

G.B. 5/9/18

RESOLUTION NO. 2018-03

CONFIRMING BIENNIAL REVIEW OF THE CONFLICT OF INTEREST CODE

MARIN EMERGENCY RADIO AUTHORITY (“MERA”)

WHEREAS, California Government Code Section 87306.5 requires that MERA review its Conflict of Interest Code and revise it if necessary; and

WHEREAS, the Executive Officer and General Counsel have reviewed the current Conflict of Interest Code, which MERA last updated in 2016 pursuant to Resolution No. 2016-07, and have determined that the Code in its current form complies with the applicable regulations and guidelines of the Fair Political Practices Commission, but in the interests of transparency, should be updated to include Member of the Executive Board Designee.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of MERA, having undertaken its Biennial Review, hereby amends MERA’s Conflict of Interest Code, attached as Exhibit A, to require the Member of the Executive Board Designee to disclose specified interests, in addition to the positions already designated; and

BE IT FURTHER RESOLVED that the Executive Officer is directed to transmit the 2018 Local Agency Biennial Notice and updated Conflict of Interest Code to the County of Marin.

REGULARLY PASSED AND ADOPTED this 9th day of May, 2018, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

President,
MERA Governing Board

ATTEST:

MERA Executive Officer and Secretary

Exhibit “A”

CONFLICT OF INTEREST CODE FOR THE MARIN EMERGENCY RADIO AUTHORITY

The Political Reform Act (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 (“FPPC”) has adopted a regulation (2 Cal. Code of Regulations 18730) which contains the terms of a standard conflict of interest code which may be incorporated by reference in an agency’s code, and which may be amended by the FPPC to conform to amendments in the Political Reform Act, following public notice and hearings. The terms of 2 Cal. Code of Regulations 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories shall constitute the conflict of interest code for the Marin Emergency Radio Authority (“MERA”).

Designated employees shall file statements of economic interests with MERA’s Executive Officer or Designee. MERA shall make all statements available for public inspection and reproduction, pursuant to Government Code Section 81008.

MARIN EMERGENCY RADIO AUTHORITY
APPENDIX TO CONFLICT OF INTEREST CODE

CATEGORY I

Persons in this category shall disclose all interests in real property located within the jurisdiction of MERA. Real property shall be deemed to be within the jurisdiction if the property or any part of it is located within, or not more than two miles outside of, the boundaries of the jurisdiction, or within two miles of any land owned or used by MERA.

Persons are not required to disclose property used primarily as their principal residence or any other property that they utilize exclusively as their personal residences.

CATEGORY 2

Persons in this category shall disclose reportable income from persons or business entities that have contracted with MERA or that provide, plan to provide or have provided within two years from the time a statement is required under this Conflict of Interest Code, contractual services, or other services, supplies, materials or equipment of the type utilized by MERA.

CATEGORY 3

Persons in this category shall disclose reportable investments in business entities that contract with MERA or that provide, plan to provide or have provided within two years from the time a statement is required under this Conflict of Interest Code, contractual services, or other services, supplies, materials or equipment of the type utilized by MERA.

CATEGORY 4

Persons in this category shall disclose reportable business positions in business entities that contract with MERA or that provide, plan to provide or have provided within two years from the time a statement is required under this Conflict of Interest Code, contractual services, or other services, supplies, materials or equipment of the type utilized by MERA.

CATEGORY 5

For consultants who serve in a staff capacity with MERA, the consultant shall disclose based on the disclosure categories assigned elsewhere in this code for that staff position. For consultants who do not serve in a staff capacity, disclosure must be made in accordance with subcategories A, B, C, and D below, unless the Executive Officer determines in writing that a particular consultant 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 in categories A, B, C or D below. 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

Executive Officer's determination is a public record and must be retained for public inspection in the same manner and at the same location as the Authority's conflict of interest code. Consultant disclosure categories:

- A. Reportable interests in real property in the jurisdiction as specified above in Category 1.
- B. Reportable personal and business entity income, as specified above in Category 2.
- C. Reportable investments, as specified above in Category 3.
- D. Reportable business positions, as specified above in Category 4.

MARIN EMERGENCY RADIO AUTHORITY

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Member of Governing Board	1, 2, 3, 4
Member of Governing Board Alternate(s)	1, 2, 3, 4
Member of Executive Board	1, 2, 3, 4
Member of Executive Board Designee	1, 2, 3, 4
Member of Citizens Oversight Committee	1, 2, 3, 4
General Counsel	1, 2, 3, 4
Executive Officer	1, 2, 3, 4
Operations Officer	1, 2, 3, 4
Consultant	5