

**CONFLICT OF INTEREST CODE
OF THE
EMERGENCY COMMUNICATIONS DEPARTMENT**

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, which can be incorporated by reference, in an agency'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 establishing disclosure categories are hereby incorporated by reference and together constitute the Conflict of Interest Code of the Emergency Communications Department of Monterey County.

Individuals holding designated positions shall file their statement of economic interest with the Emergency Communications Department, which will make the statements available for public inspection and reproduction pursuant to Government Code section 81008. Upon receipt of the statement of the Director of Emergency Communications, the agency shall make and retain a copy and forward the original of the statement to the code reviewing body. Statements for all other designated employees shall be retained by the Agency.

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

Adopted: 03/22/00
Amended: 11/2014
9/2020

APPENDIX A: DESIGNATED POSITIONS

| List of Designated Positions | Assigned Disclosure Categories |
|--------------------------------------|--------------------------------|
| Director of Emergency Communications | 1 |
| Operations Manager | 1 |
| Finance Manager | 1 |
| Consultants ¹ | 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:~~

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 or 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 Emergency Communications Department shall be subject to disclosure under Category 1, subject to the following limitation:

The **Director of Emergency Communications** may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements of Category 1. In such cases, the **Director of Emergency Communications** may designate a different disclosure requirement. Such determination 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. Such determination by the **Director of Emergency Communications** is a public record and shall be retained for public inspection in the same manner and location as the Agency's Conflict of Interest Code.

~~(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 or 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 Emergency Communications Department shall be subject to disclosure under Category 1, subject to the following limitation:~~

~~The **Director of Emergency Communications** may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements of Category 1. In such cases, the **Director of Emergency Communications** may designate a different disclosure requirement. Such determination 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. Such determination by the **Director of Emergency Communications** is a public record and shall be retained for public inspection in the same manner and location as the Agency's Conflict of Interest Code.~~

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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 with 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 disclose gifts received from donors located inside as well as outside the jurisdiction.

When an individual who holds a designated position is required to disclose interest in real property, he or she shall disclose the type of real property described below, if it is located in 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 the County of Monterey.

When an individual who holds a designated position is required to disclose business position, he or she shall disclose positions in business entities that 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 Emergency Communications Department is the County of Monterey. The Emergency Communications Department operates entirely within the geographical boundaries of the County of Monterey.

Category 1:

A designated position in this category must report ~~all investments~~ all investments, business positions, and sources of income, including gifts, loans, and travel payments. ;