



BEST BEST & KRIEGER
ATTORNEYS AT LAW

MEMORANDUM

To: TRANSPAC BOARD
From: BEST BEST & KRIEGER LLP
Date: FEBRUARY 2, 2015
Re: TRANSPAC CONFLICT OF INTEREST CODE

The California Political Reform Act (the “Act”) requires all state and local government agencies to adopt and promulgate a conflict-of-interest code establishing the rules for reporting personal assets and the prohibition from making or participating in the making of any decisions that may affect any personal assets. Now that TRANSPAC is a separate legal entity though the joint powers agreement it must adopt its own conflict of interest code rather than falling under the Contra Costa Transportation Authority’s conflict of interest code.

A conflict-of-interest code must specifically designate all agency positions, except for those listed in Gov. Code § 87200, that make or participate in the making of agency decisions which may foreseeably have an effect on any financial interest of that person, and assign specific types of personal assets to be disclosed that may be affected by the exercise of powers and duties of that position.

The Act further requires that an agency regularly review and amend its Code when change is necessitated by changed circumstances which includes the need to designate positions, revise disclosure categories or their assignment to specific positions or remove officials listed in Gov. Code § 87200.

Attached is the proposed Conflict of Interest Code (“Code”) of TRANSPAC. This Code formally incorporates Fair Political Practices Commission (“FPPC”) Regulation 18730 by reference as the provisions of the Code with an Appendix attached designating positions that make or participate in making decisions of the agency with appropriate disclosure categories assigned in Exhibit “A,” and establishes the list of disclosure categories in Exhibit “B.” This is commonly referred to as the FPPC Standard Code.

Recommendation: Adopt Resolution No. 2015-1 adopting the Conflict of Interest Code of the Central Contra Costa Transportation/Land Use Partnership (“TRANSPAC”) and directing that such Code be submitted to the Contra Costa County Board of Supervisors as Authority’s code-reviewing body (Gov. Code § 82011) requesting approval of the Code as required under Government Code section 87303.

Attachment: Resolution adopting the TRANSPAC Conflict of Interest Code