



Monterey County Board of Supervisors

Board Order

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066
www.co.monterey.ca.us

A motion was made by Supervisor Mary L. Adams seconded by Supervisor John M. Phillips to approve Consent Calendar Item Numbers 13 through 36 excluding Consent Item No.16 which was pulled via the additions and corrections and Item No. 32.1 which will have a separate vote taken on it.

Adopted Resolution No.: 20 - 288

Adopted Resolution No. 20 – 288 approving amendments to the Conflict of Interest Code of the Assessor-County Clerk-Recorder's Office.

PASSED AND ADOPTED on this 1st day of September 2020, by roll call vote:

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

NOES: None

ABSENT: None

(Government Code 54953)

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 September 1, 2020.

Dated: September 1, 2020
File ID: RES 20-134
Agenda Item No.: 27

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


Joel C. Pablo, Deputy

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

Resolution No. 20 - 288

Resolution to approve the Amended)
Conflict of Interest Code of the Office of)
Assessor-County Clerk-Recorder.....)

RECITALS

WHEREAS, the Political Reform Act of 1974 (Government Code sections 810000, et. Seq.), requires state and local government agencies to adopt Conflict of Interest codes to and periodically review their codes and make necessary changes to these codes;

WHEREAS, pursuant to Government 87300 and 87303, the Office of Assessor-County Clerk-Recorder previously adopted its Conflict of Interest Code which was approved by the Board;

WHEREAS, due to the creation of new positions, pursuant to Section 87306 of the Government Code, the Office of Assessor-County Clerk-Recorder has submitted its proposed, amended code to the Monterey County Board of Supervisors, the code reviewing body, for approval;

WHEREAS, the amended conflict of interest code of the Office of Assessor-County Clerk-Recorder 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, revise the proposed code and approve it as revised, or return the proposed code to the agency for revision and resubmission; and

WHEREAS, the amended code as adopted is lawful under the Political Reform Act of 1974;

NOW THEREFORE, BE IT RESOLVED THAT, the Board of Supervisors does hereby approve the amended conflict of interest code of the Office of Assessor-County Clerk-Recorder, attached hereto as Attachment A, and direct the Clerk of the Board of Supervisors to notify the Office of Assessor-County Clerk-Recorder of the approval.

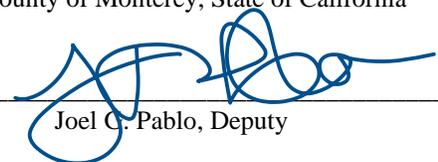
PASSED AND ADOPTED on this 1st day of September 2020, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams
NOES: None
ABSENT: None
(Government Code 54953)

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 September 1, 2020.

Dated: September 1, 2020
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Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Joel C. Pablo, Deputy

**CONFLICT OF INTEREST CODE
OF THE
COUNTY ASSESSOR-COUNTY CLERK-RECORDER OFFICE**

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 a Department'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 **County Assessor-County Clerk-Recorder Office** (hereafter "Department").

Individuals holding designated positions shall file their statement of economic interests with the **County Assessor-County Clerk-Recorder Office**, which will make the statements available for public inspection and reproduction pursuant to Government Code section 81008. Upon receipt of the statements for, 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.

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

Adopted: 02/08/77
Amended: 03/19/85
06/17/94
07/18/95
09/18/96
08/24/98
10/29/02
09/09/04
07/01/08
02/20/14
04/08/16
08/25/2020

Amended: 08/25/2020

APPENDIX A: DESIGNATED POSITIONS

| <u>Designated Positions¹</u> | <u>Assigned Disclosure Category</u> |
|---|-------------------------------------|
| Assessor-County Clerk-Recorder | 1 |
| Administrative Services Officer | 1 |
| Appraiser I, II or III | 1 |
| Assistant Assessor-Valuation | 1 |
| Assistant County Clerk-Recorder | 1 |
| Auditor-Appraiser I, II or III | 1 |
| Auditor-Appraiser Manager | 1 |
| Department Information Systems Manager I | 1 |
| Department Information Systems Manager II | 1 |
| Finance Manager I | 1 |
| Management Analyst I | 1 |
| Recorder Services Supervisor | 1 |
| Supervising Appraiser | 1 |
| Supervising Office Assistant I | 1 |
| Supervising Office Assistant II | 1 |
| Consultants ² | 1 |

¹ 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: none.

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), as follows:

"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 which requires agency approval;
 - (E) 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;
 - (F) Grant agency approval to a plan, design, report, study, or similar item;

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 Department.

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 **County Assessor-County Clerk-Recorder Office** is Monterey County. **County Assessor-County Clerk-Recorder Office** operates entirely within the geographical boundaries of Monterey County.

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- (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 **County Assessor-County Clerk-Recorder Office** shall be subject to disclosure under Category 1, subject to the following limitation: The **Assessor-County Clerk-Recorder** 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 **Assessor-County Clerk-Recorder** 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 **Assessor-County Clerk-Recorder** 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.

Category 1³

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.

Category 2

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

Category 3

A designated position in this category must report all interests in real property.

Category 4

A designated position in this category must report all investments, business positions and income, including gifts, loans, and travel payments, from sources that are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before, the Department.

Category 5

A designated position in this category must report all investments, business positions and income, including gifts, loans, and travel payments, from sources which are of the type to supply materials, products, supplies, commodities, services, machinery, vehicles, or equipment utilized by the Department.

Category 6

A designated position in this category must report all investments, business positions and income, including gifts, loans, and travel payments, from sources which are of the type to receive grants or other monies from or through the Department.

³CATEGORY 1 REQUIRES THE BROADEST DISCLOSURE.