

**CONFLICT OF INTEREST  
CODE OF THE  
~~PARKS-DEPARTMENT OF PARKS OF~~  
MONTEREY COUNTY**

(a) The Political Reform Act of 1974, (Government Code sections 81000, et seq.) requires state and local government agencies to adopt and promulgate ~~c~~Conflict of ~~i~~nterest ~~c~~Codes. The Fair Political Practices Commission has adopted a regulation, ~~2-Cal. Code of Regs.~~ section 18730 of Title 2 of the California Code of Regulation, which contains the terms of a standard ~~model~~ ~~c~~Conflict of ~~i~~nterest ~~c~~Code model, ~~which~~ that can be incorporated by reference in an agency's code. After public notice, and hearing, ~~which may be amended by~~ the Fair Political Practices Commission may amend the standard code to conform to amendments of ~~in~~ the Political Reform Act ~~after public notice and hearings~~. Therefore, the terms of ~~2-Cal. Code of Regs.~~ 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, along with the attached ~~Appendices designating positions and establishing Appendix in which officials and employees are designated and~~ disclosure categories are ~~set forth~~ ~~are~~ hereby incorporated by reference and together constitute the Conflict of Interest Code of the Department of Parks of Monterey County (hereafter "Department").

(b) ~~Pursuant to Government Code section 81008 and 2-Cal. Code of Regs. section 18730(b)(4), all designated employees~~ Individuals holding designated positions shall file their statements of economic interests with ~~their agency~~ the Department of Parks 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 of the Chief Ranger/Parks Director, the ~~agency~~ ~~Department~~ shall make and retain a ~~copy~~ ~~copies~~ and forward the original of the statements to the code reviewing body. Statements for all other designated ~~employees~~ ~~positions~~ shall be retained by the ~~agency~~ ~~Department~~, ~~which shall make the statements available for public inspection and reproduction.~~

(c) APPENDIX

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

Adopted:  
Amended: 10/08/96  
09/17/02  
09/29/04  
09/18/08  
10/06/16

## EXHIBIT A: Designated Positions

<u>Designated Positions</u>	<u>Assigned Disclosure Category</u>
Accountant I	1
Administrative Operations Manager	1
Chief Ranger/Parks Director	1
County Park Ranger II	1
County Park Ranger III	1
County Park Ranger Manager	1
County Park Ranger Supervisor	1
<del>Deputy Chief Ranger/Parks Operations Manager</del>	<del>1</del>
Director Of Parks And Recreation	1
Finance Manager I	1
Historic & Cultural Affairs Manager	1
Management Analyst II	1
Parks Building & Grounds Worker Supervisor	1
Parks Planning Manager	1
Parks Utilities & Water Systems Specialist	1
Range Master	1
Special Events Manager	1
Senior Parks Utilities & Water Systems Specialist	1
Consultants <sup>1</sup>	1

<sup>1</sup> 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.

Consultants to the Department of Parks of Monterey County shall be subject to disclosure under Category 1, subject to the following limitation:

The Chief Ranger/Parks 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 Chief Ranger/Parks 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 Chief Ranger/Parks Director's is a public record and shall be retained for public inspection in the same manner and location as the Department's Conflict of Interest Code.

## EXHIBIT B: Disclosure Categories

### General Provisions Applicable to all Categories

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

When an ~~designated member, officer, or employee~~ 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 ~~in whole or in part~~ within, ~~or not more than two miles outside of the boundaries of~~ the jurisdiction, ~~or not more than two miles outside of the boundaries of the jurisdiction~~ or within two miles of any land owned or used by the ~~Department of Parks of Monterey County~~.

When an ~~designated member, officer, or employee~~ 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 Department of Parks of Monterey County is the County of Monterey.

### Disclosure 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.

~~A member, officer, or employee holding a position assigned to Disclosure Category 1 shall, in the manner described above, report:~~

~~All investments and business positions in business entities and sources of income in the jurisdiction;~~

Interests in real property in the jurisdiction;

~~His or her status as director, officer, partner, trustee, employee, or holder of a management position in any business entity in the jurisdiction.~~

Adopted:

Amended: ~~10/08/96~~

~~09/17/02~~

~~09/29/04~~

~~09/18/08~~

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~~†For purposes of this Code, "consultant" has the same meaning as set forth in 2 Cal. Code of Regs. section 18700(a)(1), as follows:~~

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

~~(A) Makes a governmental decision whether to:~~

~~1. Approve a rate, rule, or regulation;~~

~~2. Adopt or enforce a law;~~

~~3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;~~

~~4. Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;~~

~~5. 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;~~

~~6. Grant agency approval to a plan, design, report, study, or similar item;~~

~~7. Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or~~

~~(B) Serves in a staff capacity with the agency and in that capacity 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.~~

~~Consultants to the Parks Department shall be subject to disclosure under Category 1, subject to the following limitation:~~

~~The Chief Ranger/Parks 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 Chief Ranger/Parks 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. The Chief Ranger/Parks Director's designation must be filed, in advance of disclosure by the consultant, with the agency's conflict of interest code and also filed with the code reviewing body and must be delivered to the consultant along with a copy of the conflict of interest code and the manual and forms for disclosure (FPPC Form 700).~~