

**CONFLICT OF INTEREST CODE
OF THE
RESOURCE MANAGEMENT AGENCY OF MONTEREY COUNTY**

The Political Reform Act of 1974, (Government Code sections 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, section 18730 of Title 2 of the California Code of Regulations, which contains the terms of a standard conflict of interest code that can be incorporated by reference in an agency's code. After public notice and hearing, the Fair Political Practices Commission may amend the standard code to conform to amendments of the Political Reform Act. Therefore, the terms of section 18730 of title 2 of the California Code of Regulations and any amendments to it duly adopted by the Fair Political Practices Commission together with the attached Appendices designating positions and establishing disclosure categories are hereby incorporated by reference and together constitute the Conflict of Interest Code of the Resource Management Agency of Monterey County (hereafter "Agency").

Individuals holding designated positions shall file their statement of economic interests with the Resource Management Agency of Monterey County, which will make the statements available for public inspection and reproduction pursuant to Government Code section 81008. Upon receipt of the statements for the Resource Management Agency Director, Deputy Director of Land Use and Development Services, Deputy Director of Public Works and Facilities, Deputy Director of Administrative Services, Chief of Planning, Chief of Building Services, and Chief of Public Works and Facilities, the Agency shall make and retain copies and forward the original of the statements to the code reviewing body. Statements for all other designated positions shall be retained by the Agency.

Members of the Monterey County Planning Commission shall each file one original statement of economic interests (Form 700) with the County Clerk who shall make and retain a copy and forward the original statement to the Fair Political Practices Commission, which shall be the filing officer.

Attachments: Appendix A: Designated Positions
Appendix B: Disclosure Categories

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06/25/13
06/24/14

APPENDIX A: DESIGNATED POSITIONS

Designated Positions

Assigned Disclosure Category

Accountant I, II,III	1
Administrative Operations Manager	1
Administrative Services Assistant	1
Architectural Services Manager	1
Assistant Bridge Superintendent	1
Assistant Engineer	1
Assistant Public Works Director	1
Assistant Road Superintendent	1
Associate Personnel Analyst	1
Associate Planner	1
Bridge Maintenance Worker	1
Bridge Superintendent	1
Building Inspector II	1
Building Inspector Supervisor	1
Building Maintenance Supervisor	1
Building Maintenance Worker	1
Building Plans Examiner	1
Business Technology Analyst I, II	1
Chief Of Building Services	1
Chief Of Planning	1
Chief Of Public Works & Facilities	1
Chief Of Surveys	1
Civil Engineer	1
Code Compliance Inspector II	1
County Park Ranger II	1
County Park Ranger III	1
County Park Ranger Manager	1
County Park Ranger Supervisor	1
Departmental Information Systems Coordinator	1
Departmental Information Systems Manager II	1
Deputy Building Official	1
Deputy Director Of Administrative Services	1

Deputy Director Of Land Use And Development Services	1
Deputy Director Of Public Works & Facilities	1
Deputy Director Resource Management Agency	1
Director Of Building Services	1
Director Of Parks And Recreation	1
Director Of Planning	1
Engineering Technician	1
Finance Manager I, II, III	1
GIS Analyst II	1
Grounds Supervisor	1
Historic & Cultural Affairs Manager	1
Maintenance Manager	1
Management Analyst I, II, III	1
Parks Building & Grounds Worker Supervisor	1
Parks Planning Manager	1
Parks Utilities & Water Systems Specialist	1
Permit Technician I, II, III	1
Personnel Technician-Confidential	1
Project Manager I, II, III	1
Public Works Director	1
Range Master	1
Real Property Specialist	1
Resource Management Agency Director	1
Rma Services Manager	1
Road Maintenance Superintendent	1
Road Superintendent	1
Safety Coordinator/Investigator	1
Senior Building Inspector	1
Senior Building Plans Examiner	1
Senior Civil Engineer	1
Senior Code Compliance Inspector	1
Senior Personnel Analyst	1
Senior Planner	1
Senior Water Resources Hydrologist	1
Special Events Manager	1
Traffic Engineer	1

Traffic Maintenance Superintendent	1
Water Resources Hydrologist	1
Members, Monterey County Planning Commission ¹	1
Consultants ²	1

¹ No disclosure obligations are established by this Code for the Members of the Monterey County Planning Commission, who are required to file economic disclosure statements as provided in Government Code sections 87200, et seq. Such officers are covered by this Code for disqualification purposes only. See, 2 Cal. Code of Regs. section 18730(b)(3).

² Consultants are included in the list of designated positions. For purposes of this Code, "consultant" has the same meaning as set forth in 2 Cal. Code Regs., tit. 2, section 18700.3(a) (2016) as follows:
(a) For purposes of Sections 82019 and 82048, "consultant" means an individual who, pursuant to a contract with a state or local government agency:
(1) Makes a governmental decision whether to:
(A) Approve a rate, rule, or regulation;
(B) Adopt or enforce a law;
(C) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
(D) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
(E) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;
(F) Grant agency approval to a plan, design, report, study, or similar item;
G) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof;
or
(2) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in Regulation 18704(a) and (b) or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code under Section 87302.

~~² Consultants are included in the list of designated positions. For purposes of this Code, "consultant" has the same meaning as set forth in 2 Cal. Code Regs., tit. 2, section 18701(a)(2), as follows:~~

~~³ "Consultant" means an individual who, pursuant to a contract with a state or local government agency:~~

~~⁴ Makes a governmental decision whether to:~~

~~⁵ Approve a rate, rule, or regulation;~~

~~⁶ Adopt or enforce a law;~~

~~⁷ Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;~~

~~⁸ Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;~~

~~⁹ Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;~~

~~¹⁰ Grant agency approval to a plan, design, report, study, or similar~~

~~¹¹ item;~~ ~~¹² _____~~

~~¹³ Adopt, or grant agency approval of, policies, standards, or~~

~~¹⁴ guidelines for the agency, or for any subdivision thereof; or~~

~~¹⁵ Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.~~

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Consultants to the Resource Management Agency of Monterey County shall be subject to disclosure under Category 1, subject to the following limitation:

The Resource Management Agency Director may determine in writing that a particular consultant, although a "designated employee," 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 of Category 1. In such cases, the Resource Management Agency Director may designate a different disclosure requirement. Such designation must be made in writing and shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the consultant's disclosure requirements. Such determination by the Resource Management Agency Director's is a public record and shall be retained for public inspection in the same manner and location as the Agency's Conflict of Interest Code.

APPENDIX B: DISCLOSURE CATEGORIES

General Provisions Applicable to All Categories

When an individual who holds a designated position is required to disclose investments and sources of income, he or she shall disclose investments in business entities and sources of income which 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.

When an individual who holds a designated position is required to disclose sources of income, he or she shall include gifts received from donors located inside as well as outside the jurisdiction.

When an individual who holds a designated position is required to disclose interests in real property, he or she shall disclose the type of real property described below if it is located within the jurisdiction, or not more than two miles outside the boundaries of the jurisdiction, or within two miles of any land owned or used by Agency.

When an individual who holds a designated position is required to disclose business position, he or she shall disclose positions in business entities 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.

For purposes of this Conflict of Interest Code, the jurisdiction of the Resource Management Agency of Monterey County is the County of Monterey.

Category 1

A designated position in this category must report all investments, business positions, interests in real property, and sources of income, including gifts, loans, and travel payments.