

**MONTEREY PENINSULA REGIONAL PARK DISTRICT  
BOARD OF DIRECTORS MEETING**

**DATE:** July 11, 2018  
**TO:** Board of Directors  
**FROM:** Kelly McCullough, Finance Manager  
**REVIEWED BY:** Rafael Payan, General Manager  
**SUBJECT:** Approval of Revision of Conflict of Interest Policy

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**RECOMMENDED ACTION**

Staff respectfully recommends approval of the attached draft Conflict of Interest Policy (**ATTACHMENT 1**) incorporating Federal Procurement Uniform Guidance (UG) Code requirements for expenditure of Federal Funds.

**FISCAL IMPACT:**

There is no impact on finances in approving this change to the Conflict of Interest Policy.

**FUNDING SOURCE:**

Not applicable. This is a policy revision only.

**FUNDING BALANCE:**

Not applicable. This is a policy revision only.

**DISCUSSION:**

The attached Conflict of Interest Policy (**ATTACHMENT 1**) was originally approved by the Board and made effective December 2, 2013.

New requirements for using federal funds became effective July 1<sup>st</sup> of this fiscal year. The requirements apply to non-federal entities such as school districts, institutions of higher learning, and state and local governments applying for or spending federal funds.

The red and blue lined revision attached includes changes which are minimal and simply make reference to the Federal Regulations and other minimal changes to track the language. The main language addition to the policy states: "Additionally, the Federal Guidance, Code of Federal Regulations title 2, § 200.318(c)(1) requires non-Federal entities to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts that are supported by Federal funds. Therefore, the terms provided in that section are incorporated by reference. No employee, officer, or agent of the Monterey Peninsula Regional Park District may participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest."

This language makes it clear that the District specifically contemplated compliance with UG.

Staff recommends approval of the attached draft policy retroactive to July 1 to comply with UG.

**ATTACHMENTS:**

1. [Draft Conflict of Interest Policy](#)