

3/1/77
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CONFLICT OF INTEREST CODE
OF THE

SAN LUCAS CEMETERY DISTRICT

OF MONTEREY COUNTY

SECTION 100. Purpose. Pursuant to the provisions of Govern-
ment Code Sections 87300, et seq., the

SAN LUCAS CEMETERY DISTRICT

of Monterey County hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code Section 81000). The provisions of this Code are additional to Government Code Section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions and provisions of said Act and regulations adopted pursuant thereto shall be incorporated herein and this Code shall be interpreted in a manner consistent therewith.

SECTION 200. Designated Positions. The positions listed on Exhibit "A" are designated positions. Officers and employees holding those positions are designated employees and are deemed to make or participate ~~or participate~~ in the making of, decisions which may foreseeably have a material effect on a financial interest.

SECTION 300. Disclosure Statements. Designated positions shall be assigned to one or more of the disclosure categories set forth on Exhibit "B". Each designated employee shall file an annual statement disclosing that employee's interest in investments, real property, and income, designated as reportable under the category to which the employee's position is assigned on Exhibit "B".

SECTION 500. Contents of Disclosure Statements. Disclosure statements shall be made on forms supplied by the district secretary^{2/}, and shall contain the following information:

(a) Contents of Investment and Real Property Reports:

When an investment or an interest in real property is required to be reported, the statement shall contain:

(1) A statement of the nature of the investment or interest;

(2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

(3) The address or other precise location of the real property;

(4) A statement whether the fair market value of the investment or interest in real property exceeds ten thousand dollars (\$10,000), and whether it exceeds one hundred thousand dollars (\$100,000). This information need not be provided with respect to an interest in real property which is used principally as the residence of the filer.

(b) Contents of Personal Income Reports:

When personal income is required to be reported, the statement shall contain:

(1) The name and address of each source of income aggregating two hundred and fifty dollars (\$250) or more in value, or twenty-five dollars (\$25) or more in value if the income was a gift, and

^{2/} Special Districts fill in "district secretary". County departments fill in title of department head or chief officer.

a general description of the business activity, if any, of each source;

(2) A statement whether the aggregate value of income from each source was greater than one thousand dollars (\$1,000), and whether it was greater than ten thousand dollars (\$10,000);

(3) A description of the consideration, if any, for which the income was received;

(4) In the case of a gift, the amount and the date on which the gift was received.

(c) Contents of Business Entity Income Reports:

When income of a business entity, including income of a sole proprietorship, is required to be reported under this article, the statement shall contain:

(1) The name, address, and a general description of the business activity of the business entity;

(2) In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity if the filer's prorata share of fees from such person was equal to or greater than one thousand dollars (\$1,000);

(3) In the case of a business entity not covered by paragraph (2), the name of every person from whom the business entity received payments if the filer's prorata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000) during a calendar year.

(d) First Statement:

The first report filed by an employee appointed to a designated position shall disclose any reportable investments and interests in real property.

(e) Acquisition During Reporting Period.

In the case of a statement filed under SECTION 400(f), if the investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the date of acquisition or disposal.

SECTION 600. Disqualification. Designated employees must disqualify themselves from making or participating in the making of any decisions in which they have a reportable financial interest, when it is reasonably foreseeable that such interest may be materially affected by the decision. No designated employee shall be required to disqualify himself with respect to any matter which could not be legally acted upon or decided without his participation.

EXHIBIT A

Designated Positions

	<u>Disclosure Category</u>
Member of the Board of Trustees	1

EXHIBIT B

Designated employees in Category 1 must report:

I

Investments in any business entity which

(a) has contracted with this district within the last two years, or in the future may foreseeably do so, to provide services of any kind, supplies, materials, machinery, or equipment to the district; or

(b) manufactures, produces or processes any of said types of things and sells or leases them to a business entity which sells or leases them to the district, or

(c) deals in, or repairs or services any of said types of things which have been, are, or foreseeably may be, used by the district.

II

Income from any of the types of business entities referred to in paragraph I above, or from any person or business entity who or which receives the services provided by the district, or in the future may foreseeably do so, except such income as is not reportable under the provisions of subdivision (b) of Section 82030 of the Government Code.

III

His or her status as a director, officer, partner, trustee, employee, or holder of a position of management in any of the types of business entity referred to in either paragraph I or II above.

IV

All interests in real property located in the jurisdiction of the district, or not more than two miles outside its boundaries, if the fair market value of the interest is greater than \$1,000.