

**CONFLICT OF INTEREST CODE FOR THE
FRESNO COUNTY REGIONAL TRANSPORTATION MITIGATION FEE AGENCY (Fresno County RTMF Agency)
FRESNO COUNTY, CALIFORNIA
RESOLUTION NO. RTMF-2017-01**

IN THE MATTER OF:
THE POLITICAL REFORM ACT
Government Code Section 81000, et seq.

RESOLUTION ADOPTING THE STANDARD
CONFLICT OF INTEREST CODE FOR THE
FRESNO COUNTY RTMF AGENCY
INCORPORATING CALIFORNIA CODE
SECTION 18730; SUPERCEDING
RESOLUTION NO. 2012-001

Whereas, 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. Section 18730) that contains the terms of a standard conflict-of-interest code and may be incorporated by reference in an agency’s code. After public notice and hearing, the standard code 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 Appendices designating positions and establishing disclosure requirements, shall constitute the conflict-of-interest code of the Fresno County RTMF Agency.

Whereas, individuals holding designated positions shall file their statements of economic interests with the Fresno County RTMF Agency, which will retain copies of the statements and make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Upon receipt of the statements for the Fresno County RTMF Agency Board Members, Alternate Board Members, and the Executive Director, the Fresno County RTMF Agency shall make and retain a copy and forward the originals of these statements to the Clerk of the County Board of Supervisors. The RTMF Agency shall retain the original statements of all other individuals holding designated positions.

BE IT FURTHER RESOLVED, THAT THE PROVISIONS OF ALL CONFLICT OF INTEREST CODES AND AMENDMENTS THERETO PREVIOUSLY ADOPTED BY THE FRESNO RTMF AGENCY ARE HEREBY SUPERCEDED; and the Fresno RTMF Agency hereby approves the STANDARD CONFLICT OF INTEREST CODE FOR Fresno RTMF Agency INCORPORATING CALIFORNIA CODE SECTION 18730 in accordance with the POLITICAL REFORM ACT; Government Code Section 81000, et seq. which is hereby made a part of this resolution.

THE FOREGOING RESOLUTION was passed and adopted by the Fresno County RTMF Agency this 27th day of April, 2017.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Signed: _____
Amarpreet Dhaliwal, Chairman

I hereby certify that the foregoing is a true copy of a resolution of the Fresno County RTMF Agency duly adopted at a regular meeting thereof held on the 27th day of April, 2017.

Signed: _____
Tony Boren, Executive Director

**APPENDIX A
DESIGNATED POSITIONS**

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Fresno County RTMF Agency Board Members (16)	1
Fresno County RTMF Agency Alternate Board Members (16)	1
Executive Director	1
Finance Director	1
RTMF Agency Legal Counsel	1
Consultants	1*

* Consultants shall be included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this 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 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 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. (Gov. Code Sec. 81008.)

APPENDIX B DISCLOSURE CATEGORIES

Individuals holding designated positions must report their interests according to their assigned disclosure category(ies).

Disclosure Category 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 agency; and investments and business positions in business entities, and income, including loans, gifts, and travel payments, from all sources.

Public Officials Who Manage Public Investments

It has been determined that positions listed below manage public investments and will file a statement of economic interests pursuant to Government Code Section 87200. Individuals who manage public investments shall file their statement of economic interests with the Fresno RTMF Agency which will make and retain a copy and forward the original of these statements to the Clerk to the Board of Supervisors.¹

These positions are listed for informational purposes only:

- Consultants involved in the investment of public funds

An individual holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

¹ The original statements (Form 700s) are forwarded to the Board of Supervisors despite the general rule of Title 2, California Code of Regulations § 18753(d), because the FPPC has exercised its discretion under that regulation to have the statements filed with the local agency's filing officer which is the Board of Supervisors. (*Kuhs* FPPC Advice Letter, A-96-063, March 8, 1996.)