



Monterey County

Board Order

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

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

Adopt Resolution No. 14-261 to approve the amendments to the Conflict of Interest Code of the East Garrison Community Services District.

PASSED AND ADOPTED on this 9th day of September 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas and Parker

NOES: None

ABSENT: Supervisor Potter

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 September 9, 2014.

Dated: September 11, 2014
File Number: RES 14-078

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.:14-261

Adopt Resolution approving the amended)
 Conflict of Interest Code of the East)
 Garrison Community Services District.....)

RECITALS

WHEREAS, pursuant to Government Code sections 87300 and 87301, East Garrison Community Services District of the County of Monterey has adopted a conflict of interest code;

WHEREAS, pursuant to Government Code section 87306, the East Garrison Community Services District has amended its conflict of interest code as necessitated by changed circumstances;

WHEREAS, pursuant to Sections 82011 and 87303 of the Government Code, the East Garrison Community Services District 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 East Garrison Community Services District 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 East Garrison Community Services District, attached hereto as Attachment B, and direct the Clerk of the Board of Supervisors to notify the East Garrison Community Services District of the approval.

PASSED AND ADOPTED upon motion of Supervisor Parker, seconded by Supervisor Salinas and carried this 9th day of September 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas and Parker

NOES: None

ABSENT: Supervisor Potter

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 September 9, 2014.

Dated: September 11, 2014
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Gail T. Borkowski, Clerk of the Board of Supervisors
 County of Monterey, State of California

By _____
 Deputy

EAST GARRISON COMMUNITY SERVICES
DISTRICT CONFLICT OF INTEREST CODE

(a) 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 East Garrison Community Services District

(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 members of the Board of Directors, 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.

(c) APPENDIX

Approved by the Monterey County
Board of Supervisors Date: September 9, 2014
[Signature], Deputy

EXHIBIT A: Designated Positions

List of Designated Positions	Assigned Disclosure Categories ¹
Members of the Board of Directors	1
General Manager	1
Treasurer	1
Clerk to the Board	1
District Counsel	1
Management Specialist	1
Senior Civil Engineer	1
Civil Engineer	1
Resource Management Agency Service Manager	1
Consultants ²	1

EXHIBIT B: Disclosure Categories

General Provisions

When 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 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 miles outside of the boundaries of the jurisdiction, or within two miles of any land owned or used by the East Garrison Community Services 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 years.

For purposes of this Conflict of Interest Code, the jurisdiction of the East Garrison Community Services District is the same as the boundaries of the East Garrison Community Services District, as those boundaries may be changed from time to time.

Disclosure Category 1:

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

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

Interests in real property in the jurisdiction;

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:

¹This code does not establish any disclosure obligation for those designated employees who

are also specified in Government Code section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code sections 87200, et seq. Such persons are covered by this code for disqualification purposes only.

²For purposes of this Code, "consultant" has the same meaning as set forth in 2 California 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;
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 East Garrison Community Services District shall be subject to disclosure under Category 1, subject to the following limitation:

The East Garrison Community Services District 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 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 General Manager'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).