

CONFLICT OF INTEREST CODE  
OF THE  
DEPARTMENT OF ADMINISTRATIVE MANAGEMENT  
AND ITS DIVISIONS  
OF MONTEREY COUNTY

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SECTION 100. Purpose. Pursuant to the provisions of Government Code Sections 87300, et seq., the

DEPARTMENT OF ADMINISTRATIVE MANAGEMENT AND ITS DIVISIONS OF PURCHASING, PERSONNEL, COLLECTIONS, GROUNDS & BUILDINGS, & CETA ADMINISTRATION 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 following positions are designated positions. Officers and employees holding those positions are designated employees and are deemed to make or participate in the making of, decisions which may foreseeably have a material effect on a financial interest.

Administrative Division

Administrative Officer  
Assistant Administrative Officer

Purchasing Division

Assistant Purchasing Agent

Personnel Division

Personnel Officer (Deputy Administrative Officer)

Collections Division

Director of Collections (Deputy Administrative Officer)

SECTION 300. Disclosure Statements. Each designated employee shall file an annual statement disclosing that employee's interest in investments, real property, and income, designated as reportable by Article 2, Chapter 7, of the Political Reform Act of 1974.

SECTION 400. Place and Time of Filing.

(a) All designated employees required to submit a statement of financial interests shall file the original with the County Administrative Officer.

(b) The County Administrative Officer , upon receipt of the statement of financial interest, shall make and retain a copy and forward the original to the County Clerk.

(c) A designated employee required to submit a statement of financial interest shall submit the statement within 30 days after the effective date of this Code.

(d) New employees, other than officers and their deputies, appointed to designated positions shall file statements within 30 days after date of employment.

(e) New officers and their deputies appointed to designated positions shall file statements not less than 10 days before assuming office, unless an earlier assumption of office is required by emergency circumstances, in which case the statement shall be filed within 30 days thereafter.

(f) Annual statements shall be filed during the month of February by all designated employees. Such statements shall cover the period of the preceding calendar year.

(g) A designated employee required to file a statement of financial interest with any other agency, which has the same territorial jurisdiction, may comply with the provisions of this Code by filing a duplicate copy of the statement filed with the other agency, in lieu of an entirely separate statement.

SECTION 500. Contents of Disclosure Statements. Disclosure statements shall be made on forms supplied by the County Administrative Officer , 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

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.