

# **NORTH COUNTY TRANSIT**

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## **SAN DIEGO RAILROAD**

### **Board Policy No. 8** **Conflict of Interest Code**

#### Summary

This policy establishes the NCTD Conflict of Interest Code pursuant to the Political Reform Act (Government Code § 81000, et seq.).

#### Purpose

The Political Reform Act (Government Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (“FPPC”) has adopted 2 Cal. Code of Regulations (hereinafter, “Regulation”) § 18730 which 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, Regulation 18730 may be amended by the FPPC to conform to amendments in the Political Reform Act. Therefore, the terms of Regulation 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the North County Transit – San Diego Railroad (NCTD).

Government Code § 87306.5 also requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or if the code must be amended. Once the determinations have been made, a notice must be submitted to the code reviewing body pursuant to the biennial review.

All officials set forth in Government Code § 87200 and designated positions shall file their Statement of Economic Interest, also known as the Form 700, with NCTD via the e-file web portal managed by the County of San Diego. Digital copies of such statements are maintained by the Clerk of the County of San Diego Board of Supervisors. The Clerk of the Board will make all digital statements and electronic filings available for public inspection and reproduction during regular business hours (Gov. Code § 81008.)

#### Officials Who Manage Public Investments

NCTD officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3(b), are not subject to the NCTD’s Code, but must file disclosure statements under Government Code § 87200, et seq. (Regs. 18730(b)(3)) These positions are listed here for informational purposes only.

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It has been determined that the positions listed below are officials who manage public investments. (Note: Individuals holding one of the below-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by 87200):

Board Members and Alternates  
Chief Executive Officer/Executive Director  
Chief Financial Officer  
Financial Consultants

In October 2025, Governor Newsom signed into law Senate Bill 852 (SB852) amending Section 87500 of the Political Reform Act, which establishes California's campaign finance and disclosure laws for designated public officials via a Statement of Economic Interest, or Form 700. Under SB852, "public officials who manage public investments" on behalf of their agency, must now file their Form 700s with the Fair Political Practices Commission (FPPC) using the FPPC's electronic filing system, rather than with the County of San Diego. SB852 will take effect on January 1, 2026.

### Disclosure Requirements

- A. Public Officials and employees holding positions designated in this Conflict of Interest Code are required to file the initial, annual, and leaving office Statement of Economic Interest for the types of interests in the categories set forth in the applicable Disclosure Categories. It has been determined that these persons make or participate in making decisions, which foreseeably may have a material effect on such financial interests.
- B. Where the Disclosure Category requires disclosure of interests in real property, the designated employee is only required to disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by NCTD.
- C. Where the Disclosure Category requires disclosure of investments or sources of income, the designated employee is only required to disclose investments in business entities and sources of income that do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction.
- D. Where the Disclosure Category requires disclosure of business positions, the designated employee is only required to disclose positions of director, officer, partner, employee, or any position of management in organizations or enterprises operated for profit.

### Designated Positions Governed by the Conflict of Interest Code

<b>DESIGNATED EMPLOYEES' TITLE OR FUNCTION</b>	<b>DISCLOSURE CATEGORIES ASSIGNED</b>
Accountant (All)	5
Analyst (All)	5
Architect (All)	2, 3, 5

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<b>DESIGNATED EMPLOYEES' TITLE OR FUNCTION</b>	<b>DISCLOSURE CATEGORIES ASSIGNED</b>
Asset Administrator (All)	5
Chief General Counsel	1, 2, 3, 4
Chief Development Officer	1, 2
Chief Executive Officer	1, 2, 3, 4, 5, 6
Chief Financial Officer	1, 2, 3, 4, 5, 6
Chief Operating Officer	1, 2
Chief People Officer	1, 2
Chief of Staff	1, 2
Contract Officer (All)	1, 2
Controller	1, 2
Deputy Director/Chief (All)	1, 2
Deputy Chief Executive Officer/Chief General Counsel	1, 2, 3, 4, 5, 6
Deputy Chief General Counsel	1, 2, 3, 4
Director (All)	1, 2
Drug & Alcohol Program Administrator	5
Engineer (All)	5
Engineering Technician	5
Executive Assistant/Deputy Clerk	5
Fare Revenue Specialist	4
Human Resources Business Partner (ALL)	5
Human Resources Specialist	5
Labor Relations Specialist	5
Maintenance-of-Way Supervisor	5, 6
Management Analyst (All)	5
Manager (All)	5
Marketing and Communications Associate (All)	5
Operations Supervisor (All)	5
Paralegal	5
Planner (All)	2, 5
Program Manager (All)	5
Project Analyst (All)	5
Project Administrator	5
Project Manager (All)	5
Project Specialist	5
Quality Control Supervisor (All)	5
Rail Technologies (All)	5
Recruiter	5

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### DESIGNATED EMPLOYEES' TITLE OR FUNCTION

### DISCLOSURE CATEGORIES ASSIGNED

Real Estate Administrator

6

Risk Manager (All)

1, 2, 4

Senior Administrative Assistant/Deputy Clerk

5

Senior Graphic Communications Designer

5

Senior Legal Counsel (All)

1, 2, 3, 4

Senior Right-of-Way Coordinator

6

Staff Attorney (All)

1, 2, 3, 4

System Safety Specialist (All)

5

Telecommunications Engineer

5

Trainer/Instructor (All)

5

Consultants and New Positions

Individuals providing services as a Consultant defined in Regulation 18700.3, or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Chief Executive Officer may determine that due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code §82019; Regulations 18219 and 18734). The Chief Executive 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 §81008.)

### Disclosure Categories

The disclosure categories listed below identify the types of economic interests that the Designated Position must disclose for each disclosure category to which they are assigned. (Note: This Conflict of Interest Code does not require the reporting of gifts from outside NCTD's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the

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position. (Reg.18730.1.)

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of NCTD.

Category 2: All interests in real property which is located in whole or in part within, or not more than two miles outside the jurisdiction of NCTD.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of NCTD.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by NCTD.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position's department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the Designated Position's department, unit or division.

### Approvals

  
Board Chair

Date

  
Chief Executive Officer

1-20-2026  
Date

  
Deputy Chief Executive  
Officer/Chief General Counsel

1-20-2026  
Date

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DATE	REVISION NO.	RESOLUTION NO.	COMMENTS
10/18/2012	ADOPTED	12-10	
10/17/2013	1	13-07	2013 REVISION
10/16/2014	2	14-04	2014 REVISION
11/19/2015	3	15-08	2015 REVISION
10/20/2016	4	16-10	2016 REVISION
10/19/2017	5	17-10	2017 REVISION
10/18/2018	6	18-09	2018 REVISION
10/17/2019	7	19-06	2019 REVISION
10/15/2020	8	20-08	2020 REVISION
10/21/2021	9	21-05	2021 REVISION
05/21/2022	10	22-08	2022 REVISION
10/20/2022	11	22-18	2022 REVISION
10/19/2023	12	23-06	2023 REVISION – UPDATE TO POSITION TITLES
06/20/2024	13	24-04	2024 REVISION – UPDATE TO POSITION TITLES
10/17/2024	14	24-08	2024 REVISION – UPDATE TO POSITION TITLES
03/20/2025	15	25-02	2025 REVISIONS – UPDATE TO TITLES, STREAMLINE, AND INCLUDE BUS
10/23/2025	16	25-06	UPDATES TO RETENTION PROCESS FOR DIGITAL FILINGS AND ADDITIONS AND REMOVALS OF POSITIONS SUBJECT TO DISCLOSURE

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01/15/2026	17	26-01	ADDITION OF SENATE BILL 852 REQUIREMENTS EFFECTIVE JANUARY 1, 2026
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