

TRANSBAY JOINT POWERS AUTHORITY

NOTICE OF INTENT TO ADOPT A CONFLICT OF INTEREST CODE

AND

60-DAY PUBLIC COMMENT PERIOD

September 5, 2001

The Transbay Joint Powers Authority intends to adopt the proposed Conflict of Interest Code attached to this Notice. The version that is eventually adopted may reflect changes submitted by the public or requested by the Fair Political Practices Commission. The public is invited to review and comment on the proposed Code.

How To Obtain Copies of the Proposed Code

Copies of the proposed Conflict of Interest Code may be obtained from the Secretary at the following address:

Roberta Boomer, Secretary
Transbay Joint Powers Authority
Room 448, City Hall
1 Dr. Carleton B. Goodlett Place
San Francisco, CA 94122

Copies may also be obtained by clicking on the documents button on the Authority website. The URL is <http://www.sfgov.org/tjpa/index.htm>

How To Make Inquiries About the Proposed Code

Please call the Authority's Office of Legal Counsel with any questions about the proposed Code:

John Cooper (415) 554-4660

How to Submit Public Comments About the Proposed Code

Written public comments must be received by the Secretary at the above address by November 1, 2001. The Authority will consider all written comments and submit them to the Fair Political Practices Commission at the end of the public comment period.

Background

On September 5, 2001, the Transbay Joint Powers Authority ("TJPA") announced its intent to adopt the attached Conflict of Interest Code. State law and regulations of the Fair Political Practices Commission ("FPPC") require that newly formed agencies, such as the TJPA, must adopt a Conflict of Interest Code. The regulatory process is set forth in Section 18750 of the California Administrative Code. A copy of this Notice is being filed with the FPPC, mailed to parties on the TJPA mailing list, and posted at the San Francisco Public Library, Government Documents Section, 100 Larkin St. 5th Floor, San Francisco, CA 94102 and on the TJPA website.

No public hearing is scheduled on this Code, but any member of the public may request a public hearing by writing to the Secretary at the above address no later than fifteen (15) days before the end of the public comment period. The TJPA may take public comment on the proposed Code at a regularly scheduled meeting, or hold a separate hearing, depending on the level of interest. When all public comments have been received the proposed Code may be adopted by the TJPA without further notice, provided that any changes resulting from public comment are not substantial. The final Code will be submitted to the FPPC for approval along with the documents required by FPPC regulations.

Summary and Explanation of Code Provisions

State law requires the TJPA to begin the adoption process for a Conflict of Interest Code within six months of formation. At this time, the TJPA has no employees, so the only persons subject to the Code will be members of the Board of Directors and Officers. Under the proposed Code, Directors and Officers are required to identify all sources of income, interests in real property, investments, and all business positions in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management. By designating all current positions associated with the TJPA as Category 1 for disclosure purposes, the proposed Code ensures that every person involved in the final approval of a contract or any other financial matter will have been subject to maximum disclosure provisions. If employees are added to the TJPA staff, they will be added to the Code. At that time additional disclosure categories may be necessary and will be added. Any future changes to the Code will follow a process similar to the current adoption process.

It should be noted that all current Directors and Officers of the TJPA are already subject to Conflict of Interest Codes adopted by their sponsoring member agency or employer, with disclosure statements already on file.