

**AMENDED
CONFLICT OF INTEREST CODE *
OF THE
MONTEREY REGIONAL WATER
POLLUTION CONTROL AGENCY**

[Adopted as part of MRWPCA Resolution No. 2010-12, Amending the Conflict of Interest Code to Revise the List of Designated Employees/Positions]

1. Adoption by Incorporation. The Political Reform Act of 1974, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission had adopted a regulation, 2 California Code of Regulation Section 18730, which contains the terms of a standard model Conflict of Interest Code, which may 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 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the following Exhibit A and Exhibit B, 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 Monterey Regional Water Pollution Control Agency ("MRWPCA").

2. Filing of Statements. Pursuant to 2 California Code of the Regulations Section 18730(b)(4), all designated employees shall file statements of economic interests with MRWPCA. Upon receipt of the statements of the MRWPCA Board of Directors, the MRWPCA shall make and retain a copy and forward the original of each statement to the code reviewing body. Statements for all other designated employees will be retained by MRWPCA.

* Originally adopted August 22, 1988. Amended to modify Exhibit "A" on March 26, 1990, October 26, 1992, August 31, 1998, February 23, 2004, and August (MRWPCA Resolution Nos. 90-07, 92-20, 98-12, 2004-04, and 2006-21 and 2008-10).

EXHIBIT A: Designated Positions **

	<u>List of Designated Positions</u>	<u>Assigned Disclosure Category</u>
	MRWPCA Board of Directors and Alternates	1
	General Manager	1
	Assistant General Manager	1
	Director of Administrative Services Dir of Admin Services/Deputy General Manager	1
	Director of Finance	1
	Operations Manager	1
	Maintenance Manager	1
	Engineering Staff: Principal Engineer, Lead Engineer, Project Engineer, Associate Engineer, Compliance Engineer	1
	MRWPCA Legal Counsel	1
	Consultants***	1

** Exhibit "A" amended August 28, 2006.

*** "Consultant" description, as follows:

***** CONSULTANTS:** Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements as described in Appendix B. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as set forth in this resolution.

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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 (2) years. In addition to other activities, a business entity is doing business with 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 Monterey Regional Water Pollution Control Agency.

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 California, plan to do business in California, or have done business in California within the past two (2) years.

For purposes of this Conflict of Interest Code, the jurisdiction of the Monterey Regional Water Pollution Control Agency is that area within the boundaries of the Monterey Regional County Sanitation 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 in business entities and sources of income in the jurisdiction;
- (b) Interests in real property in the jurisdiction which were acquired by, leased, or otherwise used by the Monterey Regional Water Pollution Control Agency;
- (c) His or her status as director, officer, partner, trustee, employee, or holder of a management position in any business entity in the jurisdiction.

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

Approve amendments to the conflict of)
interest code of the Monterey Regional)
Water Pollution Control Agency)

Upon motion of Supervisor Potter, seconded by Supervisor Armenta, and carried by those members present, the Board hereby;

ORDER

Pursuant to Section 87300 of the Government Code, the Monterey Regional Water Pollution Control Agency has requested the Monterey County Board of Supervisors, as code reviewing body, to approve amendments to its conflict of interest code, which has been adopted and submitted to the code reviewing body.

Amendments to the conflict of interest code of the Monterey Regional Water Pollution Control Agency, a copy of which have been filed with the Clerk of the Board of Supervisors, are hereby approved by the Monterey County Board of Supervisors.

The Clerk of the Board of Supervisors is hereby directed to notify the Monterey Regional Water Pollution Control Agency of the approval of amendments to its conflict of interest code by mailing or delivering a copy of this order to the General Manager.

PASSED AND ADOPTED on this 1st day of March, 2011, 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 75 for the meeting on March 1, 2011.

Dated: March 2, 2011

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

By 
Deputy