

Suggested policy format and content. Specific AGENCY Conflict of Interest Code should be developed in consultation with AGENCY Legal Counsel, Board of Directors and appropriate regulatory agencies.

CONFLICT OF INTEREST CODE

The Political Reform Act, Government Code Sections 81000, et. Seq., requires RTPA 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 model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to the requirements in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations, Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission alone with the attached Appendices in which officials, consultants and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the RTPA.

Persons holding positions listed in the Appendix are designated employees, consultants, or officials. It has been determined that these persons make or participate in the making of decisions that may foreseeably have a material effect on financial interests. Designated persons shall file statements of economic interest with the RTPA when assuming or leaving their position and annually while holding the position. The RTPA will make statements available for public inspection and reproduction (Government Code Section 81008). Statements for all designated employees will be retained by the RTPA and provided to the regional Code Reviewing Body.

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Appendix A

(RTPA should confer with the Fair Political Practices Commission and RTPA Legal Counsel to determine designated positions, types of consultants, and public official descriptions.)

Table 1

Designated Position	Disclosure Categories (See Appendix B)

Pursuant to 2 California Code of Regulations, Section 18701, RTPA consultants who pursuant to a contract with the RTPA, perform the same functions that would otherwise be performed by the persons designated in Table 1 of this document; who manage public investments; who grant agency approval to a contract or to the specifications for such a contract; or who decide whether the policies, standards, or guidelines for RTPA have been met, are also required to fill out and submit a disclosure of financial interests. Those consultants are required to report in accordance with the disclosure categories shown in Table 2. Consultants will be designated and informed of their obligation to file disclosures whenever any person who, in the opinion of the RTPA, may reasonably be expected to make, participate in making, or in any way attempt to use his/her as a “consultant” to influence a governmental decision in which the person might reasonably be expected to have a financial interest.

Table 2

Type of Consultant	Designated Position Title	Disclosure Categories (See Appendix B)

Public Officials Who Manage Public Investments

The following positions are also listed below because the individuals holding these positions must file under Government Code Section 87200 as they are involved in the investment of public funds.

Table 3

Public Official Description

Appendix B

When a designated person is required to disclose investment and sources of income, he or she needs to disclose investments in business entities and sources of income that do business in the RTPA's jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction in the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. Persons designated in Appendix A shall disclose their financial interests pursuant to the appropriate disclosure categories described in the table below.

Table 4

Disclosure Category	Description
1	Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the RTPA.
2	Investments and business positions in business entities, and income, including loans, gifts* and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the RTPA.
3	Investments and business positions in business entities, and income, including loans, gifts* and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the department or division to which the filer is assigned duties.
4	Investments and business positions in business entities, and income, including loans, gifts* and travel payments, from sources that have filed a claim against the RTPA in the previous two years, or have a claim pending.

*Gifts with a value of less than \$50 aggregate per year are not reportable financial interests at the RTPA