

ATTACHMENT A

AMENDED CONFLICT OF INTEREST CODE FOR THE
MONTEREY COUNTY LOCAL AGENCIES INSURANCE AUTHORITY

(a) 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 has adopted a regulation, 2 Cal. Code of Regs., Section 18730, which contains the terms of a standard model Conflict of Interest Code, to 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., Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees have been designated and disclosure categories have been set forth are hereby incorporated by reference and constitute the Conflict of Interest Code of the Monterey County Local Agencies Insurance Authority (MCLAIA).

(b) Pursuant to Government Code Section 81008 and 2 Cal. Code of Regs., Section 18730 (b)(4), all designated persons shall file statements of economic interests with the Authority. Upon receipt of the statement of the members of the Board of Directors and Alternate Board Members, the MCLAIA shall make and retain a copy and forward the original of the statement to the Clerk of the Monterey County Board of Supervisors. Statements for all other designated positions shall be retained by the MCLAIA, which shall make the statements available for public inspection and reproduction.

EXHIBIT “A”: Designated Positions

<u>List of Designated Positions</u>	<u>Assigned Disclosures Categories</u>
Board Members	1
Alternate Board Members	1
General Counsel	1
Administrative Officer	1
Investment Officer	1
Consultants	1

EXHIBIT “B”: Disclosure Categories

General Provisions

When a member, officer, or other person 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 does business, plans to do business, or has done business with the Monterey County Local Agencies Insurance Authority within the past two years. In addition to other activities, a business entity is doing business within the MCLAIA if it owns real property within jurisdiction of the Monterey County Local Agencies Insurance Authority.

When a designated member, officer, or other person 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 of the Monterey County Local Agencies Insurance Authority.

When a designated member, officer, or other person who holds a designated position is required to disclose interests in a 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 the jurisdiction of the Monterey County Local Agencies Insurance Authority, or within two miles of any land owned or used by the Monterey County Local Agencies Insurance Authority.

When a designated member, officer, or other person who holds a designated position is required to disclose business positions, he or she shall disclose position 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 Monterey County Local Agencies Insurance Authority is the combined legal boundaries of member agencies of the Monterey County Local Agencies Insurance Authority.

Disclosure Category 1:

A member, officer, or person holding a position assigned to Disclosure Category 1 shall, in the manner described above, report:

1. All investments and business positions in business entities and sources of income with business entities which does business, plans to do business, or has done business with the Monterey County Local Agencies Insurance Authority within the past two years;
2. Interest of real property in the jurisdiction, which were acquired, leased, or otherwise used by the Monterey County Local Agencies Insurance Authority;

3. His or her status as director, officer, partner, trustee, employee, or holder of a management position in any business entity in the jurisdiction.

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 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 Monterey County Local Agencies Insurance Authority shall be subject to disclosure under Category 1, subject to the following limitation:

The Board of Directors 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 comply fully with the disclosure requirements of Category 1. In such cases, Board of Directors may designate a different disclosure which shall include a description of the consultants' disclosure requirements. The categories designation must be filed, in advance of disclosure by the consultant, with the Monterey County Local Agencies Insurance Authority's Conflict of Interest Code and 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)

Note: This amended Conflict of Interest Code for the Monterey County Local Agencies Insurance Authority was adopted on June 14, 2012, Resolution 2012-02.