

ATTACHMENT B

CONFLICT OF INTEREST CODE OF THE COUNTY OF MONTEREY DEPARTMENT OF EMERGENCY MANAGEMENT

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 establish disclosure categories and hereby incorporated by reference and together constitute the conflict of interest Code of the Department of Emergency Management (hereafter "Department").

Individuals holding designated positions shall file their statement of economic interests with the Department of Emergency Management, which will make the statements available for public inspection and reproduction pursuant to Government Code section 81008. The Director of Emergency Management shall file one original statement of economic interests with the County Clerk who shall make and retain a copy and forward the original statement to the Fair Political Practices Commission, which shall be the filing officer. Statements for all other designated positions shall be retained by the Agency. Statements for all other designated positions shall be retained by the Department.

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

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APPENDIX A: DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Assigned Disclosure Category</u>
Director of Emergency Management	1
Emergency Services Manager	2
Finance Manager I	1
Management Analyst II	2
Emergency Services Planner	4

¹Public officials who manage public investment are not covered by the Conflict of code because they must file a statement of economic interest pursuant to Government Code section 87200. Therefor, those positions are listed below for information purposes only:

¹ 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 18701(a) (2), 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 participates in making a governmental decision as defined in Regulation 18704(a) and (b) or performed by an individual holding a position specified in the agency’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 Agency.

For purposes of this Conflict of Interest Code, the jurisdiction of the Department of Emergency Management of 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.