



Monterey County

Board Order

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1st Floor
Salinas, CA 93901
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Upon motion of Supervisor Salinas, seconded by Supervisor Potter and carried by those members present, the Board of Supervisors hereby:

Adopted Resolution No. 13-204 approving amendments to conflict of interest code of the Resource Management Agency of Monterey County.

PASSED AND ADOPTED on this 25th day of June 2013, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas and Potter
NOES: None
ABSENT: Supervisor Parker

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 June 25, 2013.

Dated: June 28, 2013
File Number: 13-045

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. 13-204

Approve amendments to conflict of interest code of)
the Resource Management Agency of Monterey)
County.....)

WHEREAS, the Resource Management Agency of Monterey County amended its Conflict of Interest Code on July 17, 2012 to include its constituent departments and to add, delete, and re-title designated positions.

WHEREAS, the RMA Conflict of Interest Code supersedes the Conflict of Interest Codes previously adopted by each individual department and approved by the Board of Supervisors.

WHEREAS, amendments to local agency Conflict of Interest Code are authorized by section 87306 of the Government Code whenever changes are required by changed circumstances, by creation or deletion of designated positions, or by changes in the duty of such positions.

WHEREAS, the proposed code as amended is lawful under the Political Reform Act of 1974.

WHEREAS, the Board of Supervisors, as code reviewing body, adopt a Resolution approving the proposed amendment to the Conflict of Interest Code of the Resource Management Agency of Monterey County, a copy of which is attached hereto.

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors does hereby approve the amended Conflict of Interest Code of the Resource Management Agency, attached hereto, and direct the Clerk of the Board of Supervisors to notify the Resource Management Agency of the approval.


PASSED AND ADOPTED upon motion of Supervisor Salinas seconded by Supervisor Potter and carried this 25th day of June 2013, by the following vote, to wit:

- AYES: Supervisors Armenta, Calcagno Salinas and Potter
- NOES: None
- ABSENT: Supervisor Parker

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 June 25, 2013.

Dated: June 28, 2013
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Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By  Deputy

**CONFLICT OF INTEREST CODE
OF THE
RESOURCE MANAGEMENT AGENCY 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 Management Agency of Monterey County (hereafter "Agency").

Individuals holding designated positions shall file their statement of economic interests with the Resource Management Agency of Monterey County, which will make the statements available for public inspection and reproduction pursuant to Government Code section 81008. Upon receipt of the statements for the Resource Management Agency Director, Planning Director, Chief Building Official, and Public Works 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.

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

Adopted: 07/17/12
Amended: 02/09/77
03/15/88
06/23/94
08/22/95
09/29/98
09/09/02
04/09/10
02/16/11

APPENDIX A: DESIGNATED POSITIONS

Designated Positions¹ Assigned Disclosure Category

RESOURCE MANAGEMENT AGENCY

Resource Management Agency Director	1
Deputy Director of RMA	1
Department Information Systems Manager II	1
Finance Manager II, and III	1
Management Analyst I, II, and III	1
Assistant Director of Redevelopment & Housing	1

Consultants² 1

PLANNING DEPARTMENT

Director of Planning	1
Planning & Building Services Manager	1
Senior Planner	1
Associate Planner	1
Assistant Planner	1
Land Use Technician	1
Zoning Administrator	1
Consultants ²	1
Members, Monterey County Planning Commission ¹	

BUILDING SERVICES

Chief Building Official	1
Deputy Building Official	1
Planning & Building Services Manager	1
Senior Building Plans Examiner	1
Building Plans Examiner	1
Grading Inspector	1
Building Inspector Supervisor	1
Senior Building Inspector	1

Building Inspector I and II	1
Land Use Technician	1
Management Analyst I, II, and III	1 Consultants ²
	1

PUBLIC WORKS

Public Works Director	1
Assistant Public Works Director	1
Senior Civil Engineer	1
Maintenance Manager	1
General Services Manager I, II, and III	1 Management
Analyst I, II, and III	1
Architectural Services Manager	1
Assistant Architectural Services Manager	1
Real Property Specialist	1
Consultants ²	1

¹ No disclosure obligations are established by this Code for the Members of the Monterey County Planning Commission, who are required to file economic disclosure statements as provided in Government Code sections 87200, et seq. Such officers are covered by this Code for disqualification purposes only. See, 2 Cal. Code of Regs. section 18730(b)(3). Members of the Monterey County Planning Commission shall each file one original statement of economic interests (Form 700) with the Clerk of the Board who shall make and retain a copy and forward the original statement to the Fair Political Practices Commission, which shall be the filing officer.

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 Management Agency of Monterey County shall be subject to disclosure under Category 1, subject to the following limitation:

The Resource Management Agency Director 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 Resource Management Agency Director 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. Such determination by the Resource Management Agency Director's 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.

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 Management Agency of Monterey County is the County of Monterey.

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.