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**BEFORE THE BOARD OF RETIREMENT  
OF THE FRESNO COUNTY EMPLOYEES'  
RETIREMENT ASSOCIATION  
FRESNO COUNTY, CALIFORNIA**

In the matter of )  
Adoption of Standard Conflict of Interest )  
Code )  
\_\_\_\_\_ )

**Whereas**, the Political Reform Act, Government Code §§ 81000 *et seq.*, requires state and local government agencies to adopt and promulgate conflict of interest codes; and

**Whereas**, the Fair Political Practices Commission has adopted a regulation, Title 2, California Code of Regulations, § 18730, which contains the terms of a standard conflict of interest code, and which may be amended by the Fair Political Practices Commission after public notices and hearings to conform to amendments to the Political Reform Act; and

**Whereas**, any local agency may incorporate this standard conflict of interest code, and thereafter need not amend its code to conform to future amendments to the Political Reform Act or its regulations.

**Now therefore be it resolved, as follows:**

1. That the terms of Title 2, California Code of Regulations, § 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference, and, along with the Exhibits A and B approved today, or in the future, by this Board, in which officers and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the Fresno County Employees' Retirement Association.

1           2.     That this conflict of interest code shall supercede any existing code  
2 adopted by the Fresno County Employees' Retirement Association.

3           3.     Conflict of interest forms shall be filed as follows:

4           a.     All persons designated under this code shall file one original of their  
5 statements with the Fresno County Employees' Retirement Association, which will retain  
6 the statements, and which will make the statements available for public inspection and  
7 reproduction. (Gov. Code § 81008.)

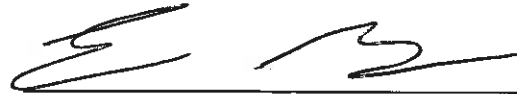
8           b.     Those persons mentioned in the code who are public officials who  
9 manage public investments shall also file one original of their statements with FCERA,  
10 which will retain the statements, and which will make the statements available for public  
11 inspection and reproduction.<sup>1</sup>

12           Adopted at a regular meeting of the Board of Retirement, held on the 3rd day of  
13 November, 2010, by the following vote, to wit:

14           Ayes: Cardenas, Cornacchia, Criego, Crow, Gomez, Hackett,  
15                 Jolly, Larson, Frye

15           Noes:

16           Absent:



Chair, Board of Retirement

18           Attest:

19  
20           *Elizabeth Andes.*  
21           Clerk

22  
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26           <sup>1</sup>     These statements are filed with FCERA despite the general rule of Title 2, California Code of  
27 Regulations, § 18753(d), because the FPPC has exercised its discretion under that regulation to have the  
28 local agency be the filing officer. (Memo from Tech. Asst. Div. to Co. Clerks and other filing officers (Dec.  
1994.)

1 **FRESNO COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**

2 **CONFLICT OF INTEREST CODE**

3 **EXHIBIT "A"**

4 **Designations and Categories**

5 **Designated Officers and Employees** **Category**

6 Assistant Retirement Administrator I, II

7 Consultants I, II \*

8 \* Consultants shall be included in the list of designated employees and shall disclose  
9 pursuant to the broadest disclosure category in the code subject to the following limitation: The  
10 Administrator may determine, in writing, that a particular consultant, although a "designated  
11 position," is hired to perform a range of duties that is limited in scope and thus is not required to  
12 fully comply with the disclosure requirements in this section. Such written determination shall  
13 include a description of the consultant's duties and, based upon that description, a statement of  
14 the extent of disclosure requirements. The Administrator's determination is a public record and  
15 shall be retained for public inspection in the same manner and location as this Conflict of Interest  
16 Code.

13 Note

14 The following positions are not designated in this conflict of interest code, because they are  
15 "public officials who manage public investments", and thus must report all financial interests as  
16 defined in the Political Reform Act, not just those listed in Exhibit B of this code:

16 Members of the Retirement Board

17 Retirement Administrator

18 Persons holding these positions are included in the conflict of interest code for disqualification  
19 purposes only.

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**FRESNO COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**

**CONFLICT OF INTEREST CODE**

**EXHIBIT "B"**

**Reportable Interests**

**Category I:**

Designated employees in this category must report:

- A. All interests in real property which foreseeably may be purchased or invested in by FCERA; and
- B. All investments or business positions in, and all income from, any business entity which, within the past two (2) years, has received, or, in the future, foreseeably may receive investment funds from FCERA.

**Category II:**

Designated employees in this category must report:

All investments or business positions with, and all income from, any business entity which, within the past two (2) years, has received, or in the foreseeable future, may contract with FCERA to provide services, supplies, materials, machinery, or equipment to FCERA.