

**Previously Adopted
CONFLICT OF INTEREST CODE
OF THE
COUNTY ADMINISTRATIVE OFFICE OF MONTEREY COUNTY
(showing proposed revisions to designated positions)**

a) The Political Reform Act of 1974, Government Code § 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. § 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. § 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 County Administrative Office of Monterey County.

b) Pursuant to Government Code § 81008 and 2 Cal. Code of Regs. § 18730 (b) (4), all designated employees shall file statements of economic interests with their agency. The County Administrative Officer shall file one original statement of economic interests (Form 700) 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 employees shall be retained by the agency, which shall make the statements available for public inspection and reproduction.

c) APPENDIX

EXHIBIT A: Designated Positions

List of Designated Positions

**Assigned Disclosure
Categories**

COUNTY ADMINISTRATIVE OFFICE

Assistant County Administrative Officer	1
Associate Administrative Analyst	1
Buyer I	1
Buyer II	1
Chief Assistant County Administrative Officer	1
Intergovernmental & Legislative Affairs Director	1
Contracts & Purchasing Officer	1

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County Administrative Officer	(1)
County Budget Director	1
ERP Project Director	1
Executive Management Specialist	1
Finance Manager I	1
Finance Manager II	1
Management Analyst I	1
Management Analyst II	1
Management Analyst III	1
Management Specialist	1
Principal Administrative Analyst	1
Principal Compliance Analyst	1
Principal Employee Relations Rep	1
Principal Personnel Analyst	1
Principal Risk & Benefits Analyst	1
Senior Administrative Analyst	1
Supervising Personnel Analyst	1

OFFICE OF EMERGENCY SERVICES

Emergency Services Manager	1
Emergency Services Planner	1
Consultants ⁽²⁾	1

(1) No disclosure obligations are established by this Code for the County Administrative Officer, who is required to file economic disclosure statements as provided in Government Code § 87200, et seq. Such officer is covered by this Code for disqualification purposes only. See, 2 Cal. Code of Regs § 18730 (b) (3).

(2) For purposes of this Code, "consultant" has the same meaning as set forth in 2 Cal. 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

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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 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 County of Monterey.

When a designated member, officer, or employee who holds a designated position is required to disclose business positions, 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 County Administrative Office is the County of Monterey.

Disclosure Category 1:

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 County Administrative Office shall be subject to disclosure under Category 1, subject to the following limitation:

The County Administrative Officer 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 County Administrative Officer 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 County Administrative Officer'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).

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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.

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~~05/08/89~~

~~02/27/90~~

~~08/19/90~~

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