

RESOLUTION NO. 2018 - 02

**A RESOLUTION OF THE ORANGELINE DEVELOPMENT
AUTHORITY, DBA ECO-RAPID TRANSIT, AMENDING THE
CONFLICT OF INTEREST CODE FOR THE AUTHORITY AND
DIRECTING STAFF TO SUBMIT IT TO THE FAIR POLITICAL
PRACTICES COMMISSION AS THE CODE REVIEWING BODY
PURSUANT TO THE CALIFORNIA POLITICAL REFORM ACT**

WHEREAS, California Government Code §87300 requires that every public agency adopt and promulgate a Conflict of Interest Code;

WHEREAS, amendments to the Political Reform Act, Government Code Sections 81000, et. seq., have in the past and foreseeably will in the future require conforming amendments to be made in Conflict of Interest Codes adopted and promulgated pursuant to its provisions; and

WHEREAS, the Fair Political Practices Commission ("FPPC") has adopted a regulation, 2 California Code of Regulations section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which will be amended to conform to amendments in the Political Reform Act after public notice and hearings conducted by the FPPC pursuant to the Administrative Procedure Act, Government Code Section 11370, et. seq.; and

WHEREAS, incorporation by reference of the terms of the aforementioned regulation and amendments to it in Conflict of Interest Codes saves the Orangeline Development Authority time and money by minimizing the actions required to keep the Code in conformity with the Political Reform Act; and

WHEREAS, the Political Reform Act requires that Conflict of Interest Codes approved by a local government agency be approved by a "code reviewing body", which for the Orangeline Development Authority is the Fair Political Practices Commission;

NOW THEREFORE, BE IT RESOLVED by the Orangeline Development Authority as follows:

1. All previously adopted resolutions approving various Conflict of Interest Codes are hereby rescinded and superseded.
2. The Conflict of Interest Code attached to this Resolution as Appendix A, together with the Exhibits A and B thereto, and incorporated herein by reference is hereby adopted as the Conflict of Interest Code of the Orangeline Development Authority.
3. Persons holding designated positions listed in Exhibit A to the Conflict of Interest Code shall file Form 700- Statements of Economic Interest according to the requirements in the Code and the disclosure categories contained in Exhibit B to the Code.
4. The Executive Director of the Orangeline Development Authority is directed to submit this Conflict of Interest Code to the Fair Political Practices Commission, the code reviewing body pursuant to Government Code § 82011(a).

5. The Secretary shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 19th day of September, 2018.



Zareh Sinanyan
Chairman

ATTEST:



Karina Macias
Secretary

APPROVED AS TO FORM:



Teresa L. Highsmith
General Counsel

APPENDIX A

CONFLICT OF INTEREST CODE FOR THE ORANGELINE DEVELOPMENT AUTHORITY

Incorporation of FPPC Regulation 18730 (2 California Code of Regulations, Section 18730) by Reference

The Political Reform Act, Government Code Section 81000, *et seq.* requires each state and local government agency to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Exhibits in which members and employees are designated and disclosure categories are set forth, shall constitute the conflict of interest code of the Orangeline Development Authority.

Place of Filing of Statements of Economic Interests

All officials and employees required to submit a statement of economic interests shall file their statements with the Executive Director, or his or her designee. The agency shall make and retain a copy of all statements filed by its Governing Board Members, Alternate Board Members, as appropriate, and its Executive Director, and forward the originals of such statements to the Fair Political Practices Commission.

The agency shall retain the originals of statements for all other Designated Positions named in the agency's conflict of interest code. All retained statements, original or copied, shall be available for public inspection and reproduction (Gov. Code Section 81008).

EXHIBIT A
Designated Positions

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Board Members	1 and 2
Alternate Board Members	1 and 2
General Counsel	1 and 2
Assistant General Counsel	1 and 2
Executive Director	1 and 2
Deputy Executive Director	1 and 2
Chair	1 and 2
Vice-Chair	1 and 2
Secretary	1 and 2
Treasurer	1 and 2
Internal Auditor	1 and 2
Consultants	**

**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 Executive 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 comply fully with the disclosure requirements described in this Section. Such determination shall include a description of the consultant's duties and based upon that description, a statement of the extent of disclosure requirements. The Executive 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.

EXHIBIT B
Disclosure Categories

Category 1

Persons in this category shall disclose all investments and business entities in, and income, including gifts, loans and travel payments from:

1. Entities that manufacture, provide or sell services, supplies, materials, machinery, vehicles or equipment of the type utilized by the Authority;
2. Entities that provide services, material, products, machinery, vehicles and/or equipment utilized in the planning, financing, development, acquisition, construction, operation and/or maintenance of transportation facilities; and
3. Entities that provide services utilized in the issuance of bonds in the State of California for funding, development, construction and/or operations of transportation facilities.

Category 2

Persons in this category shall disclose all interests in real property located in the jurisdiction of the Orangeline Development Authority.