



Monterey County

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1st Floor
Salinas, CA 93901
831.755.5066

Board Order

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

Adopted Resolution No. 14-108 to approve the amendments to the Conflict of Interest Code of the Carmel Area Wastewater District.

PASSED AND ADOPTED on this 22nd day of April 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter
NOES: None
ABSENT: None

I, Gail T. Borkowski, 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 77 for the meeting on April 22, 2014.

Dated: April 22, 2014
File Number: RES 14-035

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By  _____
Deputy

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

Resolution No. 14-108

Adopt Resolution approving the amended Conflict)
of Interest Code of the Carmel Area Wastewater)
District.....)

WHEREAS, pursuant to Government Code sections 87300 and 87301, Carmel Area Wastewater District of the County of Monterey has adopted a conflict of interest code;

WHEREAS, pursuant to Government Code section 87306, the Carmel Area Wastewater District of the County of Monterey has amended its conflict of interest code as necessitated by changed circumstances;

WHEREAS, pursuant to Sections 82011 and 87303 of the Government Code, the Carmel Area Wastewater District of the County of Monterey has submitted its amended code to the Monterey County Board of Supervisors, the code reviewing body, for approval;

WHEREAS, the amended conflict of interest code of the Carmel Area Wastewater District of the County of Monterey is attached hereto as Attachment B 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 proposed code as amended 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 Carmel Area Wastewater District of the County of Monterey, attached hereto as Attachment B, and direct the Clerk of the Board of Supervisors to notify the Carmel Area Wastewater District of the County of Monterey of the approval.


PASSED AND ADOPTED upon motion of Supervisor Salinas, seconded by Supervisor Parker and carried this 22nd day of April 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter
NOES: None
ABSENT: None

I, Gail T. Borkowski, 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 77 for the meeting on April 22, 2014.

Dated: April 22, 2014
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Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By  Deputy

COPY

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CLERK OF THE BOARD

**CONFLICT OF INTEREST CODE
OF THE
CARMEL AREA WASTEWATER DISTRICT**

1. Adoption by Incorporation. 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, 2 Cal. Code of Regs. section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission 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 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth are hereby incorporated by reference and constitute the Conflict of Interest Code of the Carmel Area Wastewater District ("District").

2. Filing of Statements. 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 District Board of Directors, the District 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 District, which shall make the statements available for public inspection and reproduction.

(c) APPENDIX

EXHIBIT A: Designated Positions

List of Designated Positions	Assigned Disclosure Categories
District Board of Directors	1
District General Manager	1
District Finance Officer Principal Accountant	1
Consultants	1

* The Finance Officer was reclassified to Principal Accountant

EXHIBIT B: Disclosure Categories

General Provisions

When a member, officer, or employee who holds a

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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 (2) 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 a 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 (2) miles outside of the boundaries of the jurisdiction, or within two (2) miles of any land owned or used by the Carmel Area Wastewater District.

When a 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 (2) years.

For purposes of this Conflict of Interest Code, the jurisdiction of the Carmel Area Wastewater District is that area within the boundaries of the Carmel Area Wastewater District.

Disclosure Category 1:

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

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

b) Interests in real property in the jurisdiction;

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c) 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:

✓ For purposes of this Code, a "consultant" is any natural person who provides, under contract, information, advice, recommendation, or counsel to the District, provided however, that "consultant" shall not include a person who:

(a) Conducts research and arrives at conclusions with respect to his or her rendition of information, advice, recommendation, or counsel independent of the control and direction of the District or of any District official, other than normal contract monitoring; and

(b) Possesses no authority with respect to any District decision beyond the rendition of information, advice, recommendation, or counsel.

Consultants to the District shall be subject to disclosure under Category 1, subject to the following limitation:

The District General Manager 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 District General Manager 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 District General Manager's designation must be filed, in advance of disclosure by the consultant, with the District'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 730).