



CONTRA COSTA
**transportation
authority**

RESOLUTION 20-21-A

RE: 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 Contra Costa Transportation Authority (Authority) and requires all public agencies to adopt and promulgate a Conflict of Interest (COI) Code; and

WHEREAS, the Authority Board adopted the COI Code in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the Authority have made it advisable and necessary pursuant to Government Code Sections 87306 and 87307 of the Act to amend and update the Authority’s COI 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 the Authority being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Authority Board of, the proposed amended COI Code was provided each affected designated employee and publicly posted for review at the office of the Authority; and

WHEREAS, a public meeting was held upon the proposed amended COI Code at a regular meeting of the Authority Board on June 17, 2020, at which all present were given an opportunity to be heard on the proposed amended COI Code.

NOW, THEREFORE, BE IT RESOLVED, that the Authority Board hereby:

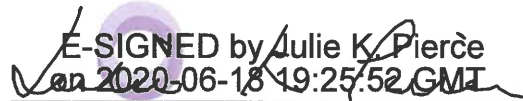
- (1) Adopts the proposed amended COI Code, a copy of which is attached hereto and shall be on file with the Clerk of the Board and available to the public for inspection and copying during regular business hours.

BE IT FURTHER RESOLVED,

- (1) that the said amended COI Code shall be submitted to the Contra Costa County Board of Supervisors (CCCBOS) for approval and said COI Code shall become effective immediately after the CCCBOS approves the proposed amended COI Code as submitted.

This resolution was entered into at a meeting of the Contra Costa Transportation Authority Board held June 17, 2020 in Walnut Creek, California by the following vote:

AYES: Chair Pierce, Vice Chair Gerringer, and Commissioners Arnerich, Butt, Glover, Haskew, Hudson, Kelley, Mitchoff, Romick and Taylor
NOES: None
ABSENT: None
ABSTAIN: None


E-SIGNED by Julie K. Pierce
on 2020-06-18 19:25:52 GMT

Julie K. Pierce, Chair

Attest:


E-SIGNED by Tarienne Grover
on 2020-06-18 20:25:29 GMT

Tarienne Grover, Clerk of the Board

**CONFLICT OF INTEREST CODE
OF THE
CONTRA COSTA TRANSPORTATION AUTHORITY**

(Amended June 17, 2020)

The Political Reform Act (Gov. Code § 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 conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Regulation 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 (attached) and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Contra Costa Transportation Authority (the "Authority")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Authority's Clerk of the Board** as the Authority's Filing Officer. The **Authority's Clerk of the Board** shall make and retain a copy of all statements filed by the Commissioners, Alternates and Executive Director, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Contra Costa. The **Authority's Clerk of the Board** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
CONTRA COSTA TRANSPORTATION AUTHORITY

(Amended June 17, 2020)

PART “A”

Authority Officials who manage public investments, as defined by 2 Cal. Code of Regs. §18700.3(b), are NOT subject to the Authority’s Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)]

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below are Authority Officials who manage public investments¹. These positions are listed here for informational purposes only.

Commissioners and Alternates, including Ex Officios
Chief Financial Officer
Financial Consultant

¹ 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

<u>Designated Positions</u> <u>Title or Function</u>	<u>Disclosure Category</u> <u>Assigned</u>
Associate Engineer	2, 3, 5
Associate Transportation Analyst	2, 3, 5
Associate Transportation Planner	2, 3, 5
Deputy Executive Director, Planning	1, 2
Deputy Executive Director, Projects	1, 2
Director, Administrative Services	4
Director, Construction	2, 3, 5
Director, External Affairs	1, 2
Director, Projects	2, 3, 5
Director, Planning	1, 2
Director, Programming	2, 3, 5
Director, Programs	2, 5, 6
Engineering Manager	2, 3, 5
Executive Director	1, 2
Finance Manager	4
General Counsel	1, 2
Senior Engineer	2, 3, 5
Senior Transportation Planner	2, 3, 5

Designated Positions
Title or Function

Disclosure Category
Assigned

Members of Boards, Committees & Commissions

Citizen Advisory Committee	1, 2
Countywide Bicycle and Pedestrian Advisory Committee	2, 5, 7
Paratransit Coordinating Council	5, 7
Regional Transportation Planning Committee	1, 2
Technical Coordinating Committee	1, 2

Consultants and New Positions²

² Individuals serving as a consultant as defined in FPPC Reg 18700.3 or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The Executive Director 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 Executive Director'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 he or she 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 or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the Authority.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that do business or own real property within the jurisdiction of the Authority.

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 boundaries of the Authority.

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 jurisdiction of the Authority.

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 the Authority.

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.

Category 6: 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 the Authority or its subdivisions.

Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, of the type to receive program funds from the Authority or its subdivisions, or participate in any Authority programs or projects.

Category 8: 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 the Authority in the past 2 years, or have a claim pending before the Authority.

³ This Conflict of Interest Codes 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 or duties of the position. (Reg. 18730.1)