

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 8730 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

Designated Positions _____ Disclosure Categories

~~Governing Board~~ _____ ~~AIH~~

~~Director*~~ _____ ~~AIH~~

~~State Coastal Conservancy employees who are consultants to the Authority pursuant to the joint powers agreement between the Authority, the Conservancy, and the Association of Bay Area Governments (ABAG), and who are designated in the Conservancy's conflict of interest code, shall file in accordance with disclosure category 1.~~

~~Metropolitan Transportation Commission (MTC) employees who are consultants to the Authority pursuant to MTC's Contract for Services with the Association of Bay Area Governments (ABAG), and who are designated in MTC's conflict of interest code, shall file in accordance with disclosure category 1.~~

~~Treasurer**~~ _____ ~~AIH~~

~~Legal Counsel~~ _____ ~~AIH~~

~~All other cConsultants and new positions***~~ _____ ~~AIH1~~

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

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

Persons in Category (1) must disclose:

- a. All investments in, positions in business entities, and sources of income (including gifts, loans and travel payments) from entities involved in real estate, construction, engineering, landscape architecture, or environmental consulting.
- b. Income (including gifts, loans and travel payments) from non-profit organizations that participate in protection, restoration, or enhancement of, or public access to, San Francisco Bay and its shoreline.
- c. All interests in real property located within the nine counties of the San Francisco Bay Area (Sonoma, Napa, Solano, Marin, San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa counties).
- d. All investments, positions in business entities, and sources of income (including gifts, loans and travel payments), from sources of the type to contract with the Authority to provide goods, services (including consulting services), materials, travel accommodations or facilities to the Authority.

***Consultants and new positions shall be included in the list of designated positions and shall disclose pursuant to the ~~broadest~~ disclosure category identified above~~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).

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below manage public investments and shall file a statement of economic interests pursuant to Government Code Section 87200:

- Authority Governing Board Members
- MTC Chief Financial Officer acting as Treasurer to the Authority.

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