

RESOLUTION NO. 2012-04

MEASURE J TRAFFIC CONGESTION RELIEF AGENCY DBA TRAFFIX

COUNTY OF CONTRA COSTA  
STATE OF CALIFORNIA

APPROVING REVISED CONFLICT OF INTEREST CODE

WHEREAS, California Government Code Section 87306.5 requires that the Measure J Traffic Congestion Relief Agency dba TRAFFIX review its Conflict of Interest Code every even-numbered year and revise it if necessary; and

WHEREAS, the Attorney has reviewed the current Conflict of Interest Code, which the District adopted in 2008, and determined that the Code should be revised to reflect recent guidance from the Fair Political Practices Commission; and

WHEREAS, the Attorney recommends adopting the amended Conflict of Interest Code.

WHEREAS, the Board desires to adopt the amended Conflict of Interest Code attached as Exhibit A.

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Measure J Traffic Congestion Relief Agency dba TRAFFIX hereby amends the District's Conflict of Interest Code in the form attached hereto and presented to the Board of Directors; and

BE IT FURTHER RESOLVED that the Board Secretary is directed to transmit a copy of the amended Conflict of Interest Code and this resolution to the County of Contra Costa for its review and approval.

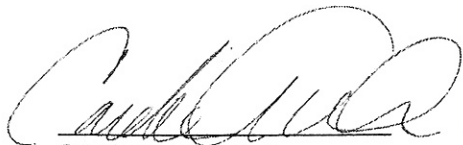
PASSED AND ADOPTED this 18<sup>th</sup> day of September, 2012, by the following votes:

AYES: Hudson, Andersen, Clarkson, Stepper, Marvel

NOES:

ABSENT: Arnerich, Hard

ABSTAIN:



Candace Andersen  
Chair, Board of Directors  
Measure J Congestion Relief Agency

ATTEST:



Alex Weis  
Board Secretary

Exhibit A: Amended Conflict of Interest Code (attached)

**Exhibit A:**

**CONFLICT OF INTEREST CODE**

**MEASURE J TRAFFIC CONGESTION RELIEF AGENCY DBA TRAFFIX  
CONTRA COSTA COUNTY**

Adopted on the 21st day of October, 2008  
by Resolution No. 2008-1  
Amended on the 18th day of September, 2012  
by Resolution No. 2012-04

## **MEASURE J TRAFFIC CONGESTION RELIEF AGENCY DBA TRAFFIX**

### **CONFLICT OF INTEREST CODE**

The Political Reform Act (Government Code Section 81000, *et seq.*) requires state and local government agencies to adopt and promulgate a Conflict of Interest Code. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730), which contains the terms of a standard Conflict of Interest Code. It can be incorporated by reference and amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 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 attached Appendices designating officials and employees of the Agency and establishing disclosure categories shall constitute the Conflict of Interest Code of the Measure J Traffic Congestion Relief Agency dba TRAFFIX.

Individuals holding designated positions shall file their statements of economic interests with TRAFFIX, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) TRAFFIX will retain a copy of each statement and forward the originals to the Clerk of the Contra Costa County Board of Supervisors, which shall be the filing officer.

## **APPENDIX A: DESIGNATED POSITIONS**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Category(ies)</u></b>
Legal Counsel	1, 2
Consultants/New Positions*	1, 2

\*Consultants/New Positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Program Manager and Legal Counsel may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. Such 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 Section 81008.)

Nothing herein excuses any consultant from any other provisions of this Conflict of Interest Code, specifically those dealing with disqualification.

The following positions are NOT covered by the conflict-of-interest code because they must file a statement of economic interests pursuant to Government Code Section 87200 and, therefore, are listed for information purposes only:

Directors  
Treasurer  
Auditor

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 their position has been categorized incorrectly. The Fair Political Practices Commission makes the determination whether a position is covered by Section 87200.

## **APPENDIX B: DISCLOSURE CATEGORIES**

Category 1. All investments, business positions, and sources of income (including loans, gifts, and travel payments) from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by TRAFFIX.

Category 2. All interests in real property located in whole or in part within the TRAFFIX service area or within two miles of the TRAFFIX service area.