

RESOLUTION NO. _____

**A RESOLUTION OF THE GOVERNING BOARD OF
THE MARIN EMERGENCY RADIO AUTHORITY
ADOPTING A REVISED CONFLICT OF INTEREST CODE**

THE BOARD OF DIRECTORS OF THE MARIN EMERGENCY RADIO AUTHORITY DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. The Political Reform Act (Government Code Section 81000, *et seq.*) requires state and local government agencies, including the Marin Emergency Radio Authority (“MERA”), to adopt and promulgate conflict of interest codes.

Section 2. MERA previously adopted a conflict of interest code by its Resolution No. 2008-02 on June 5, 2008 (the “2008 Code”). The 2008 Code incorporated by reference the Model Conflict of Interest Code (the “Model Code”) adopted by the Fair Political Practices Commission (“FPPC”).

Section 3. No changes were required during the 2010 biennial review of the 2008 Code, but MERA now wishes to expand the disclosure categories to include members of the MERA Executive Committee.

Section 4. The Conflict of Interest Code, attached hereto as Exhibit “A,” and any amendments to the Model Code duly adopted by the FPPC, are hereby adopted by reference. This resolution and the attached Appendix designating officials and employees and establishing economic disclosure categories shall supercede the 2008 Code and constitute the Conflict of Interest Code for MERA.

Section 4. All officials and employees required to submit a statement of economic interests shall file their statements with the Executive Director or his or her designee. The Executive Director shall make and retain a copy of all statements filed and forward the originals of such statements to the Executive Office of the Board of Supervisors of Marin County. All retained statements, original or copied, shall be available for public inspection and reproduction (Gov. Code Section 81008).

Section 5. MERA hereby directs the General Counsel to coordinate the preparation of a revised Conflict of Interest Code in succeeding even-numbered years in accordance with the requirements of Government Code Sections 87306 and 87306.5. The revised Code should reflect any changes in employee or official designations. If no revisions to the Code are required, the Authority shall submit a report to the Executive Office of the Board of Supervisors of Marin County no later than October 1st of the same year, stating that amendments to the Code are not required.

ADOPTED AND APPROVED BY THE MARIN EMERGENCY RADIO AUTHORITY, this 18th day of May, 2011, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

President

ATTEST:

Secretary

I hereby certify that the above Resolution No. _____ was duly introduced, read and adopted by the Authority at a regular meeting held on _____, 2011.

By: _____
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 Director. 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 Director 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 Director'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 Board of Directors	1, 2, 3, 4
Member of Board of Directors (Alternate)	1, 2, 3, 4
Member of Executive Committee (Voting or Non-voting)	1, 2, 3, 4
General Counsel	1, 2, 3, 4
Consultant	5