

FRESNO COUNTY EMPLOYEES' RETIREMENT ASSOCIATION (FCERA)

CONFLICT OF INTEREST CODE

I. INTRODUCTION AND PURPOSE

1. The Political Reform Act (Government Code Section 81000 et seq.) requires local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations, Section 18730) that contains the terms of a standard Conflict of Interest Code ("standard code"), which may be incorporated by reference in an agency's Code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

II. PROVISIONS

1. Therefore, the terms of 2 California Code of Regulations, Section 18730, 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 and Appendix B, in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of FCERA.
2. Designated employees who do not file statements pursuant to Government Code section 87200, listed in Appendix A, shall file Statements of Economic Interest with the FCERA Executive Assistant, which will retain the statements and make the statements available for public inspection and reproduction.

3. The Retirement Administrator and Board Members, who file statements pursuant to Government Code section 87200 as public officials who manage public investments, shall file Statements of Economic Interest with FCERA executive Assistant, which will retain copies of the statements, making the copies of the statements available for public inspection and reproduction, and which will forward the originals of these statements to the Clerk to the County Board of Supervisors¹.

III. POLICY REVIEW

1. Per Fair Political Practices Commission regulations and state law the Board shall review this code at least every two (2) years to ensure that it remains relevant and appropriate.

IV. POLICY HISTORY

1. This code was originally adopted on November 3, 2010 and reviewed on October 7, 2015 and September 21, 2016.

V. VI. Secretary's Certificate

1. I, Donald Kendig, the duly appointed Secretary of the Fresno County Employees' Retirement Association, hereby certify the adoption of this Policy.

September 21, 2016

Date of Action:



By: Retirement Administrator

¹ The original statements (Form 700s) are forwarded to the Board of Supervisors despite the general rule of Title 2, California Code of Regulations § 18753(d), because the FPPC has exercised its discretion under that regulation to have the statements filed with the local agency's filing officer which is the Board of Supervisors. (Memo from Tech. Asst. Div. to Co. Clerks and other filing officers, Dec. 1994; *Kuhs* Advice Letter, A-96-063, March 8, 1996.)

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APPENDIX A

DESIGNATED POSITIONS AND CATEGORIES

<u>DESIGNATED OFFICIALS AND EMPLOYEES*</u>	<u>DISCLOSURE CATEGORY</u>
Assistant Retirement Administrator	I
Board Counsel (General)	I
Investment Consultants	I**

* It has been determined that Board Members and the Retirement Administrator are positions that “manage public investments” and are required to file statements of economic interest pursuant to Government Code section 87200 et seq. listing all financial interests as defined in the Political Reform Act, not just those listed in Appendix B.

** consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation: The Administrator may determine, in writing, that a particular consultant, although a "designated position," 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 this section. 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 Administrator’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

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APPENDIX B

REPORTABLE INTERESTS BY CATEGORY

Subject to the definitions set forth in the Political Reform Act and applicable regulations:

Category I: Full Disclosure

Designated employees in this category must report:

All investments, business positions and sources of income, including gifts, loans, and travel payments.