

ASSOCIATION OF BAY AREA GOVERNMENTS POOLED LIABILITY ASSURANCE NETWORK
(ABAG PLAN)
CONFLICT OF INTEREST CODE

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 Association of Bay Area Governments Pooled Liability Assurance Network (ABAG PLAN).

Individuals holding designated positions shall file their statements of economic interests with ABAG PLAN, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) All statements will be retained by ABAG PLAN in the office of the Association of Bay Area Governments.

APPENDIX A
DESIGNATED POSITIONS

Designated Positions

Disclosure Categories

Executive Director/President	1, 2, 3, 4
Risk Manager	1, 2, 3, 4
Legal Counsel to the Corporation	1, 2, 3, 4
Manager – Liability Claims	1, 2, 3, 4

Consultants/New Positions*

*Consultants/New Positions 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 Executive Director/President may determine in writing that a particular consultant or new positions, 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 described in this section. Such determination shall include a description of the consultants or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director/President'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)

Note: The positions of Executive Director/President, Risk Manager and Manager – Liability Claims are filled by employees of Association of Bay Area Governments, but act in a staff capacity. The position of Legal Counsel to the Corporation is filled by an outside consultant, but acts in a staff capacity.

The following positions are NOT covered by the conflict of interest code because they must file under Government Code Section 87200 and, therefore, are listed for informational purposes only:

Members of the Board of Directors
Alternates for Members of the Board of Directors
Chief Financial Officer

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.

APPENDIX B
DISCLOSURE CATEGORIES

Designated positions must disclose pursuant to the categories below.

1. Investments and business positions in business entities, and income (including receipt of loans, gifts, and travel payments), from sources of the type that contract with ABAG PLAN to supply goods, services, materials, or supplies.
2. Investments and business positions in business entities, and income (including receipt of loans, gifts, and travel payments), from sources that are engaged in the performance of work or services of the type utilized by ABAG PLAN, including insurance companies, carriers, holding companies, underwriters, brokers, solicitors, agents, adjusters, claims managers, and actuaries.
3. Investments and business positions in business entities, and income (including receipt of loans, gifts, and travel payments), from sources that have filed a claim that is reviewed and administered by ABAG PLAN.
4. Investments and business positions in business entities, and income (including receipt of loans, gifts, and travel payments), which are financial institutions including banks, savings and loan associations and credit unions.