

ALAMEDA COUNTY BOARD OF SUPERVISORS MINUTE ORDER

The following action was taken by the Alameda County Board of Supervisors on 02/23/2021

Approved as Recommended Other

Unanimous Chan: Haubert: Miley: Valle: Carson: -

Vote Key: N=No; A=Abstain; X=Excused

Documents accompanying this matter:

Documents to be signed by Agency/Purchasing Agent:

File No. 30574
Item No. 45

Copies sent to:

Michael Tree, Executive Director LAVTA

Special Notes:



I certify that the foregoing is a correct copy of a Minute Order adopted by the Board of Supervisors, Alameda County, State of California.

ATTEST:
Clerk of the Board
Board of Supervisors

By: *Awika Campbell-Beltin*
Deputy

Livermore Amador Valley
TRANSIT AUTHORITY

2/23/21 #45



December 18, 2020

Alameda County Board of Supervisors
1221 Oak Street, Room 536
Oakland, CA 94612

Re: Request Approval of the LAVTA Conflict of Interest Code

Honorable Members of the Board:

We respectfully request your review and approval of the Livermore Amador Valley Transit Authority (LAVTA) Conflict of Interest Code. In response to the 2020 Conflict of Interest Biennial Review, we have conducted said review, determined that one position should be added (Director of Operations and Innovation), and one title should be removed (Manager of Customer Service and Contract Oversight), presented the revised code to the LAVTA Board of Directors for adoption, and now request that the Board of Supervisors approve LAVTA's revised code.

Enclosed please find:

1. LAVTA's completed "2020 Local Agency Biennial Notice"
2. A clean version of LAVTA's revised code
3. A copy of the code showing the adopted revisions in strikeout/underscore format
4. The LAVTA Board's November 2, 2020 resolution updating the revised Code

Please accept this letter to be a declaration by the Executive Director of the Livermore Amador Valley Transit Authority that LAVTA's Code as amended November 2, 2020 accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

If you have any questions or need additional information, please feel free to contact me at 925-455-7564. Thank you for your consideration in this matter.

Sincerely,

Michael Tree
Executive Director

Enclosures

CONFLICT OF INTEREST CODE
LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY

Adopted on the 25th of February, 1986
by Resolution 2-86

Amended on the 1st of November, 2004
by Resolution 22-2004

Amended on the 4th of August, 2008
by Resolution 21-2008

Amended on the 13th of September, 2010
by Resolution 25-2010

Amended on the 10th of September, 2012
by Resolution 25-2012

Amended on the 6th of October, 2014
by Resolution 27-2014

Amended on the 5th of November, 2018
by Resolution 29-2018

Amended on the 2nd of November, 2020
by Resolution 30-2020

**CONFLICT-OF-INTEREST CODE
LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY (LAVTA)**

The Political Reform Act, (Government Code Sections 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 California Code of Regulations Section 18730) that contains the terms of a standard conflict-of-interest code, which can 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 categories, shall constitute the conflict-of-interest code of the Livermore Amador Valley Transit Authority (LAVTA).

Individuals holding designated positions shall file their statements of economic interests with LAVTA, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) LAVTA will retain a copy of each statement and forward the originals to the Alameda County Board of Supervisors, which shall be the filing officer.

APPENDIX A: DESIGNATED POSITIONS

Designated Positions	Disclosure Categories
Attorney	1, 2
Director of Planning and Marketing	1, 2
Director of Operations and Innovation	1, 2
Consultants/New Positions*	

*Consultants/New Positions are included in the list of designated positions 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 or new position, 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 or new position’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 Section 81008.)

The following positions are NOT covered by the conflict-of-interest code because they must file a statement of economic interests pursuant to Government Code Section 87200 and, therefore, are listed for information purposes only:

Board of Directors
Executive Director
Director of Finance

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 their position has been categorized incorrectly. The Fair Political Practices Commission makes the determination whether a position is covered by Section 87200.

APPENDIX B: DISCLOSURE CATEGORIES

Category 1.

All investments, business positions, and sources of income (including loans, gifts, and travel payments) from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by LAVTA.

Category 2.

All interests in real property located in whole or in part within the LAVTA service area or within two miles of the LAVTA service area.

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Contract Oversight	
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RESOLUTION NO. 30-2020

A RESOLUTION OF THE LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY APPROVING AN AMENDED CONFLICT OF INTEREST CODE

WHEREAS, the Livermore Amador Valley Transit Authority (LAVTA) is required by the Political Reform Act of 1974 to maintain a Conflict of Interest Code (Code); and

WHEREAS, California Government Code Section 87306.5 requires that the Authority review its Code every even-numbered year and revise if necessary; and

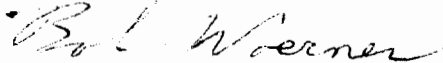
WHEREAS, Legal Counsel and staff have reviewed the current Code and have determined that the Code should be updated to add the Director of Operations and Innovation to the list of designated positions that must disclose their economic interests on an annual basis, and remove the Manager of Customer Service and Contract Oversight; and

WHEREAS, Legal Counsel and staff recommend adopting the attached amended Code.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Livermore Amador Valley Transit Authority hereby approves and adopts the revised Conflict of Interest Code in the form attached hereto and presented to the Board of Directors; and

BE IT FURTHER RESOLVED that the Executive Director is directed to transmit a copy of the amended Conflict of Interest Code to the Board of Supervisors of the County of Alameda for its review and approval.

PASSED AND ADOPTED by the governing body of the Livermore Amador Valley Transit Authority (LAVTA) this 2nd day of November 2020.

BY 
Bob Woerner, Chair

ATTEST 
Michael N. Conneran, Legal Counsel

2020 Local Agency Biennial Notice

Name of Agency: Livermore Amador Valley Transit Authority
Mailing Address: 1362 Rutan Court, Suite 100, Livermore, CA 94551
Contact Person: Tamara Edwards Phone No. 925-455-7566
Email: tedwards@lavta.org Alternate Email: frontdesk@lavta.org

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2020**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.