

Board of Directors
Monterey Regional Waste Management District dba ReGen Monterey

RESOLUTION NO. 2024-14
A RESOLUTION ADOPTING AN AMENDED CONFLICT OF INTEREST CODE
OF THE MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

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WHEREAS, the District, pursuant to the California Fair Political Practices Act, has adopted a Conflict of Interest Code (hereinafter referred to as “Code”) which has been amended from time to time; and

WHEREAS, the Code was last amended in 2020; and

WHEREAS, since 2020 the District has added, deleted and renamed staff positions covered by the Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Monterey Regional Waste Management District dba ReGen Monterey that the attached Conflict of Interest Code is hereby adopted.

PASSED AND ADOPTED by the Directors of the Monterey Regional Waste Management District at a regular meeting duly held on November 22, 2024 by the following vote:

AYES:

NOES:

ABSENT:

Kim Shirley, Chair

ATTEST:

Felipe Melchor
General Manager/Secretary of the Board

**CONFLICT OF INTEREST CODE
OF THE MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT
dba REGEN MONTEREY**

1. **Adoption by Incorporation.** The District, pursuant to The Political Reform Act of 1974, Government Code §§81000, *et seq.*, requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission had adopted a regulation, 2 California Code of Regulation §18730, which contains the terms of a standard model Conflict of Interest Code, which may be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations §18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the following Exhibit A and Exhibit B, in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Monterey Regional Waste Management District (“District”).

2. **Filing of Statements.** Pursuant to 2 California Code of Regulations §18730(b)(4), all designated employees shall file statements of economic interests with the District which will make the statements available for public inspection and reproduction pursuant to Government Code § 81008. Upon adoption of this Conflict of Interest Code, the Board Secretary shall advise all persons holding designated positions who have not previously been required to file disclosure statements that an initial statement must be filed within thirty days of this Conflict of Interest Code. Upon receipt of the statements of the District Board of Directors, the District shall make and retain a copy and forward the original of each statement to the code reviewing body (Monterey County Board of Supervisors). Statements for all other designated employees will be retained by the District.

Attachments: Exhibit A
Exhibit B

Adopted: November 1984

Amended: November 2024 Resolution 2024-14

EXHIBIT A: Designated Positions

<u>List of Designated Positions</u>	<u>Assigned Disclosure Category</u>
District Board of Directors	1
General Manager	1
Director of Engineering & Compliance/District Engineer	1
Director of Finance & Administration	1
Director of Communications	1
Director of Operations	1
Director of Human Resources	1
Assistant Director of Operations	1
Equipment Maintenance Manager	2
Accounting Manager	1
Assistant Accounting Manager	1
Materials Recovery Facility Manager	2
Safety Manager	2
Senior Engineer	2
Landfill Operations & LFG Systems Manager	2
Legal Counsel	1
Consultants*	1

*For purposes of this Code “Consultant” has the same meaning as set forth in 2 Cal. Code of Regs. section 18700(a)(1), 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 regulations;
 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 part 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 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 District shall be subject to disclosure under Category 1, subject to the following limitation:

The District General Manager 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 not required to fully comply with the disclosure requirements of Category 1. In such cases, the District General Manager 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. The District General Manager's designation must be filed, in advance of disclosure by the consultant, with the District's conflict of interest code and also filed with the code reviewing body and must be delivered to the consultant along with a copy of the Conflict of Interest Code and the manual and forms for disclosure (FPPC Form 700).

EXHIBIT B: Disclosure Categories

General Provisions:

When a member, officer, or employee who holds a designated position is required to disclose investments, sources of income, or financial interests, he or she shall disclose such investments, sources of income, or financial interests, in business entities 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 a designated member, officer, or employee 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 a designated member, officer, or employee 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 in whole, or in part, 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 the District.

When a designated member, officer, or employee who holds a designated position is required to disclose business position, he or she shall disclose positions in business entities that do business in California, plan to do business in California, or have done business in California within the past two years.

For purpose of this Conflict of Interest Code, the jurisdiction of the District is that area within the boundaries of the member entities of the Monterey Regional Waste Management District. The District operates entirely within the geographical boundaries of the County of Monterey.

Disclosure Category 1:

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

Disclosure Category 2:

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