

RESOLUTION NO. ICERS 2016

RESOLUTION OF THE BOARD OF RETIREMENT OF THE IMPERIAL COUNTY EMPLOYEES' RETIREMENT SYSTEM TO AMEND POLICY #20 – ICERS CONFLICT OF INTEREST CODE

WHEREAS, the Imperial County Employees' Retirement System (ICERS) has received a request from the Imperial County Registrar of Voters to complete its biennial review of the ICERS Conflict of Interest Code ("ICERS Policy #20");

WHEREAS, a legal review of ICERS Policy #20 revealed that current law referenced in Policy #20 has changed since the Policy was first adopted and that Policy #20 must also be changed in order to conform with current law;

WHEREAS, legal counsel in reviewing ICERS Policy #20 has recommended a clearer more concise presentation of what is required of "Designated Employees," as that term is used in 2 Cal. Code of Regs. Section 18730; and,

THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Retirement declares the following:

1. Policy #20 is amended and approved as set forth herein:

POLICY #20 - CONFLICT OF INTEREST CODE

IMPERIAL COUNTY EMPLOYEES' RETIREMENT SYSTEM

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 has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. 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 *Appendices A and B*, in which the officers, employees, and specified contractors are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Imperial County Employees' Retirement System.

The terms of the conflict of interest code amended or adopted and promulgated pursuant to Section 18730 are as follows:

Section (2) Designated Employees.

The persons holding positions listed in *Appendix A* are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests. Designated employees shall file statements of economic interests with Secretary of the Board who will make the statement available for public inspections and reproduction. (Government Code section 81008.) Statements for all designated employees will be retained by the Secretary of the Board.

Section (3) Disclosure Categories

All designated employees shall file pursuant to the disclosure categories set forth in the Appendix, which specify the kinds of economic interests that are reportable. Such a designated employee shall disclose in his or her statement of economic interest those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in *Appendix B*. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

This code does not establish any disclosure obligation for those officers, designated employees, and others who are also specified in Government Code section 87200.

APPENDIX A – TRUSTEES, DESIGNATED EMPLOYEES, INVESTMENT CONSULTANT

	DISCLOSURE CATEGORY
I. Board of Trustees	3
II. Retirement Administrator	1
III. Legal Counsel	1
IV. Assistant Retirement Administrator	2
V. Investment Consultant	3

APPENDIX B – DISCLOSURE CATEGORIES

CATEGORY 1.

Designated employees in this category shall disclose all sources of income, interests in real property, investments and business positions in business entities. Designated employees in this category shall complete all schedules of Form 700, if applicable.

CATEGORY 2.

Designated employees in this category shall disclose sources of income, investments, and business positions in business entities, which provide services, supplies, materials, machinery or equipment of the type purchased or utilized by the department in which the designated employee is employed. Designated employees in this category shall complete all schedules of Form 700 except schedule C, if applicable.

CATEGORY 3.

Persons in this category are required to make disclosure pursuant to Government Code Sections 87200 and 87202. No additional disclosure obligations are imposed under this code. Designated employees in this category shall complete all schedules of Form 700, if applicable.

2. This Resolution shall be effective on the date of its adoption

ADOPTED AND APPROVED by the Board of Retirement of the Imperial County Employees' Retirement System on September 21, 2016.


KAREN VOGEL, Chairman of the Board


PATRICIA LIZARRAGA, Secretary