

**CONFLICT-OF-INTEREST CODE FOR THE
BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

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 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 **Bay Area Air Quality Management District (District)**.

Individuals holding designated positions shall file their statements of economic interests with the **District**, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.). Upon receipt of the statements of the Board of Directors, the **District** shall make and retain a copy and forward the original of these statements to the **Fair Political Practices Commission**. Statements for all other designated positions will be retained by the **District**.

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT

APPENDIX A

DESIGNATED POSITIONS

<u>Designated Officials and Employees</u>	<u>Disclosure Categories</u>
<u>Members of Boards</u>	
Members of the Board of Directors	All
Designated Deputy Directors	All
Members of the Hearing Board and Alternates	All
Members of the Advisory Council	All
 <u>Executives</u>	
(1) Executive Officer/Air Pollution Control Officer	All
(2) Deputy Air Pollution Control Officer	All
 <u>Counsel</u>	
(1) District Counsel	All
(2) Senior Assistant Counsel	All
(3) Assistant Counsel I/II	All
(4) Air Quality Case Settlement Specialist	2
 <u>Heads of Divisions</u>	
(1) Director of Administration and Human Resources	All

- (2) Director of Compliance and Enforcement All
- (3) Director of Engineering All
- (4) Director of Information System Services All
- (5) Director of Technical Services All
- (6) Director of Communications and Outreach All
- (7) Director of Planning, Rules & Research All
- (8) Director of Strategic Incentives Division All

Administration and Human Resources Division Staff

- (1) Human Resources Officer 1
- (2) Business Manager 1, 3, 4, 5
- (3) Finance Manager 1
- (4) Strategic Facilities Planning Manager 1, 3, 4, 5

Communications and Outreach Office Staff

- (1) Managers All
- (2) Supervising Public Information Officer 1, 2, 6
- (3) Senior Public Information Officer 1, 2, 6

Compliance and Enforcement Division Staff

- (1) Managers All
- (2) Supervising Air Quality Inspector 1, 2, 6
- (3) Supervising Air Quality Specialist 1, 2, 6

- | | | |
|-----|----------------------------------|---------|
| (4) | Senior Air Quality Inspector | 1, 2, 6 |
| (5) | Air Quality Inspector I/II | 1, 2, 6 |
| (6) | Senior Advanced Projects Advisor | 1, 2, 6 |
| (7) | Senior Air Quality Engineer | 2 |

Engineering Division Staff

- | | | |
|-----|----------------------------------|-----|
| (1) | Managers | All |
| (2) | Supervising Air Quality Engineer | 2 |
| (3) | Principal Air Quality Engineer | 2 |
| (4) | Senior Air Quality Engineer | 2 |
| (5) | Air Quality Engineer I/II | 2 |

Executive Office Staff

- | | | |
|-----|---------------------------------|-----|
| (1) | Managers | All |
| (2) | Senior Advanced Project Advisor | All |
| (3) | Senior Policy Advisor | All |

Information System Services Division Staff

- | | | |
|-----|----------|---------|
| (1) | Managers | 1, 3, 5 |
|-----|----------|---------|

Planning Rules and Research Division Staff

- | | | |
|-----|----------|-----|
| (1) | Managers | All |
|-----|----------|-----|

- | | | |
|-----|----------------------------------|-----|
| (2) | Senior Advanced Projects Advisor | All |
| (3) | Advanced Projects Advisor | All |

Planning/CEQA

- | | | |
|-----|---------------------------------|------------|
| (1) | Principal Environmental Planner | 1, 2, 4, 6 |
| (2) | Senior Environmental Planner | 1, 2, 4, 6 |
| (3) | Environmental Planner I/II | 1, 2, 4, 6 |

Rule Development

- | | | |
|-----|----------------------------------|---------|
| (1) | Principal Air Quality Specialist | 1, 2, 4 |
|-----|----------------------------------|---------|

Strategic Incentives Division Staff

- | | | |
|-----|-----------------------------------|------|
| (1) | Managers | All |
| (2) | Supervising Environmental Planner | 1, 6 |
| (3) | Principal Environmental Planner | 1, 6 |
| (4) | Senior Environmental Planner | 6 |
| (5) | Environmental Planner I/II | 6 |
| (6) | Administrative Analyst | 6 |

Technical Services Division Staff

- | | | |
|-----|--|------|
| (1) | Managers | All |
| (2) | Principal Air Quality Chemist | 1, 2 |
| (3) | Principal Air & Meteorological Monitoring Specialist | 1, 2 |
| (4) | Principal Air Quality Engineer | 1, 2 |
| (5) | Supervising Air Quality Instrument Specialist | 1, 2 |

- | | | |
|-----|----------------------------------|------|
| (6) | Supervising Air Quality Engineer | 1, 2 |
| (7) | Senior Air Quality Chemist | 1, 2 |
| (8) | Senior Air Quality Meteorologist | 1, 2 |

Consultants

- | | | |
|-----|-------------|------|
| (1) | Consultants | All* |
|-----|-------------|------|

* Consultants shall be 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 Air Pollution Control Officer 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 fully comply 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 Air Pollution Control Officer'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.)

Officials Who Manage Public Investments

It has been determined that the positions listed below manage public investments and will file a statement of economic interests pursuant to Government Code Section 87200. These positions are listed for informational purposes only:

- San Mateo County Treasurer

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 final determination whether a position is covered by Government Code Section 87200.

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APPENDIX B

DISCLOSURE CATEGORIES

Disclosure Categories

1. Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that provide services, supplies, materials, machinery, or equipment of the type utilized by the District.
2. Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from all business entities, governmental entities, and non-profits that are regulated, as well as any homeowner/renter that is fined or cited by, the District.
3. Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that engage in the acquisition, disposal, or development of real property within the District.
4. Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that regularly engage in the preparation of environmental impact statements or reports.
5. Interests in real property located within the jurisdiction of the District, or within two miles of the boundaries of the jurisdiction of the District, or within two miles of any land owned or used by the District.
6. Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that receive financial or technical assistance from the District.

This is the last page of the conflict-of-interest code for the **Bay Area Air Quality Management District**.



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict-of-interest code for **Bay Area Air Quality Management District** was approved on May 3, 2011. This code will become effective on June 2, 2011.

A handwritten signature in black ink, appearing to read "Roman G. Porter", written over a horizontal line.

Roman G. Porter
Executive Director
Fair Political Practices Commission