



## **RESOLUTION NO. 14-21**

### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA) AMENDING APPENDIX A TO THE AGENCY CONFLICT OF INTEREST CODE**

**WHEREAS**, on September 21, 1993, the Napa County Board of Supervisors, acting as the code reviewing body for NCTPA, approved the adoption of a Conflict of Interest Code for the Napa County Congestion Management Agency, as required by the Political Reform Act of 1974 (Government code sections 81000 et seq., hereinafter referred to as "Act"); and

**WHEREAS**, on or about May 13, 1998, the Napa County Congestion Management Agency was converted into and succeeded by NCTPA, a joint powers agency organized under the Joint Exercise of Powers Act (Government Code section 6500 et seq.); and

**WHEREAS**, on September 18, 2002, the Board amended its Conflict of Interest Code, to conform to changes made in the model conflict of interest code ("model code") promulgated by the Fair Political Practices Commission ("FPPC") and expand the list of designated positions and disclosure categories to reflect the current operations of the Agency in serving as the countywide transportation planning body for the incorporated and unincorporated areas within Napa County, and performing such transportation related duties and responsibilities as the Member Jurisdictions may delegate to Agency; and

**WHEREAS**, on November 14, 2012, the Board of NCTPA amended its Conflict of Interest Code in its entirety; and

**WHEREAS**, it is now necessary to amend Appendix A the Conflict of Interest Code to reflect added and deleted management positions and/or changes in management titles; and

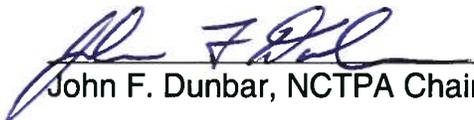
**WHEREAS**, NCTPA has served on the Napa County Board of Supervisors, the code reviewing body of the Agency, and all affected NCTPA Board members and alternates, officers, employees and consultants of the Agency and has published in a newspaper of general circulation within the County of Napa a Notice of Intention to Amend the Conflict of Interest Code as required by law, providing for the availability of the proposed amended code and supporting documentation for inspection and copying; and

**WHEREAS**, at a regular meeting of the NCTPA Board held on November 19, 2014, all written comments on the proposed amendments to the Conflict of Interest Code submitted within the comment period were received and considered by the NCTPA Board of Directors;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Napa County Transportation and Planning Agency that:

1. The forgoing recitals are true and correct.
2. Appendix A Designated Positions, attached hereto and incorporated herein shall replace the prior Appendix A in its entirety.
5. All other terms in the NCTPA Conflict of Interest Code not amended herein remain in full force and effect.

**BE IT FURTHER RESOLVED**, the foregoing resolution was duly and regularly adopted by the Board of Directors of the Napa County Transportation and Planning Agency, at a regular meeting of the Board held on the 19h day of November, 2014 by the following vote:

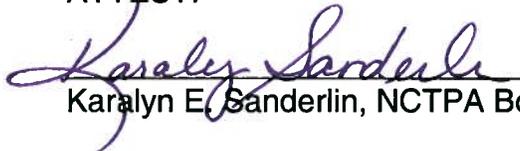
  
John F. Dunbar, NCTPA Chair

Ayes Garcia(2), Bennett(2),  
Barnes(1), Sedgley(5),  
Techel(5), Caldwell(2)  
Nevero(1), White(1),  
Chilton(1), Dunbar(1)

Nays: None

Absent: Dodd(2), Canning(1)

ATTEST:

  
Karalyn E. Sanderlin, NCTPA Board Secretary

APPROVED:

  
Janice Killion, NCTPA Legal Counsel

**CERTIFICATIONS**

I hereby certify that I am the Secretary of the Napa County Transportation and Planning Agency and the custodian of the records for the Agency and that the attached Resolution is a true and correct copy of the original approved by the Board of Directors of the Agency and on file in the Agency office.

By   
KARALYN E. SANDERLIN  
NCTPA Board Secretary

I hereby certify that the amended Conflict of Interest Code for the Napa County Transportation Planning Agency was approved and confirmed by the Napa County Board of Supervisors, as code reviewing body for the District, by action of the Board of Supervisors on \_\_\_\_\_, 20\_\_, recorded in the certified minutes of the Board of Supervisors for that date.

By \_\_\_\_\_  
GLADYS I. COIL  
Clerk of the Napa County Board of Supervisors

**APPENDIX "A"**  
**LIST OF DESIGNATED EMPLOYEES**

Because of the nature of the powers and duties conferred on the Napa County Transportation and Planning Agency by Member Jurisdictions pursuant to Amendment No. 4 to Napa County Agreement No. 3061 (Conversion to NCTPA), the authority granted by the Joint Exercise of Powers Act, the policies adopted by the Board of Directors of the Agency, and the terms of support services and consultant agreements approved by the Board of Directors, the following positions within the Agency may involve the making or participation in the making of decisions of the Agency which may foreseeably have a material effect on financial interests of the holders of the positions. Most of the positions listed are of long-term duration, although some are limited-term positions, but all are listed because their scope of authority or work involves either making final decisions for the Agency which have financial consequences or developing and/or exercising such a level of expertise and ongoing relationship with those who make such decisions that the decision-makers can reasonably be expected to routinely trust and rely upon their advice.

For purposes of filing Statements of Economic Interests as required by this Conflict of Interest Code, the "Designated Employees" of the Agency shall be those persons who actually occupy or carry out the functions of the following positions, whether as elected or appointed officers, compensated employees, or contracted consultants:

<b><u>DESIGNATED EMPLOYEE POSITIONS</u></b>	<b><u>DISCLOSURE CATEGORY</u></b>
<b>Members and Alternate Members of the Board of Directors</b>	
<b>Executive Director</b>	<b>1</b>
<b>Program Manager-Administration (Secretary of the Board)</b>	<b>2</b>
<b>Program Manager-Engineer</b>	<b>2</b>
<b>Program Manager-Finance</b>	<b>1</b>
<b>Program Manager-Planning</b>	<b>2</b>
<b>Program Manager-Public Transit</b>	<b>2</b>
<b>Agency Legal Counsel</b>	<b>1</b>
<b>Agency Auditor-Controller</b>	<b>1</b>

**Contract Consultants for the Agency.** Contract consultants shall be included in the list of Designated Employees and shall disclose their material financial interests in regard to all of the adopted disclosure categories, subject to the following limitation:

The Executive Director may determine in writing that a particular contract 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 or fully comply with all of the disclosure requirements described in Appendix "B". This written determination shall include a description of the contract consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. This determination is a public record and shall be retained for public inspection and be available for inspection and copying in the same location and manner as the Agency's copy of the Conflict of Interest Code.

**PUBLIC OFFICIALS OF THE NCTPA WHO MANAGE PUBLIC INVESTMENTS**

It has been determined that the NCTPA Treasurer (the Napa County Treasurer-Tax Collector serving ex-officio) manages public investments and therefore shall file a Statement of Economic Interests pursuant to Government Code section 87200.