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MENDOCINO COUNTY
EMPLOYEES' RETIREMENT ASSOCIATION
625-B KINGS COURT
UKIAH, CALIFORNIA 95482-5027

Date: November 2, 2016
To: Board of Retirement
From: James Wilbanks, Retirement Administrator
Subject: Conflict of Interest Code

Attached you will find a proposed Resolution 2016-03 Adopting a Conflict of Interest Code. MCERA is required to adopt such a code as outlined in the resolution. The proposed resolution, including appendices was developed in conjunction with Legal Counsel and is modeled after the resolution used by the Sonoma County Employees' Retirement Association.

I recommend the Board adopt the proposed resolution.

**MENDOCINO COUNTY EMPLOYEES' RETIREMENT ASSOCIATION
RESOLUTION 2016-03**

ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code Sections 81000 et seq., requires state and local government agencies to adopt conflict of interest codes, and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code and which can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearing to conform to amendments to the Political Reform Act, and

WHEREAS, Mendocino County Employees' Retirement Association (MCERA) wishes to adopt this standard code and designate which trustees, employees and consultants should disclose financial interests and describe which interests must be disclosed,

NOW, THEREFORE BE IT RESOLVED that:

1. The terms of 2 Cal. Code of Regs. Section 18730 (the standard code) and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A, Appendix B, and Appendix C in which trustees, employees and consultants are designated and disclosure categories are set forth, constitute the Mendocino County Employees' Retirement Association (MCERA) Conflict of Interest Code (Code), and
2. Pursuant to Section 4 of the standard code, designated employees shall file statements of economic interest with the MCERA Retirement Administrator. Any MCERA trustees, employees or consultants already required to file a disclosure statement (Form 700) pursuant to Government Code Section 87200, et seq. are identified in Appendix C and no additional disclosure is required by this Code. Officials designated in Appendix C shall file their original disclosure statements with the MCERA Retirement Administrator, who shall make and retain a copy, and forward the original to the Fair Political Practices Commission or to the appropriate agency pursuant to 2 Cal. Code of Regs. Section 18753(d) at the discretion of the Fair Political Practices Commission.

The foregoing resolution introduced by Board Member _____, seconded by Board member _____, and carried this 2nd day of November, 2016, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

WHEREUPON, The Chair declared said Resolution adopted, and SO ORDERED.

Randy Goodman

Board of Retirement Chair



James R. Wilbanks, Ph. D.

Retirement Administrator

CONFLICT OF INTEREST CODE APPENDIX A

Designated Positions

Finance/Investment Officer

Disclosure Categories

1, 2, 3, 4

CONFLICT OF INTEREST CODE APPENDIX B

DESCRIPTION OF FINANCIAL DISCLOSURE CATEGORIES¹

Category 1: Investments in any business, entity, or real estate venture of the type in which the Retirement Board is legally authorized to invest, or in any type of entity that provides services or supplies of the type used by the Retirement Office (currently Schedules A-1 &/or A-2 of Form 700).

Category 2: Interests in Real Property that could be affected by any decision made or participated in by the designated individual (currently Schedules B &/or C of Form 700). If the designated individual is a trustee or MCERA employee, disclosure is only required on real property located in the County of Mendocino.

Category 3: Income from any source of the type in which the Retirement Board is legally authorized to invest, or from any person or entity that provides services or supplies of the type used by the Retirement Office (currently Schedules C, D, E, &/or F of Form 700).

Category 4: Any Position Held as a director, officer, partner, trustee, or any position of management in any business entity that offers or holds investments of the type in which the Retirement Board is legally authorized to invest, or in any type of entity that provides services or supplies of the type used by the Retirement Office (currently Schedule C of Form 700).

¹ Only investments in and sources of income from business entities, and sources of income, which do business in the geographic area of MCERA, or real property interests located in the County of Mendocino need to be reported.

CONFLICT OF INTEREST CODE APPENDIX C

**AGENCY POSITIONS THAT MANAGE PUBLIC INVESTMENTS
FOR PURPOSES OF SECTION 87200 OF THE GOVERNMENT CODE.**

Trustees

Retirement Administrator

Consultants