



Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Resolution No.: 19-102

Upon motion of Supervisor Adams, seconded by Supervisor Alejo and carried by those members present, the Board of Supervisors hereby:

Adopted a resolution to revise and approve amendments to the Conflict of Interest Code of the Alisal Union School District.

PASSED AND ADOPTED on this 26th day of March 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Lopez, Phillips, Parker and Adams

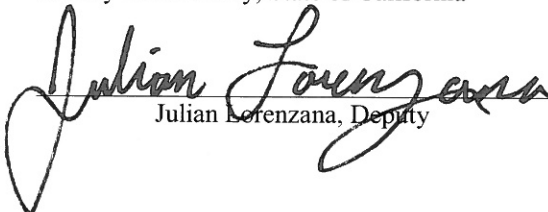
NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting March 26, 2019.

Dated: March 27, 2019
File ID: RES 19-029

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Julian Lorenzana, Deputy

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. 19-102

Resolution No. 19-102 revising and approving)
the Amended Conflict of Interest Code of the)
Alisal Union School District)

WHEREAS, pursuant to Government Code sections 87300 and 87301, the Alisal Union School District has adopted a Conflict of Interest Code;

WHEREAS, pursuant to Government Code section 87306, the Alisal Union School District amended its Conflict of Interest Code as necessitated by changed circumstances;

WHEREAS, pursuant to Sections 82011 and 87303 of the Government Code, the Alisal Union School District submitted its amended Code to the Monterey County Board of Supervisors, the code reviewing body pursuant to the Political Reform Act, for approval;

WHEREAS, the amended Conflict of Interest Code of the Alisal Union School District is attached hereto as Attachment A and incorporated herein by reference;

WHEREAS, pursuant to Government Code section 87303, the Board of Supervisors as code reviewing body may approve the Code as submitted, may revise the proposed Code and approve it as revised, or may return the proposed Code to the agency for revision and resubmission; and

WHEREAS, Monterey County Counsel has recommended that the amended code be revised as set forth in the Memorandum attached as Attachment B and incorporated herein by reference;

WHEREAS, the amended Code, revised as set forth in the attached Memorandum, is lawful under the Political Reform Act of 1974;

NOW THEREFORE, BE IT RESOLVED THAT, the Board of Supervisors does hereby revise the proposed code as set forth in the attached Memorandum of County Counsel and does hereby approve the Amended Conflict of Interest Code of the Alisal Union School District, as so revised, attached hereto as Attachments A and B, and directs the Clerk of the Board of Supervisors to notify the Alisal Union School District of the revision and approval.

PASSED AND ADOPTED on this 26th day of March 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Lopez, Phillips, Parker and Adams
NOES: None
ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting March 26, 2019.

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Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Julian Lorenzana Deputy

Conflict of Interest Code of the

Alisal Union School District

The provisions of 2 CCR [18730](#) and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

APPENDIX

Disclosure Categories

1. Category 1: A person designated Category 1 shall disclose:

a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.

b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.

2. Category 2: A person designated Category 2 shall disclose:

a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.

b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

3. Full Disclosure: Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code [87200](#):

a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.

b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

Designated Positions

Designated Position Disclosure Category

Governing Board Members 1

Superintendent of Schools 1

Associate Superintendent 1

Assistant Superintendent 1

Director of Fiscal Services 1

Director 2

Principal 2

Assistant Principal 2

Coordinator 2

Project Manager 2

Manager 2

Supervisor 2

Disclosures for Consultants

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR [18701](#))

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR [18702.2](#) or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR [18701](#))

Bylaw ALISAL UNION SCHOOL DISTRICT

adopted: May 18, 2011 Salinas, California

revised: September 26, 2018 Salinas, California

MONTEREY COUNTY



OFFICE OF THE COUNTY COUNSEL
CHARLES J. MCKEE, COUNTY COUNSEL

MEMORANDUM

DATE: December 21, 2018

TO: Chair Phillips and Members of the Monterey County Board of Supervisors

FROM: Rebecca M. Cenicerros, Deputy County Counsel

SUBJECT: Alisal Union School District Conflict of Interest Code

Government Code section 87303(b) provides that the Board, as the code reviewing body for local agencies, may revise a proposed Conflict of Interest Code and approve it, as revised. The Alisal Union School District has submitted an amended Conflict of Interest Code to the Board for review.

County Counsel recommends that the Board revise this Conflict of Interest Code to incorporate the definition of consultants set forth in Title 2 of the California Code of Regulations, section 18700.3(a), into the Conflict of Interest Code and that consultants disclose in accordance with Disclosure Category No. 1.

County Counsel recommends that the Board revise this Conflict of Interest Code to incorporate the statement that the jurisdiction of the Alisal Union School District is entirely within the boundaries of Monterey County, thereby establishing that the Board is the appropriate code reviewing body under the Political Reform Act.

County Counsel recommends that the Board approve the proposed Conflict of Interest Code for the Alisal Union School District as so revised.

CHARLES J. MCKEE, County Counsel

By

Rebecca M. Cenicerros
Deputy County Counsel