

Conflict of Interest Code  
of the

**ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY (ACE)**

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 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 into the conflict of interest code of this agency by reference. This regulation and the attached Appendices (or Exhibits) designating officials and employees and establishing economic disclosure categories shall constitute the conflict of interest code of this agency.

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 agency head, or his or her designee. The agency shall make and retain a copy of all statements filed by its Authority Members, Authority Alternate Members and Chief Executive Officer, and forward the originals of such statements to the Executive Office of the Board of Supervisors of Los Angeles County.

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).

# ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY

## EXHIBIT "A"

### **Category 1**

Persons in this category shall disclose all interests in real property within the jurisdiction. Real property shall be deemed to be within the jurisdiction if the property or any part of it is located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.

Persons are not required to disclose property used primarily as their residence or for personal recreational purposes.

### **Category 2**

Persons in this category shall disclose all investments and business positions.

### **Category 3**

Persons in this category shall disclose all income (including gifts, loans and travel payments) and business positions.

### **Category 4**

Persons in this category shall disclose all business positions, investments in, or income (including gifts, loans and travel payments) received from business entities that manufacture, provide or sell service and/or supplies of a type utilized by the agency and associated with the job assignment of designated positions assigned this disclosure category.

### **Category 5**

Individuals who perform under contract the duties of any designated position shall be required to file Statements of Economic Interest disclosing reportable interest in the categories assigned to that designated position.

In addition, individuals who, under contract, participate in decisions which affect financial interests by providing information, advice, recommendation or counsel to the agency which could affect financial interest shall be required to file Statements of Economic Interests, unless they fall within the Political Reform Act's exceptions to the definition of consultant. The level of disclosure shall be as determined by the executive officer (or head) of the agency.

## ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY

### EXHIBIT "B"

The following positions entail the making or participating in the making of decisions which may foreseeably have a material effect on financial interests:

<u>Designated Position</u>	<u>Disclosure Categories</u>
ACE Construction Authority Members	1, 2, 3
ACE Construction Authority Alternates	1, 2, 3
Chief Executive Officer	1, 2, 3
Chief Engineer/Deputy Chief Executive Officer	1, 2, 3
Program Manager	1, 2, 3
Director of Government and Community Outreach	2, 3
Manager of Contracts	2, 3
Director of Finance	2, 3
Audit Manager	4
Office Manager	4
Senior Contracts & Procurement Administrator	2, 3
Contracts Administrator	4
Senior Project Manager	1, 2, 3
Consultants <sup>i</sup>	5
Technical Evaluation Committee <sup>ii</sup>	4

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<sup>i</sup> Only consultants defined by Title 2, Section 18701(a)(2) of the California Code of Regulations shall be required to disclose information in accordance with the above. The Chief Executive Officer may determine, in writing, that a particular consultant as defined by Title 2, Section 18701(a)(2) of the California Code of Regulations and therefore not required to disclose information or that a particular consultant is only required to perform a limited range of duties and thus is not required to fully comply with the disclosure statements. If a consultant is excepted for the latter reason, then a statement of the extent of the disclosure requirements shall be included in the Chief Executive Officer's determination. The Chief Executive Officer's determination is a matter of public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

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<sup>ii</sup> Technical Evaluation Committee Members who are included in other categories of Designated Positions shall comply with the Disclosure Categories for such other Designated Positions. Technical Evaluation Committee Members who are not included in any other category of Designated Positions shall comply with the Disclosure Category shown. However, since Technical Evaluation Committees are formed to evaluate specific proposals to the Authority and only exist for limited periods of time, all required disclosures for Technical Evaluation Committee Members who hold no other Designated Position will be made at the time of formation of each Technical Evaluation Committee rather than annually as required for all other Designated Positions.

**EFFECTIVE: 12/05/2012**