



Monterey County

Board Order

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

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

Adopted Resolution No. 13-036 to approve the amendments to the Conflict of Interest Code of the Salinas Valley Solid Waste Authority.

PASSED AND ADOPTED on this 12th day of February 2013, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Potter, and Parker

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 76 for the meeting on February 12, 2013.

Dated: February 13, 2013
File Number: RES 13-015

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

By  _____
Deputy

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

Resolution No. 13-036

Adopt Resolution approving the amended)
Conflict of Interest Code of the Salinas)
Valley Solid Waste Authority.....)

WHEREAS, pursuant to Government Code sections 87300 and 87301, Salinas Valley Solid Waste Authority of the County of Monterey has adopted a conflict of interest code;

WHEREAS, pursuant to Government Code section 87306, the Salinas Valley Solid Waste Authority has amended its conflict of interest code as necessitated by changed circumstances;

WHEREAS, pursuant to Sections 82011 and 87303 of the Government Code, the Salinas Solid Waste Authority 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 Salinas Valley Solid Waste Authority department is attached hereto as Attachment B 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 agency 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 THAT, the Board of Supervisors does hereby approve the amended conflict of interest code of the Salinas Valley Solid Waste Authority, attached hereto as Attachment B, and direct the Clerk of the Board of Supervisors to notify the Salinas Valley Solid Waste Authority of the approval.

PASSED AND ADOPTED upon motion of Supervisor Salinas, seconded by Supervisor Potter, and carried this 12th day of February 2013, 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 76 for the meeting on February 12, 2013.

Dated: February 13, 2013
File Number: RES 13-015

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

By [Signature]
Deputy

2.07.020 CONTROLLER

(a) The Authority Board shall appoint a Controller of the Authority to serve at its pleasure. The Controller shall advise the Authority Board in connection with any accounting, budgetary, monetary, or other financial matters relating to the Authority. The duties and responsibilities of the Controller include, but are not limited to, those duties set forth in the JPA Act and shall include the following:

- (1) Establish, with Authority Board approval of the annual budget format, accounts, and documentation pertaining to the budget and which most nearly reflects the objectives of the Authority;
- (2) Establish and maintain the particular funds and accounts as required by generally accepted accounting practices applicable to public entities and which most accurately and appropriately record and report the operations of the Authority as represented by the annual budget document;
- (3) Enforce strict compliance with the approved annual budget and approve only expenditures authorized in the approved budget;
- (4) Make all books and records of the Authority in the Controller's hands open to inspection at all reasonable times by the members of the Authority Board or their representatives.

(b) The Controller shall furnish a corporate surety bond to be approved by the Authority Board in such amount as may be determined by the Authority Board and shall be conditioned upon the faithful performance of the duties of the Controller. Any premium for such bond shall be a proper charge against the Authority.

2.07.030 AUTHORITY COUNSEL

The Authority Board shall appoint Authority Counsel to serve at the pleasure of the Authority Board. The Authority Board may appoint additional counsel to assist Authority Counselor provide special services as may be required by the Authority Board. Authority Counsel shall attend meetings of the Authority Board as required to advise the Authority Board in connection with any legal matters relating to the Authority.

2.07.040 AGREEMENTS FOR SERVICES OF OFFICIALS

Nothing in this Article shall be construed as limiting the power or authority of the Authority Board to enter into any agreement with any legally existing entity to provide the services of any or all of the officers described in this Article as provided in the JPA and this Article.

ARTICLE 2.08 CONFLICT OF INTEREST CODE

2.08.010 PURPOSE AND EFFECT

The terms of Title 2, Division 6 of the California Code of Regulations (Section 18730, *et seq.*), and any amendments thereto that may be adopted by the Fair Political Practices Commission, are hereby incorporated by reference and, along with the following sections in which officials and employees are designated and disclosure categories are set forth, constitute the conflict of interest code for the Authority. This Article constitutes the "Appendix" to Title 2, Division 6 of the California Code of Regulations section 18730, *et seq.*

2.08.020 DESIGNATED POSITIONS; DISCLOSURE CATEGORIES

(a) Designated positions are established by Resolution of the Board. Each employee filling a designated position, and any employee filling a designated position on a temporary or acting basis for more than thirty consecutive calendar days, shall disclose all of the information set forth in all disclosure Categories A through H on such form as the Fair Political Practices Commission may designate. (*Ord. 06, 11/16/2006*)

(b) Each consultant, as defined in 2 California Code of Regulations Section 18700, shall disclose all of the information set forth in all disclosure categories A through H on such form as the Fair Political Practices Commission may designate. The Chief Administrative Officer 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 are not required to fully comply with the disclosure requirements of this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination of the Chief Administrative Officer is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

2.08.030 PLACE AND TIME OF FILING

(a) All officials and employees filling designated positions shall file statements of financial interest with the Chief Administrative Officer or his/her designee who shall receive such statements on behalf of the Authority Board. Unless otherwise required by state law, all statements of financial interest shall be deemed timely filed only when received by the Chief Administrative Officer or his or her designee on or before the following deadlines: (*Ord., 99-04, 2/18/1999*)

- (1) Annual statements shall be filed on or before April 1 of each calendar year. Such statements shall cover the period of the preceding calendar year or from the date of filing such statement as otherwise required by this Code.
- (2) Initial statements shall be filed within thirty days after assuming office disclosing interests held on the date of assuming office.
- (3) Leaving office statements shall be filed within thirty days of leaving office. Such statements shall cover the period between the closing date of the last statement required to be filed and the date of leaving office.

2.08.040 CONFLICT WITH OTHER LAWS

Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code Section 81000, *et seq.*). The provisions of this Code are in addition to Government Code Section 87100 and other laws pertaining to conflicts of interest, including, but not limited to, Government Code Section 1090, *et seq.*