

**CONFLICT OF INTEREST CODE
OF THE
DEPARTMENT OF CHILD SUPPORT SERVICES
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~~Interest ~~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 Regulations~~, which contains the terms of a standard ~~model~~ ~~c~~Conflict of ~~i~~Interest ~~c~~Code ~~that, which~~ can be incorporated by reference ~~in a Department's code. After public notice and hearing, and which may be amended by~~ the Fair Political Practices Commission ~~to conform to~~ ~~may amend the standard code to conform to~~ amendments 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, along with the attached ~~Appendices* designating positions and establishing in which officials and employees are designated and~~ disclosure categories are ~~set forth and~~ hereby incorporated by reference and ~~together~~ constitute the Conflict of Interest Code of the Department of Child Support Services of Monterey County.

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

~~(e)~~ APPENDIX

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

Adopted:
Amended:

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EXHIBIT-APPENDIX A: Designated Positions DESIGNATED POSITIONS

<u>List of Designated Positions</u>	<u>Assigned Disclosure Categories</u>
Director of Child Support Services	1
Deputy Director of Child Support Services	1
Accountant II	1
Finance Manager I	1
Management Analyst I, II, and III	1
Managing Chief Child Support Attorney	1
Departmental Information Systems Manager I	1
Associate Personnel Analyst	1
Consultants ²⁺	

¹ 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: Public officials who manage public investments are not covered by the Conflict of Interest Code because they must file a statement of economic interests pursuant to Government Code section 87200. Therefore, those positions are listed below for information purposes only:

² “Consultant” means an individual who, pursuant to a contract with a state or local government agency: 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:

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

- (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 Department to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
 5. Grant agency Department approval to a contract which requires agency Department approval and in which the agency is a party or to the specifications for such a contract;
 6. Grant agency Department approval to a plan, design, report, study or similar item;
 7. Adopt, or grant agency Department approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or

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~~(B) Serves in a staff capacity with the agency Department and in that capacity performs the same participates in making a governmental decision or performs the same or substantially all the same duties for the Department that would otherwise be performed by an individual holding a position specified in the Department's Conflict of Interest Code.~~
~~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 Department of Child Support Services shall be subject to disclosure under Category 1, subject to the following limitation: The Director may determine in writing that a particular 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 with the disclosure requirements of Category 1. In such cases, the Director may designate a different disclosure requirement. Such determination 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 Director 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.~~

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~~EXHIBIT APPENDIX B: Disclosure Categories~~ **DISCLOSURE CATEGORIES**

~~General Provisions~~ Applicable to All Categories

~~When an individual who holds a member, officer, or employee 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~~ an individual 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 individual designated member, officer, or employee~~ 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 within~~ the jurisdiction, or ~~within not more than~~ two miles ~~outside the boundaries of the jurisdiction, or within two miles~~ of any land owned or used by the Department, ~~of Child Support Services.~~

When an ~~individual designated member, officer, or employee~~ 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 Child Support Services is the County of Monterey.

Disclosure Category 1:

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

~~_____ AHA designated position in this category must report all investments and business positions in business entities positions, interests in real property, and sources of income, including gifts, loans, and travel payments, in the jurisdiction;~~

~~_____ Interests in real property in the jurisdiction;~~

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

~~Adopted: 09/10/10~~

~~Amended:~~

~~[†]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;~~

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~~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 Department of Child Support Services shall be subject to disclosure under Category 1, subject to the following limitation:~~

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~~The Director of Child Support Services 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 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 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).~~

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