

SAN FRANCISCO BAY RESTORATION AUTHORITY

NOTICE OF INTENTION TO ADOPT A  
CONFLICT-OF-INTEREST CODE

NOTICE IS HEREBY GIVEN that the San Francisco Bay Restoration Authority (Authority) intends to adopt a conflict-of-interest code pursuant to Government Code Section 87300 and 87306. Pursuant to Government Code Section 87302, the code will designate employees who must disclose certain investments, income, interests in real property and business positions, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

A forty-five (45) day written comment period has been established commencing on April 22, 2009 and terminating on June 8, 2009. Any interested person may present written comments concerning the proposed Code no later than June 8, 2009 to the San Francisco Bay Restoration Authority (Authority), c/o ABAG, 101 8<sup>th</sup> Street, Oakland, CA 94607 or by telephone at 510.464.7913. No public hearing on this matter will be held unless any interested person or his or her representative requests, no later than fifteen (15) days prior to the close of the written comment period, a public hearing by so notifying Fred Castro, Clerk of the Board at the address or phone number written above.

The Authority has prepared a written explanation of the reasons for the designated positions and the disclosure responsibilities and has available all of the information upon which its proposed Code is based for review, if desired, on request of the Authority, at c/o ABAG, 101 8<sup>th</sup> Street, Oakland, CA 94607.

Copies of the Authority's proposed Code are available to interested persons by contacting Fred Castro in writing at the Authority, at the address and telephone number written above. All written comments concerning the proposed Code should be submitted directly to Fred Castro at the Authority on or before June 8, 2009.

NOTE: This notice should be filed with the Fair Political Practices Commission and served individually on agency employees and officers affected by this code forty-five (45) days prior to agency action.

CONFLICT-OF-INTEREST CODE FOR THE  
SAN FRANCISCO BAY RESTORATION AUTHORITY

The Political Reform Act (Government Code Section 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. Sec. 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, the standard code 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 regulation and the attached Appendix, designating positions and establishing disclosure categories, shall constitute the conflict-of-interest code of the San Francisco Bay Restoration Authority (Authority).

Individuals holding designated positions shall file their statements of economic interests with the Authority, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) All statements will be retained by the Authority.

APPENDIX A [RECOMMENDED VERSION]

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|-----------------------------|------------------------------|
| Governing Board             | All                          |
| Director*                   | All                          |
| Treasurer**                 | All                          |
| Legal Counsel               | All                          |
| Consultant***               |                              |

\* This position is held by the Executive Director, ABAG.

\*\* This position is held by the Finance Director, ABAG.

\*\*\* Consultants 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 Director may determine in writing that a particular consultant, 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 in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The 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 Section 81008).