

CONFLICT OF INTEREST CODE
OF THE
MERCED COUNTY MOSQUITO ABATEMENT DISTRICT

SECTION 100. Purpose. Pursuant to the provisions of Government Code 87300, et seq., the Merced County Mosquito Abatement District hereby adopts the following conflict of interest code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code Section 87000). The provisions of this Code are additional to Government Code Section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Code shall be interpreted in a manner consistent therewith.

SECTION 200. Designated Positions. The positions listed on Exhibit “A” are designated positions. Officers and employees holding those positions are designated employees and are deemed to make, or participate in the making of, decisions which foreseeably have a material effect on a financial interest.

SECTION 300. Disclosure Statements. Designated positions shall be assigned to one or more of the disclosure categories set forth on Exhibit “B.” Each interest in investments, real property, and income, designated as reportable under the category to which the employee’s position is assigned on Exhibit “B.”

SECTION 400. Place and Time of Filing.

- (a) All designated employees required to submit a statement of financial interests shall file the original with the District.
- (b) The Business Services Supervisor of the District receives the statement of financial interest, makes and retains a copy, and forwards the original to the Filing Officer (General Manager).

- (c) A designated employee required to submit a statement of financial interest shall submit an initial statement within 30 days after the effective date of this Code.
- (d) All employees appointed, promoted or transferred to designated positions shall file initial statements not less than 10 days before assuming office (or if subject to confirmation, 10 days before being confirmed), unless an earlier assumption of office is required by emergency circumstances, in which case the statement shall be filed within 30 days thereafter.
- (e) Annual statements shall be filed no later than April 1st of each year by all designated employees. Such statements shall cover the period of the preceding calendar year.
- (f) A designated employee required to file a statement of financial interest with any other agency, which is within the same territorial jurisdiction, may comply with the provisions of this code by filing a duplicate copy of the statement filed with the other agency, in lieu of an entirely separate document.

SECTION 500. Contents of Disclosure Statements. Disclosure statements shall be made on forms supplied by the District, and shall contain the following information:

(a) Contents of Investment and Real Property Reports:

When an investment, or an interest in real property, is required to be reported, the statement shall contain:

- (1) A statement of the nature of the investment or interest;
- (2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
- (3) The address or other precise location of the real property;
- (4) A statement whether the fair market value of the investment or interest in real property, exceeds one hundred thousand dollars (\$100,000).
This information need not be provided with respect to an interest in real property which is used principally as the residence of the filer.

(b) Contents of Personal Income Reports:

When personal income is required to be reported, the statement shall contain:

- (1) The name and address of each source of income aggregating two hundred and fifty dollars (\$250) or more in value, or twenty-five dollars (\$25) or more in value if the income was a gift, and a general description of the business activity, if any of each source;
- (2) A statement whether the aggregate value of income from such source was greater than one thousand dollars (\$1,000), and whether it was greater than ten thousand dollars (\$10,000);
- (3) A description of the consideration, if any, for which the income was received;
- (4) In the case of a gift, the amount and the date on which the gift was received.

(c) Contents of Business Entity Income Reports:

When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

- (1) The name, address, and a general description of the business activity of the business entity;
- (2) In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity if the filer's prorata share of fees from such person was equal to or greater than one thousand dollars (\$1,000);
- (3) In the case of a business entity not covered by paragraph (2), the name of every person from whom the business entity received payments if the filer's prorata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000) during a calendar year

(d) Contents of Management Positions Reports:

When management positions are required to be reported, designated

employees shall list the name of each business entity not specified above in which they are a director, officer, partner, trustee, employee, or in which they hold any position of management.

(e) Initial Statement:

The initial statement filed by an employee appointed to a designated position shall disclose any reportable investments and interests in real property.

(f) Acquisition or Disposal During Reporting Period:

In the case of statement filed under Section 400 (f), if the investment, or interest in real property, was partially or wholly acquired or disposed of during the reporting period the statement shall contain the date of acquisition, or disposal.

SECTION 600. Disqualification. Designated employees must disqualify themselves from making or participating in the making of any decision in which they have a reportable financial interest, when it is reasonably foreseeable that such interest may be materially affected by the decision. No designated employee shall be required to disqualify himself with respect to any matter which could not be legally acted upon or decided without his participation.

Exhibit "A"

	<u>Categories</u>
1. Board Members	1, 2, 3, 4
2. General Manager	1, 2, 3, 4
3. Business Services Supervisor	1, 2, 3, 4

Category 1.

Persons in this category shall disclose all interests in real property within the jurisdiction. 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 the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency.

Category 2.

Persons in this category shall disclose all investments. Investments means:
..... any financial instrument or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments and any partnership or other ownership interest, if the business entity or any parent, subsidiary or otherwise related business entity has an interest in real property in the jurisdiction, or does business or plans to do business in the jurisdiction at any time during the two years prior to the time any statement or other action is required under this title. No asset shall be deemed an investment unless its fair market value exceeds one thousand dollars (\$1,000). The term "investment" does not include a time or deemed deposit in a financial institution, shares in a credit union, any insurance policy, or any bond or other debt instrument issued by any government or government agency. Investments of an individual includes a pro rata share of investments of any business entity or trust in which the individual or spouse owns, directly, indirectly or beneficially, a ten percent interest or greater.....

Category 3.

Persons in this category shall disclose all income received from any source located or doing business within the jurisdiction or expecting to do business within the jurisdiction. Income received from a public agency need not be disclosed.

Category 4.

Persons in this category shall disclose all income from and investments in business that manufacture or sell supplies of the type utilized by the Department.