



Monterey County Board of Supervisors

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

Board Order

Resolution No.: 19-001

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

Adopted Resolution No. 19-001 to revise and approve amendments to the Conflict of Interest Code of the Resource Conservation District of Monterey County.

PASSED AND ADOPTED on this 8th day of January 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

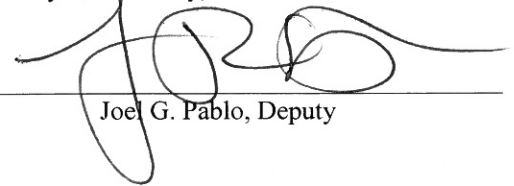
NOES: None

ABSENT: None

I, Valerie Ralph, 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 81 for the meeting January 8, 2019.

Dated: January 9, 2019
File ID: 19-1220

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California



Joel G. Pablo, Deputy

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

Resolution No. 19-001

Resolution revising and approving the Amended Conflict)
of Interest Code of the Resource Conservation District of)
Monterey County)

WHEREAS, pursuant to Government Code sections 87300 and 87301, the Resource Conservation District of Monterey County has adopted a Conflict of Interest Code;

WHEREAS, pursuant to Government Code section 87306, the Resource Conservation District of Monterey County amended its Conflict of Interest Code as necessitated by changed circumstances;

WHEREAS, pursuant to Sections 82011 and 87303 of the Government Code, the Resource Conservation District of Monterey County submitted its amended Code to the Monterey County Board of Supervisors, the code reviewing body pursuant to the Political Reform Act, for approval;

WHEREAS, the amended Conflict of Interest Code of the Resource Conservation District of Monterey County is attached hereto as Attachment A 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, may revise the proposed Code and approve it as revised, or may return the proposed Code to the agency for revision and resubmission; and

WHEREAS, Monterey County Counsel has recommended that the amended code be revised as set forth in the Memorandum attached as Attachment B and incorporated herein by reference;

WHEREAS, the amended Code, revised as set forth in the attached Memorandum, is lawful under the Political Reform Act of 1974;

NOW THEREFORE, BE IT RESOLVED THAT, the Board of Supervisors does hereby revise the proposed code as set forth in the attached Memorandum of County Counsel and does hereby approve the Amended Conflict of Interest Code of the Resource Conservation District of Monterey County as so revised, attached hereto as Attachments A and B, and directs the Clerk of the Board of Supervisors to notify the Resource Conservation District of Monterey County of the revision and approval.

PASSED AND ADOPTED on this 8th day of January 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

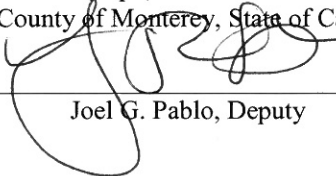
NOES: None

ABSENT: None

I, Valerie Ralph, 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 81 for the meeting January 8, 2019.

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Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California



Joel G. Pablo, Deputy



CONFLICT OF INTEREST CODE OF THE RESOURCE CONSERVATION DISTRICT OF MONTEREY COUNTY

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 that 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 Resource Conservation District of Monterey County (hereafter "Agency").

Individuals holding designated positions shall file their statement of economic interests with the Resource Conservation District of Monterey County, which will make the statements available for public inspection and reproduction pursuant to Government Code section 81008. Upon receipt of the statement for the Executive Director, the Agency shall make and retain copies and forward the original of the statements to the code reviewing body. Statements for all other designated positions shall be retained by the Agency.

APPENDIX A: DESIGNATED POSITIONS

Table with 2 columns: Designated Positions, Assigned Disclosure Category. Rows include Director (6), Executive Director (1), and Consultants (1).

1 Public officials who manage public investments are not covered by the Conflict of Interest Code because they must file a statement of economic interests pursuant to Government Code section 87200. Therefore, those positions are listed below for information purposes only: N/A

2 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 Resource Conservation District of Monterey County shall be subject to disclosure under Category

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 within 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 include gifts received from donors located inside as well as outside the jurisdiction.

When an individual 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 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 Agency.

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, 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 Resource Conservation District of Monterey County is Monterey County. The Resource Conservation District of Monterey County operates entirely within the geographical boundaries of Monterey County

Category 1

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

Category 2

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

Category 3

A designated position in this category must report all interests in real property.

Category 4

A designated position in this category must report all investments, business positions and income, including gifts, loans, and travel payments, from sources that are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before, the Agency.

Category 5

A designated position in this category must report all investments, business positions and income, including gifts, loans, and travel payments, from sources which are of the type to supply materials, products, supplies, commodities, services, machinery, vehicles, or equipment utilized by the Agency.

Category 6

A designated position in this category must report all investments, business positions and income, including gifts, loans, and travel payments, from sources which are of the type to receive grants or other monies from or through the Agency.

Adopted: **4/19/2012**

Amended: **8/16/2018**

MONTEREY COUNTY



OFFICE OF THE COUNTY COUNSEL

CHARLES J. MCKEE, COUNTY COUNSEL

MEMORANDUM

DATE: December 10, 2018

TO: Chair Alejo and Members of the Monterey County Board of Supervisors

FROM: Rebecca M. Cenicerros, Deputy County Counsel

SUBJECT: Resource Conservation District of Monterey County Conflict of Interest Code

Government Code section 87303(b) provides that the Board, as the code reviewing body for local agencies, may revise a proposed Conflict of Interest Code and approve it, as revised. The Resource Conservation District of Monterey County has submitted an amended Conflict of Interest Code to the Board for review.

County Counsel recommends that the Board revise this Conflict of Interest Code to incorporate the definition of consultants set forth in Title 2 of the California Code of Regulations, section 18700.3(a), into the Conflict of Interest Code and to specify that consultants disclose their financial interests pursuant to Disclosure Category 1.

County Counsel recommends that the Board approve the proposed Conflict of Interest Code for the Resource Conservation District of Monterey County as so revised.

CHARLES J. MCKEE, County Counsel

By 

Rebecca M. Cenicerros
Deputy County Counsel