



## Monterey County Board of Supervisors

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

### Board Order

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

Adopted Resolution 17-013 to approve the amendments to the Conflict of Interest Code of the Department of Parks of Monterey County.

PASSED AND ADOPTED on this 10<sup>th</sup> day of January 2017, by the following vote, to wit:

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

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 79 for the meeting on January 10, 2017.

Dated: January 24, 2017  
File ID: RES 16-091

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

By Denise Hancock  
Deputy

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

**Resolution No. 17-013**

Board of Supervisors, as code reviewing Body, approves )  
the amendments to the Conflict of Interest Code of the )  
Parks Department of the County of Monterey..... )

**WHEREAS**, pursuant to Government code sections 87300 and 87301, the Parks Department has adopted a Conflict of Interest Code.

**WHEREAS**, pursuant to Government Code section 87306, the Parks Department has amended its Conflict of Interest Code as necessitated by changed circumstances;

**WHEREAS**, pursuant to Sections 82011 and 87303 of the Government Code, the Parks Department 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 Parks Department is attached hereto 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 department 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**, the Board of Supervisors does hereby approve the amended Conflict of Interest Code of the Parks Department, attached hereto as Attachment C, and direct the Clerk of the Board of Supervisors to notify the RMA Director as Interim Parks Director of the approval.

**PASSED AND ADOPTED** upon motion of Supervisor Salinas, seconded by Supervisor Alejo carried this 10th day of January 2017, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Salinas, Parker and Adams  
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 79 for the meeting on January 10, 2017.

Dated: January 24, 2017  
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Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

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Deputy

**CONFLICT OF INTEREST CODE  
OF THE  
DEPARTMENT OF PARKS OF MONTEREY COUNTY**

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 an agency'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 Department of Parks of Monterey County (hereafter "Department").

Individuals holding designated positions shall file their statement of economic interests with the Department of Parks of Monterey County, which will make the statements available for public inspection and reproduction pursuant to Government Code section 81008. Upon receipt of the statements for the Chief Ranger/Parks Director, 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: mo/dd/yy  
Amended: 10/08/96  
09/17/02  
09/29/04  
09/18/08  
10/06/16

## APPENDIX A: DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Assigned Disclosure Category</u>
Accountant I	1
Administrative Operations Manager	1
Chief Ranger/Parks Director	1
County Park Ranger II	1
County Park Ranger III	1
County Park Ranger Manager	1
County Park Ranger Supervisor	1
Director Of Parks And Recreation	1
Finance Manager I	1
Historic & Cultural Affairs Manager	1
Management Analyst II	1
Parks Building & Grounds Worker Supervisor	1
Parks Planning Manager	1
Parks Utilities & Water Systems Specialist	1
Range Master	1
Special Events Manager	1
Senior Parks Utilities & Water Systems Specialist	1
Consultants <sup>1</sup>	1

<sup>1</sup> 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) (2016) as follows:  
(a) For purposes of Sections 82019 and 82048, "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 that requires agency approval;
  - (E) Grant agency approval to a contract that requires agency approval and to 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;
  - (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 Department of Parks of Monterey County shall be subject to disclosure under Category 1, subject to the following limitation:

The Chief Ranger/Parks Director 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 Chief Ranger/Parks Director 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. Such determination by the Chief Ranger/Parks Director's 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.

## **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 the 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 Department of Parks of Monterey County is the County of Monterey.

### Category 1

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.