

**ALAMEDA-CONTRA COSTA TRANSIT DISTRICT  
RESOLUTION NO. 07-024**

**A RESOLUTION ACCEPTING AMENDMENTS TO THE  
CONFLICT OF INTEREST CODE AND REVISING BOARD POLICY 116  
FOR THE ALAMEDA-CONTRA COSTA TRANSIT DISTRICT**

**WHEREAS**, the District is required to periodically review and amend its Conflict of Interest Code to reflect organizational changes within the agency; and

**WHEREAS**, said review was completed and a Notice of Intent to Amend the Code was posted and issued to all affected employees on October 6, 2006; and

**WHEREAS**, the amended code, along with all supporting documentation and justification for the amendments, was submitted to the Fair Political Practices Commission on December 18, 2006; and

**WHEREAS**, the Fair Political Practices Commission conducted a thorough inspection of the District's Conflict of Interest Code and approved the amendments submitted to them by the District on March 20, 2007.


**NOW, THEREFORE**, The Board of Directors of the Alameda-Contra Costa Transit District does hereby resolve as follows:

**SECTION 1.** In accordance with the Political Reform Act for the State of California, Government Code Section 81000, et seq., the Alameda-Contra Costa Transit District hereby accepts the amendments to the Conflict of Interest Code outlined in Exhibit A.


**SECTION 2.** That Board Policy 116 be revised to reflect the amendments to the District's Conflict of Interest Code.

**SECTION 3.** This resolution shall become effective immediately upon its adoption by four members of the Board of Directors.

PASSED AND ADOPTED this 18<sup>th</sup> day of April, 2007.

  
\_\_\_\_\_  
Greg Harper, President

Attest:

  
\_\_\_\_\_  
Linda A. Nemeroff, District Secretary

I, Linda A. Nemeroff, District Secretary for the Alameda Contra Costa Transit District, do hereby certify that the foregoing Resolution was passed and adopted at a Regular Meeting of the Board of Directors held on the 18<sup>th</sup> day of April, 2007, by the following roll call vote:

AYES: DIRECTOR WALLACE, VICE PRESIDENT KAPLAN, DIRECTORS FERNANDEZ, DAVIS, PEEPLES, PRESIDENT HARPER

NOES: NONE

ABSENT: DIRECTOR ORTIZ

ABSTAIN: NONE

  
Linda A. Nemeroff, District Secretary

APPROVED AS TO FORM:

  
Kenneth C. Scheidig, General Counsel

# CONFLICT OF INTEREST CODE FOR THE ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

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. 18730) which contains the terms of a standard Conflict of Interest Code. After public notice and hearing it 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 officials and employees and establishing disclosure categories shall constitute the Conflict of Interest Code of the ALAMEDA-CONTRA COSTA TRANSIT DISTRICT.

- (1) Designated employees and the Government Code Section 87200 filers outlined in this code
- (2) shall file their statements of economic interest with the Office of the District Secretary for the ALAMEDA-CONTRA COSTA TRANSIT DISTRICT, who will make the statements available for public inspection and reproduction (Gov. Code Section 81008). Statements for all designated employees will be retained by the ALAMEDA-CONTRA COSTA TRANSIT DISTRICT.

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- (3) ADOPTED: BOARD OF DIRECTORS: JANUARY 24, 1990  
ADOPTED: FAIR POLITICAL PRACTICES COMMISSION: APRIL 9, 1990  
AMENDED: BOARD OF DIRECTORS: DECEMBER 12, 1990  
AMENDED: FAIR POLITICAL PRACTICES COMMISSION: JULY 31, 1991  
AMENDED: BOARD OF DIRECTORS: NOVEMBER 9, 1994  
AMENDED: FAIR POLITICAL PRACTICES COMMISSION: MARCH 30, 1995  
AMENDED: BOARD OF DIRECTORS: JULY 22, 1998  
AMENDED: FAIR POLITICAL PRACTICES COMMISSION: APRIL 8, 1999  
AMENDED: BOARD OF DIRECTORS: OCTOBER 11, 2001  
AMENDED: FAIR POLITICAL PRACTICES COMMISSION: NOVEMBER 10, 2002  
AMENDED: BOARD OF DIRECTORS: SEPTEMBER 15, 2004  
AMENDED: FAIR POLITICAL PRACTICES COMMISSION: MAY 4, 2005

- (1) Add notation regarding 87200 filers
- (2) Add specific name of office responsible for maintaining statements of economic interests for the District.
- (3) Add adoption and amendment history.

**DISCLOSURE CATEGORIES**  
**ALAMEDA-CONTRA COSTA TRANSIT DISTRICT**  
**CONFLICT OF INTEREST CODE**  
**(Revision approved: FPPC: March 20, 2007)**  
**(Revision adopted: Board of Directors: April 18, 2007)**

**GENERAL:**

Financial interests are reportable only if located in the jurisdiction, or if the business entity is doing business or planning to do business in the jurisdiction or has done business in the jurisdiction at any time during the two years prior to the filing of the statement.

Jurisdiction shall mean the overall service area of the District. Certain types of financial interests need not be disclosed (example, principal place of residence) and certain thresholds exist for reportable investments or income. A complete description of interests which need not be reported are included in the Conflict of Interest Code and explained in filing forms.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Attachment A.

- (1) **CATEGORY 1 -All sources of income (including gifts, loans, and travel payments), interests in real property, and investments and business positions in business entities.**

**CATEGORY 2 - Investments and business positions in business entities, and sources of income (including gifts, loans, and travel payments), which provide services, supplies, materials, machinery, or equipment of the type utilized by the agency.**

**CATEGORY 3- Investments and business positions in business entities, and sources of income (including gifts, loans, and travel payments), which provide services, supplies, materials, machinery or equipment of the type utilized by the designated employee's department or division.**

**CATEGORY 4- Investments, business positions in business entities, and sources of income (including gifts, loans, and travel payments), from banks, savings and loans, investment firms or investment brokerage entities which are the type in which the agency is empowered to invest its funds.**

- (2) **~~CATEGORY 5 - Investments and sources of income from individuals who are eligible to receive retirement/pension benefits from the agency.~~**

- (3) **~~CATEGORY 6 - Investments, business positions in business entities, and sources of income, which have filed claims against the agency which are of the type administered by the designated employee's department or division.~~**

- (4) **CATEGORY 7 5- All interests in real property located within the jurisdiction (service area) of the agency.**

- (1) Category 1-4: Added the clarifying language to income: "(including gifts, loans, and travel payments).".  
(2) Category 5: Delete. This category is obsolete. Retirement Board is now a separate entity from the district and reports on its own.  
(3) Category 6: Delete. Only 1 position files under this category and since this position also files under category 2 any reportable interest should be covered.  
(4) Category 7: Renumber to Category 5.

**CONSULTANTS:** Any consultant who performs the ongoing duties of any of the designated positions shall be assigned the same disclosure categories as that position, subject to the following limitation:

The General Manager 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 General Managers determination shall be filed with the District Secretary and is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

**NO CHANGES TO THIS PAGE**

**DESIGNATED EMPLOYEES  
ALAMEDA-CONTRA COSTA TRANSIT DISTRICT  
CONFLICT OF INTEREST CODE  
(Revision approved: FPPC: March 20, 2007)  
(Revision adopted: Board of Directors: April 18, 2007)**

**(1) GOVERNMENT CODE SECTION 87200 FILERS**

<u>POSITION</u>	<u>CATEGORY</u>
<u>General Manager</u>	1
<u>Chief Financial Officer</u>	1
<u>Treasury Manager</u>	1
<u>Treasury Services Administrator</u>	1

(1) New Section Added: Individuals that manage public investments and were previously identified as designated employees.

**BOARD OF DIRECTORS/~~GENERAL MANAGER/~~ AND DISTRICT SECRETARY**

<u>POSITION</u>	<u>CATEGORY</u>
Members of the Board of Directors	1
<del>General Manager</del>	4
District Secretary	1
Assistant District Secretary	1

(2) Delete General Manager—position moved to 87200 category.

**ADVISORY COMMITTEES**

<u>POSITION</u>	<u>CATEGORY</u>
Members of the Accessibility Advisory Committee	2

**EXTERNAL/MARKETING/HUMAN RESOURCES**

	<b>POSITION</b>	<b>CATEGORY</b>
	Deputy General Manager	1
(1)	<u>Assistant General Manager</u>	<u>1</u>
(2)	<del>Assistant to the Deputy General Manager</del> <u>External Affairs Representative</u>	<del>1</del> <u>1</u>
	Internal Audit Manager	1
	Manager of Special Projects (vacant)	1
	Marketing and Communications Director	1
	Marketing and Community Relations Manager	1
(3)	<del>Public Information Manager (vacant)</del>	<del>4</del>
(4)	<u>Media Affairs Manager</u>	<u>1</u>
	Customer Services Manager	1
(5)	<del>Human Resources Director</del> <u>Chief Human Resources Officer</u>	<del>1</del> <u>1</u>
	Human Resources Manager	1
(6)	Human Resources Administrator	2,3
(7)	<u>Human Resources Administrator/Benefits</u>	<u>2</u>
(8)	Recruitment/Employment Services Administrator	2,3

- (1) Add the position of Assistant General Manager and appropriate disclosure category.
- (2) Re-title Assistant to the Deputy General Manager position to External Affairs Representative.
- (3) Delete the position of Public Information Manager (has been abolished).
- (4) Add the position of Media Affairs Manager and appropriate disclosure category.
- (5) Re-title the Human Resources Director position to Chief Human Resources Officer.
- (6) Delete disclosure within categories 2 and 3. This is redundant, since category 2 is inclusive.
- (7) Add the position of Human Resource Administrator/Benefits and appropriate disclosure category.
- (8) Delete disclosure within categories 2 and 3. This is redundant, since category 2 is inclusive.

**FINANCIAL SERVICES**

<b>POSITION</b>	<b>CATEGORY</b>
(1) <del>Chief Financial Officer</del>	4
(2) <u>Special Assistant to the Chief Financial Officer</u>	1
Controller	1
(3) <u>Accounting Manager</u>	1
(4) Finance Administrator	2,3
(5) <del>Treasury Manager</del>	4
(6) <del>Treasury Services Administrator</del>	3,4
Budget Manager	1
Capital Planning/Grants Administration Manager	1
Electronic Revenue Systems Supervisor	2,4

- (1) Delete Chief Financial Officer—position moved to 87200 category.
- (2) Add the position of Special Assistant to the Chief Financial Officer and appropriate disclosure category.
- (3) Add the position of Accounting Manager and appropriate disclosure category.
- (4) Delete disclosure within categories 2 and 3. This is redundant, since category 2 is inclusive.
- (5) Delete Treasury Manager—position moved to 87200 category.
- (6) Delete Treasury Service Administrator—position moved to 87200 category.

**LEGAL DIVISION**

<b>POSITION</b>	<b>CATEGORY</b>
General Counsel	1
Assistant General Counsel	1
Attorney – All	1
Procurement & Materials Director	1
Procurement Project Manager	1
(1) Materials Superintendent	2,3
Purchasing Manager	1
Contract Specialists	2
Senior Buyer	2
Buyer	2
DBE/Contract Compliance Administrator (vacant)	2
Risk Manager	1
(2) Risk Administrator (vacant)	2,3,6

- (1) Delete disclosure within categories 2 and 3. This is redundant, since category 2 is inclusive.
- (2) Delete disclosure within categories 2 and 3. This is redundant, since category 2 is inclusive.  
Delete Category 6 designation as this category is being eliminated.

**MAINTENANCE**

	<b>POSITION</b>	<b>CATEGORY</b>
	Chief Maintenance Officer	1
(1)	<u>Assistant General Manager-Engineering</u>	<u>1</u>
	Environmental Engineer	1
	Director of Maintenance	1
	Maintenance Service Administrator	1
	Technical Services Administrator	3
	Maintenance Superintendent	3
	Central Maintenance Superintendent	3
	Apprentice and Training Coordinator	3
	Facilities Maintenance Manager	1
	Operations Technology Administrator (vacant)	1
	Manager of Special Projects/Services	1
(2)	Electronic Communication Systems <u>Supervisor</u>	2,4

- (1) Add the position of Assistant General Manager-Engineering and appropriate disclosure category.
- (2) Correction of position title.

**OPERATIONS**

<b>POSITION</b>	<b>CATEGORY</b>
Chief Transportation Officer	1
Director of Service Supervision	1
Director of Transportation	1
Transportation Superintendents	3
Protective Services Manager	1
Training/Education Center Manager	3
(1) <del>Operations Training Coordinator</del>	<del>3</del>
Safety Specialist	3

(1) Delete the position of Operations Training Coordinator. The position is responsible for overseeing the training instructors at the Training Center, and has little autonomous decision-making responsibility.

**SERVICE DEVELOPMENT**

<b>POSITION</b>	<b>CATEGORY</b>
Deputy General Manager Service Development	1
Transportation Planning Manager	1
(1) Senior Transportation Planner	3, <del>7</del> <u>5</u>
(2) <u>Transportation Planner</u>	<u>2, 4</u>
Traffic Engineer	1
(3) Traffic and Schedules Administrator	3, <del>7</del> <u>5</u>
(4) Accessible Services Manager	3, <del>7</del> <u>5</u>
(5) Senior Accessible Services Specialist	3, <del>7</del> <u>5</u>
Manager of Special Projects	1
(6) <u>Planning Operations Administrator</u>	<u>3, 5</u>

- (1) Renumber Category 7 to Category 5 to coordinate with revisions to disclosure categories.
- (2) Add the position of Transportation Planner and appropriate disclosure category.
- (3) Renumber Category 7 to Category 5 to coordinate with revisions to disclosure categories.
- (4) Renumber Category 7 to Category 5 to coordinate with revisions to disclosure categories.
- (5) Renumber Category 7 to Category 5 to coordinate with revisions to disclosure categories.
- (6) Add the position of Planning Operations Administrator and appropriate disclosure category.

## TECHNOLOGY SERVICES

	<b>POSITION</b>	<b>CATEGORY</b>
	Chief Technology Officer	1
(1)	<u>Director of Information Technology</u>	1
(2)	<u>Information Services Customer Services Manager</u>	1
	Information Services Manager (vacant)	1
(3)	Information <del>Systems</del> <u>Services</u> Project Manager	3 1
	Information Services Support Manager	1

- (1) Add the position of Director of Information Technology and appropriate disclosure category.
- (2) Add the position of Information Services Customer Services Manager and appropriate disclosure category.
- (3) Correct typo in position title to Information Services Project Manager. Disclosure Category changed to reflect current responsibilities.

**CONSULTANTS**

	<b>POSITION</b>	<b>CATEGORY</b>
	Information Services Project Manager	1
(1)	<u>Environmental Consultants</u>	1

\*Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation: The (General Manager) 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 described in this section. Such written determination shall include a description, a statement of the extent of disclosure requirements. The (General Manager'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.

(1) Addition of Environmental Consultants hired to perform services for the District on an as-need basis and broadest disclosure category.