directors and committee members must familiarize themselves with this policy upon beginning and during service to the Fresno County Workforce Investment Board.

I. OVERVIEW OF CONFLICT OF INTEREST POLICY

General Policy:

Directors and committee members, hereafter referred to as "Members", have both a duty to the public and responsibility to the Fresno County Workforce Investment Board to avoid conflicts of interest resulting from business affairs by considering possible conflicts of interest before participating in, or attempting to influence, any decision concerning contracts and transactions.

Possible Conflicts of Interest:

A Member may have a conflict of interest under the following bodies of law:

1. Under the California Political Reform Act (California Government Code section 87100 et seq.), where a contract or transaction will have a reasonably foreseeable material financial effect on one or more of the Member's economic interests, unless that effect is indistinguishable from the effect on the public generally.
2. Under California Government Code 1090 et seq. where a Member is financially interested in a contract made by them in their official capacity, or by any body or board of which they are a member.
3. Under the federal Workforce Investment Act of 1998 (29 United States Code section 2801), and the State of California Workforce Investment Plan, where the Member (or any organization which that Member directly represents) would provide services to the Fresno County Workforce Investment Board or where a contract or transaction would provide direct financial benefit to the Member.

Note that these laws may change over time and that members have an obligation to understand their duties and responsibilities under current law.

Disqualifiable Financial Interests:

Members must disqualify themselves from Board and committee decisions affecting the following financial interests of themselves or their immediate family. (For the purpose of this policy, "immediate family" is defined as spouse and dependent children.)

- A business or nonprofit entity where they work as an employee.
- A privately owned business which they own, even partially.
- A federal, state or local government entity (including public schools and universities) which pays them consulting fees or similar payments.

- A publicly traded company in which they own any amount of stock.
- Real property which they own, even partially.
- Individuals, businesses or nonprofits which have paid them any amount as an Independent contractor within the preceding 12 months.
- Individuals, businesses or nonprofits which have given them "gifts" over \$300 in the preceding 12 months.

Members are not required to disqualify themselves from Board and committee decisions affecting the following financial interests, unless the Member's actions would violate the conflict of interest provisions of California's State Workforce Investment Plan:

- A federal, state or local government entity (including public schools and universities) where they are employed, unless that decision:
 1. Concerns the provision of services by such Member (or by an entity that such Member represents), or
 2. Would provide direct financial benefit to such Member or his/her immediate family, or unless
- A nonprofit entity where they serve as an unpaid director or volunteer.
- Individuals, businesses or nonprofits for which they have done consulting work on a pro bona basis.

Bylaws:

The Bylaws require that the Fresno County Workforce Investment Board adopt a Conflict of Interest Policy that establishes procedures for approving contracts and transactions in which Members have a possible conflict of interest.

II. PROCEDURE FOR APPROVING CONTRACTS AND TRANSACTIONS

It is the policy of the Fresno County Workforce Investment Board to adhere to the following procedure for approving contracts or transactions in which Members have a possible conflict of interest.

1. Before each Board or Committee meeting:
 - a. Each Member has an obligation to review Board and Committee meeting agendas to determine whether he or she has a possible conflict of interest in a proposed contract or transaction.
 - b. A Member who believes that he or she has a possible conflict of interest must immediately refrain from participating in any way in the decision to approve, reject or modify the contract or transaction (including, but not limited to, voting or attempting to influence the decision in any way).
 - c. A Member who believes that he or she has a possible conflict of interest must inform the CEO or Chair, who may investigate the facts and consider potential alternatives to the contract or transaction before the next meeting.

2. At each Board or Committee meeting:

- a. Each Member has an obligation to fully disclose to the Board or Committee a possible conflict of interest in a proposed contract or transaction, during the meeting on the public record, before a vote on the matter. In that event, the Interested Member shall not participate in the deliberation or action of the Board or Committee, or attempt to influence the decision in any way.
- b. If a Member is uncertain about whether or not a conflict of interest exists, the CEO or Chair may report on the investigation conducted before the meeting so that disinterested Members can be fully informed when voting on the contract or transaction.
- c. After any such report, and before voting on the contract or transaction, the disinterested Members must vote on one of the following three options:
 - i. If a majority of disinterested Members decides that a conflict of interest does not exist, then the full Board or Committee may approve the contract or transaction;
 - ii. If a majority of disinterested Members is uncertain whether a conflict of interest exists, then the matter must be referred to a Board committee for further investigation before the next Board or Committee meeting; or
 - iii. If a majority of disinterested Members concludes a conflict of interest exists, then either: (A) the contract or transaction must be rejected; or (B) the majority of disinterested Members may validate the contract or transaction by passing the resolution in the Appendix; or (C) the majority of disinterested Members may seek approval of the transaction by the Attorney General or a court.

3. After the Board or Committee meeting:

The minutes of the meeting must reflect:

- any disclosure of possible conflicts of interest by a Member; and
 - any investigation or report to the Board or Committee concerning possible conflicts of interest; and
 - any findings made by the Board; and
 - the final vote on any proposed contract or transaction, including the vote of each Member.
4. No former Director, Committee Member, or officer of the Fresno County Workforce Investment Board or supporting staff from the Fresno Area Workforce Investment Corporation, for one (1) year after the termination of his or her service as a Director, Committee Member or employee, shall for compensation or on behalf of any business entity in which that person is a director, officer, partner, trustee, employee or holds any position of management, make any formal or informal appearance or make any oral or written communication before the Fresno County Workforce Investment Board, any committee or subcommittee thereof or any present Director, Member, officer or supporting staff from the Fresno Area Workforce Investment Corporation thereof for the purposes of influencing an action or recommendation of that Board, committee, subcommittee, officer or employee regarding:

- a. providing compensated services to that Board; or

- b. having it enter into a contract or transaction that would provide direct financial benefit to that former Director, Committee Member, officer or employee or his or her immediate family.

III. DIRECTOR/COMMITTEE MEMBER/DESIGNATED SUPPORT STAFF
ACKNOWLEDGEMENT

This is to acknowledge that I have received a copy of the Fresno County Workforce Investment Board Conflict of Interest Policy. I understand that it contains important information concerning my duties and responsibilities as a Director and/or Committee Member or designated support staff. I also understand that I have an obligation to familiarize myself with these duties and responsibilities.

Dated: 12/11/14 Signed: W. S. Snow

APPENDIX

**SAMPLE RESOLUTION APPROVING A CONTRACT OR TRANSACTION
IN WHICH A DIRECTOR OR COMMITTEE MEMBER HAS A CONFLICT OF INTEREST**

Although Director or Committee Member _____ disclosed that he or she has a financial interest in the decision which creates a conflict of interest, the Board nevertheless determined that the transaction is fair and in the Fresno County Workforce Investment Board's (FCWIB) best interest in connection with the mandates of the Workforce Investment Act, and that the FCWIB cannot obtain a more advantageous arrangement with reasonable effort under the circumstances.