

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # *A-6

Urgent Routine

AGENDA DATE February 26, 2013

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of Amendments to the Conflict of Interest Code for the Hart Ransom Union School District; Riverbank Unified School District; and, West Stanislaus County Fire Protection District

STAFF RECOMMENDATIONS:

Adopt amendments to the Conflict of Interest Code for the Hart Ransom Union School District; Riverbank Unified School District; and, West Stanislaus County Fire Protection District.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2013-73

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow
and approved by the following vote,

Ayes: Supervisors: O'Brien, Withrow, Monteith, De Martini and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST: Christine Ferraro Tallman
CHRISTINE FERRARO TALLMAN, Clerk BY: Deputy

File No.

SUBJECT: Approval to Amend the Conflict of Interest Code for the Hart Ransom Union School District; Riverbank Unified School District; and, West Stanislaus County Fire Protection District
page 2

DISCUSSION:

As the Conflict of Interest Code Reviewing Body for all local government agencies within Stanislaus County the Board of Supervisors must approve amendments to an agency's Conflict of Interest Code. After holding public meetings the Hart Ransom Union School District; Riverbank Unified School District; and, West Stanislaus County Fire Protection District approved amendments to their Conflict of Interest Codes. After an agency adopts an amendment to their Code they must submit it to the Board of Supervisors. Upon receiving the amendment to a Conflict of Interest Code from an agency the Board of Supervisors places the amendment on their agenda for approval.

POLICY ISSUE:

The Board of Supervisors is the Conflict of Interest Code Reviewing Body for all agencies whose boundaries are solely within Stanislaus County.

STAFFING IMPACTS:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Christine Ferraro Tallman Phone Number: 209-525-4494

2012 Local Agency Biennial Notice

Name of Agency: Hart-Ransom Union S.D.
Mailing Address: 3920 Shoemaker Ave., Modesto, CA 95358
Contact Person: Ream Lochry Office Phone No: 523-9992
E-mail: rlochry@hart-ransom.org Fax No: 523-9997

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code requires disclosure by agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict-of-interest code and has determined that (Check one box):

An amendment is required. The following amendments are necessary:

(Mark all that apply.)

- Include new positions.
- Revise disclosure categories.
- Revise the titles of existing positions.
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.
- Other (describe) Change the location of the filing of the Form 700.
- No amendment is required.
- The code is currently under review by the code reviewing body.

Verification

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

Ream Lochry
Signature of Chief Executive Officer

10-1-12
Date

Complete this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2012**, or the date specified by your agency, earlier, to:

Clerk of the Board of Supervisors
1010 10th Street, Suite 6700
Modesto, CA 95354

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

ATTACHMENT A**CONFLICT OF INTEREST CODE
OF THE HART-RANSOM UNION SCHOOL DISTRICT**

The Political Reform Act, Government Code section 81000, et seq., requires each state and local government agency to adopt and promulgate a conflict of interest code. 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 Appendix consisting of this Attachment A and Attachment B through D, in which members and employees are designated and disclosure categories are set forth, and the place of the filing is specified, shall constitute the Conflict of Interest Code of the Hart-Ransom Union School District.

Designated employees shall file statements of economic interests with the agency. Upon receipt of the statements of the various designated members and employees, the designated agency shall retain the original of these statements as indicated on Attachment D.

BOARD OF SUPERVISORS
2013 FEB - 8 A 10:30

ATTACHMENT D

**CONFLICT OF INTEREST CODE
OF THE HART-RANSOM UNION SCHOOL DISTRICT**

PLACE OF FILING

DESIGNATED EMPLOYEES/POSITIONS:

Where: Hart-Ransom Union School District

The District shall maintain the original of each "Statement of Financial Interests" form at the District Office at 3920 Shoemake Avenue Modesto, CA 95358.

Governor's Budget Proposal – includes a possible 1.6% COLA and partial restoration of deferrals.

Board Governance Handbook – to be reviewed at the February meeting.

- D. Mrs. Boer stated that she would bring a report on Common Core to the Board next month. She spoke of the PTC Cookie Dough Rewards as well as College Awareness day scheduled for February 1st. Mrs. Boer also reported that staff members George Brown and Corinne Cornejo have recently had surgery and that Terri Thomas has returned to work after her fall in November.

Mr. Cline informed the Board of items Charter School has been working on such as: Common Core; STAR Writing Practice Testing; Peace Essay – 6 finalists; Snow Day Trip; Graduation Prep and 5th grade Comcast Reading Challenge.

Mr. Martins reminded the Board of the College Interview Day, February 6th and asked the Board if they would like to participate. President Cover committed to participate.

IV. ACTIONS ITEMS

- A. On a motion by Mr. Fultz and a second by Mr. Gonsalves, the Board the Williams Settlement Uniform Complaint Report for October – December 2012. The vote: 3 ayes.
- B. On a motion by Mr. Gonsalves and a second by Mr. Fultz, the Board accepted the \$200.00 donation from PG&E and for the funds to be deposited in the Student Body account for student awards at the request of Mrs. Boer. The vote: 3 ayes.
- C. On a motion by Mr. Fultz and a second by Mr. Gonsalves, the Board approved the amended Conflict of Interest Code. The vote: 3 ayes.

V. MATTERS TOO LATE FOR THE AGENDA

There were no matters too late for the agenda.

VI. ADVANCED PLANNING BY THE GOVERNING BOARD

- A. February Board Meeting – February 14, 2013.

2012 Local Agency Biennial Notice

Name of Agency: RIVERBANK UNIFIED SCHOOL DISTRICT
Mailing Address: 6715 SEVENTH STREET, RIVERBANK, CA 95367
Contact Person: DARLENE RIBEIRO Office Phone No: 869-2538 x120
E-mail: dribeiro@riverbank.k12.ca.us Fax No: 869-1487

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code requires disclosure by agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict-of-interest code and has determined that (Check one box):

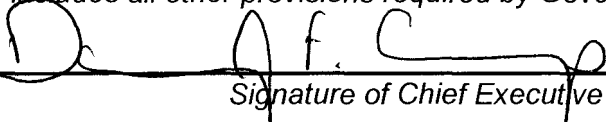
An amendment is required. The following amendments are necessary:
(Mark all that apply.)

- Include new positions.
- Revise disclosure categories.
- Revise the titles of existing positions.
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.
- Other (describe) AMEND. BP to reflect filing officer to our own agency & other technical amendments.
- No amendment is required.
- The code is currently under review by the code reviewing body.

BOARD OF SUPERVISORS
2012 NOV - 9 A 11:08

Verification

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.


Signature of Chief Executive Officer

11/6/12
Date

Complete this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2012**, or the date specified by your agency, if earlier, to:

Clerk of the Board of Supervisors
1010 10th Street, Suite 6700
Modesto, CA 95354

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

**RIVERBANK UNIFIED SCHOOL DISTRICT
BOARD BYLAW 9270**

BB 9270(a)

BYLAWS OF THE BOARD

Conflict of Interest

Incompatible Activities

Governing Board members shall not engage in any employment or activity which is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the district. (Government Code 1126)

Conflict of Interest Code

The district's conflict of interest code shall comprise of the terms of California Code of Regulations, Title 2, Section 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with a district attachment specifying designated positions and the specific types of disclosure statements required for each position.

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code in even-numbered years. If no change in the code is required, the district shall submit by October 1 a written statement to that effect to the code reviewing body. If a change in the code is necessitated by changed circumstances, the district shall submit an amended code to the code reviewing body. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated by changed circumstances such as the creation of new designated positions, amendments or revisions shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing conflict of interest codes, the district shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

If a Board member or designated employee determines that he/she has a financial interest in a decision, as described in Government Code 87103, this determination shall be disclosed. The member shall be disqualified from voting unless his/her participation is legally required. (2 CCR 18700)

Filing and Handling of Statements of Economic Interests

All officers and employees designated in the Appendix to this conflict of interest code shall file statements of economic interests with the office of the Superintendent, who acts as clerk to the Board of Trustees. The Superintendent or designee shall retain the original statements of economic interests located at 6715 Seventh Street, Riverbank, CA 95367.

**RIVERBANK UNIFIED SCHOOL DISTRICT
BOARD BYLAW 9270**

Statements of economic interests submitted to the district by designated employees in accordance with the conflict of interest code shall be available for public inspection and reproduction. (Government Code 81008)

BB 9270(b)

BYLAWS of the Board

Conflict of Interest

Financial Interest

The determination of whether a financial interest exists involves a review of statutes, court decisions and attorney general opinions as they apply to the particular facts at issue. The analysis can be complex and legal counsel should be consulted as appropriate.

Board members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members or designated employees. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract if his/her interest includes, but is not limited to, any of the following: (Government Code 1091.5)

1. That of an officer who is being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty
2. That of a recipient of public services generally provided by the public body or board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the board
3. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091
4. That of a spouse of an officer or employee of the district if his/her spouse's employment or office holding has existed for at least one year prior to his/her election or appointment
5. That of a nonsalaried member of a nonprofit corporation, provided that such interest is disclosed to the Board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records

**RIVERBANK UNIFIED SCHOOL DISTRICT
BOARD BYLAW 9270**

BB 9270(c)

BYLAWS OF THE BOARD

Conflict of Interest

6. That of a noncompensated officer of a nonprofit, tax-exempt corporation which, as one of its primary purposes, supports the functions of the nonprofit board or to which the school Board has legal obligation to give particular consideration, and provided further that such interest is noted in its official records

7. That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that such interest is disclosed to the Board at the time of consideration of the contract, and provided further that such interest is noted in its official records

8. That of an attorney of the contracting party or that of an owner, officer, employee or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm or real estate firm

In addition, a Board member or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his/her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor. (Government Code 1091.5)

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. Remote interests are specified in Government Code 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

It is recommended that the district consult legal counsel when situations arise involving financial interests in contracts or the rule of necessity.

**RIVERBANK UNIFIED SCHOOL DISTRICT
BOARD BYLAW 9270**

BYLAWS OF THE BOARD

BB 9270(d)

Conflict of Interest

A Board member may enter into a contract if the rule of necessity or legally required participation applies as defined in Government Code 87101.

Even if there is no prohibited or remote interest, a Board member shall abstain from voting on personnel matters that uniquely affect a relative of the Board member. A Board member may vote, however, on collective bargaining agreements and personnel matters that affect a class of employees to which the relative belongs. "Relative" means an adult who is related to the person by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes the individual's parents, grandparents and great-grandparents, children, grandchildren and great-grandchildren, brothers, sisters, aunts and uncles, nieces and nephews, and the similar family of the individual's spouse unless the individual is widowed or divorced.

Disqualification for Board Members Who Manage Public Investments

A Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:

1. Publicly identify the financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required. (Government Code 87105)
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. This Board member shall not be counted toward achieving a quorum while the item is discussed. (Government Code 87105; 2CCR 18702.5)

**RIVERBANK UNIFIED SCHOOL DISTRICT
BOARD BYLAW 9270**

BB 9270(e)

BYLAWS OF THE BOARD

Conflict of Interest

3. Leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters. (Government Code 87105)

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during the consent calendar. (2 CCR 18702.5)

The Board member may speak on the issue during the time that the general public speaks on the issue. The board member shall recuse himself/herself from voting on the matter and leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public. (Government Code 87105; 2CCR 18702.5)

Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the prevailing gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

**RIVERBANK UNIFIED SCHOOL DISTRICT
BOARD BYLAW 9270**

BB 9270(f)

BYLAWS OF THE BOARD

Conflict of Interest

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

Appendix

Designated Positions/Disclosure Categories

It has been determined that persons occupying the following positions manage public investments and shall file a full statement of economic interests pursuant to Government Code 87200 :

~~Governing Boards~~

~~Superintendent of Schools~~

Riverbank Unified School District Governing Board Members

Riverbank Language Academy Charter Governing Board Members

District Superintendent

1. Persons occupying the following positions are designated employees in Category 1:

~~Assistant / Associate Superintendent~~

~~Purchasing Agent~~

Director of Business

Director of Facilities

Designated persons in this category must report:

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries or of any land owned or used by the district. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
- b. Investments or business positions in or income from sources which:
 - (1) Are engaged in the acquisition or disposal of real property within the district

**RIVERBANK UNIFIED SCHOOL DISTRICT
BOARD BYLAW 9270**

BB 9270(g)

BYLAWS OF THE BOARD

Conflict of Interest

(2) Are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district or (3) Manufacture or sell supplies, books, machinery or equipment of the type used by the district

2. Persons occupying the following positions are designated employees in Category 2:

Directors
Principals
Assistant Principals
Maintenance and Operations Director
Program Coordinator
Project Specialist
Supervisor
Dean of Students

Designated persons in this category must report investments or business positions in or income from sources which:

- a. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs, or
- b. Manufacture or sell supplies, books, machinery or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

3. Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18701)

- a. Approve a rate, rule or regulation
- b. Adopt or enforce a law

**RIVERBANK UNIFIED SCHOOL DISTRICT
BOARD BYLAW 9270**

BB 9270(h)

BYLAWS OF THE BOARD

Conflict of Interest

- c. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement
- d. Authorize the district to enter into, modify or renew a contract that requires district approval
- e. Grant district approval to a contract or contract specifications which require district approval and in which the district is a party
- f. Grant district approval to a plan, design, report, study or similar item
- g. Adopt or grant district approval of district policies, standards or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's Conflict of Interest Code. (2 CCR 18701)

Legal Reference:

EDUCATION CODE

- 1006 Qualifications for holding office*
- 35107 School district employees*
- 35230-35240 Corrupt practices*
- 35233 Prohibitions applicable to members of governing boards*

GOVERNMENT CODE

- 1090-1098 Prohibitions applicable to specified officers*
- 1125-1129 Incompatible activities*
- 81000-91015 Political Reform Act of 1974, especially:*
- 82011 Code reviewing body*
- 82019 Definition of designated employee*
- 82028 Definition of gifts*
- 82030 Definition of income*
- 87100-87103.6 General prohibitions*
- 87200-87210 Disclosure*
- 87300-87313 Conflict of interest code*
- 87500 Statements of economic interests*
- 89501-89503 Honoraria and gifts*
- 91000-91014 Enforcement*

CODE OF REGULATIONS, TITLE 2

- 18110-18997 Regulations of the Fair Political Practices Commission*

COURT DECISIONS

- Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th. 655*
- Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511*

First Reading: 08 10 04
1st Reading/Revised: 11 09 10
1st Reading / Revised: 01 15 13

Second Reading /Adoption: 09 07 04
Second Reading / Adopted: 11 23 10
Second Reading / Adopted: 02 19 13

Riverbank Unified School District

Conflict Of Interest

Exhibit to BB 9270

Board Bylaws

RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Governing Board of the Riverbank Unified School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Riverbank Unified School District has recently reviewed its positions, and the duties of each position, and has determined that minor updates to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Riverbank Unified School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS 19th day of FEBRUARY, 2013 at a meeting, by the following vote:

Riverbank Unified School District

Conflict Of Interest

AYES: 3 NOES: 1 ABSENT: 1

Attest:



Secretary/President

2012 Local Agency Biennial Notice

Name of Agency: West Stanislaus County Fire Protection District
Mailing Address: P.O. Box 565 (344 W. Las Palmas Ave.), Patterson, CA 95363
Contact Person: Beth Lawwill, Admin. Manager Office Phone No: 209-895-8130
E-mail: blawwill@ci.patterson.ca.us Fax No: 209-895-8139

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code requires disclosure by agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict-of-interest code and has determined that (*Check one box*):

An amendment is required. The following amendments are necessary:
(*Mark all that apply.*)

- Include new positions.
- Revise disclosure categories.
- Revise the titles of existing positions.
- Delete titles of positions that have been abolished and/or positions that no longer make participate in making governmental decisions.
- Other (*describe*) Change designated receiver

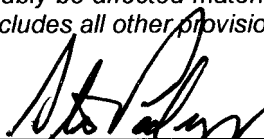
2012 OCT 17 A
BOARD OF SUPERVISORS

No amendment is required.

The code is currently under review by the code reviewing body.

Verification

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

October 11, 2012

Date

Complete this notice regardless of how recently your code was approved or amended.
Please return this notice no later than **October 1, 2012**, or the date specified by your agency, if earlier, to:

*Clerk of the Board of Supervisors
1010 10th Street, Suite 6700
Modesto, CA 95354*

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

ATTACHMENT A

CONFLICT OF INTEREST CODE

OF THE WEST STANISLAUS COUNTY FIRE PROTECTION DISTRICT

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, which can be incorporated by reference in an agencies code. After public notice and hearing, it may be amended by the Fair Political Practices Commission 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. This regulation and the attachments, designated members and employees established in disclosure categories, shall constitute the Conflict of Interest Code of the West Stanislaus County Fire Protection District.

Designated employees shall file statements of economic interests with the agency. Upon receipt of the statements of the various designated members and employees, the designated agency shall ~~make and retain a copy and forward~~ the original of these statements to the place of filing, as indicated on attachment D.

BOARD OF SUPERVISORS
2013 FEB 13 P 3:23

ATTACHMENT B
CONFLICT OF INTEREST CODE
OF THE WEST STANISLAUS COUNTY FIRE PROTECTION DISTRICT
DESIGNATED EMPLOYEES/POSITIONS

Under provisions of the Standard Code, designated employees/positions shall file statements of economic interest. Listed below are the designated employees/positions for the West Stanislaus County Fire Protection District and the appropriate schedules for filing:

POSITIONS:	DISCLOSURE CATEGORY:
Members of the Board of Directors	I, II
Fire Chief	I, II
Clerk to the Board of Directors	I, II
Consultant (s)	III

ATTACHMENT C
CONFLICT OF INTEREST CODE
OF THE WEST STANISLAUS COUNTY FIRE PROTECTION DISTRICT
DISCLOSURE CATEGORIES FOR DESIGNATED EMPLOYEES/POSITIONS

CATEGORY I

All investments and business positions in business entities, sources of income and interest in real property located in or doing business in the district.

CATEGORY II

Investments and business positions in business entities, and sources of income from any source of the type which has contracted to provide, or has provided, the district with services, supplies, materials, machinery or equipment.

CATEGORY III

Consultants shall disclose, pursuant to Category I and II, subject to the following limitation:

The Fire Chief may determine, in writing, that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's disclosure requirements. Such determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

ATTACHMENT D
CONFLICT OF INTEREST CODE
OF THE WEST STANISLAUS COUNTY FIRE PROTECTION DISTRICT
PLACE OF FILING

DESIGNATED EMPLOYEES/POSITIONS:

Where: West Stanislaus County Fire Protection District

The District shall maintain ~~a copy~~ the original of each "Statement of Financial Interest" form at the District ~~and the original Statements shall be forwarded to the Clerk of the Board of Supervisors at 1100 H Street, Modesto, CA 95354~~ West Stanislaus County Fire Protection District at 344 West Las Palmas Avenue, Patterson, CA 95363.

MINUTES
BOARD OF DIRECTORS
WEST STANISLAUS COUNTY FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS REGULAR MEETING
Monday, February 11, 2013
District Headquarters @ 344 West Las Palmas Ave., Patterson, CA 95363

Directors Present: Robert Kimball, Diana Haile, Jon Maring, and Steve Pedrazzi

Directors Absent: Manuel Vierra

Staff Present: Chief Hall, Secretary Amy Best, Richard Gaiser

Firefighters:

Guest: John Borges with Burton's Fire

Public: None

1. **Call to Order:** Meeting to order at 2:06 p.m.

2. **Pledge of Allegiance:** Was done.

3. **Statement of Conflict:** None

4. **Items from the Public:** None

5. **Consent Calendar:**

The motion was made by Director Diana Haile to approve (agenda items 5.1 – 5.3) and to pull item 5.4 – 5.6 for more discussion on the Consent Calendar. Director Robert Kimball seconded the motion and was passed unanimously upon the following vote:

5.1 Possible Approval of Board Meeting on January 2013.

5.2 Possible Approval of Warrants for the Month January 2013 and also the Financial Statements. (Steve Pedrazzi added the financials)

5.3 Possible Approval of Conflict of Interest Code- Amendment

Ayes: Steve Pedrazzi, Diana Haile, Jon Maring, and Robert Kimball

Noes: None

Absent: Manuel Vierra

5.4 Possible Approval of Audit for FY 2010-11 and 2011-12.

Steve Pedrazzi reported that he, Chief Hall, and Amy Best had a meeting with Charles Strand and went over both prepared audits. Charles Strand said we did a great job and everything he needed was easily found. Jon Maring made the motion to approve the audits, Diana Haile seconded and was passed upon the following vote;

Ayes: Steve Pedrazzi, Diana Haile, Robert Kimball and Jon Maring

Noes: Manuel Vierra

Absent: None

5.5 Review and Possible Approval for Water Tender #3

The Board reviewed the bids for the new water tender. Burton's came in at \$289,302.64, Hi-Tech came in at \$285,796.04 and West Mark came in at \$344,211.00. Westley ultimately wanted exactly what Patterson has. Jon made a motion to approve and award the bid to Burton's, Director Haile seconded

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BOARD OF SUPERVISORS

the motion and was passed unanimously upon the following vote;

Ayes:	Steve Pedrazzi, Diana Haile, Robert Kimball and Jon Maring
Noes:	Manuel Vierra
Absent:	None

5.6 Possible Approval to Participate in Class Action Lawsuit "Mohan, et al. v. Dell Inc., Case Nos. CGC03-41912; CJC-05-004442 (San Francisco Superior Court) "SBE Settlement"

This would be enabling us to participate in a class action suit. We would be refunded monies spent on the purchases of our computers. The Board did not want to participate. Director Maring made a motion not to participate, Director Haile seconded the motion and it was passed unanimously upon the following vote;

Ayes:	Jon Maring, Diana Haile, Steve Pedrazzi, and Robert Kimball
Noes:	Manuel Vierra
Absent:	None

6. Public Hearing and Scheduled Presentation:

Nothing on agenda

7. Staff and Committee Reports: Fire Chief's Report:

7.1 Chief's Report:

7.1.1 Legislation- Updates:

a. Health Care Reform-FLSA:

Discussion on new health care reform and the FLSA requirements. The District has agreed to try and work within the parameters set by the new health care reform. Will keep the Board updated.

7.1.2 Fire Consolidation Study – Update

a. Met with Newman and they did not want to participate. Had another meeting with Mike Holland, he would like more information on what needs to happen for Newman to get on board.

7.1.3 2012 Year End Report

a. Crows Landing Air Base:

No bids for the RFP on this project.

b. Diablo Grande:

Nothing to report

c. Arambel Project:

Nothing to report, next meeting is February 27- LAFCO hearing.

7.1.4 Community Emergency Response Team (CERT) Training:

a. Train-the-Trainer:

Captain Mike Ambrosino and Fire Prevention Specialist, Carrie Silvera will be attending the workshop in Long Beach, CA. The CERT training is a train-the-trainer workshop and is will get community residents involved to help out in the event of a disaster.

7.1.5 FDAC - Update

a. Annual Conference:

The annual conference will be in April 2013.

b. Board Member Opening:

Chief Hall suggested Steve Pedrazzi take the opening. Chairman Pedrazzi agreed and will be submitting a letter of interest.

7.1.6 Operations/Training (Division Chief Breasher)

a. Basic's Program

The Basics Program is nearing completion. Also, the annual training calendar is almost ready to be published.

7.1.7 Apparatus/Facilities–Update: (Division Chief Gregory)

a. Flag Pole Lighting at Crows Landing Station: The flag pole is up and pictures were submitted to the Board.

8. Other Matters:

9. Closed Session (if any):

10. Reports from Closed Session (if any): Discussed Chief Hall's evaluation.

11. Adjournment: With no further business the meeting was adjourned at 3:26 p.m.

Respectfully Submitted,

Amy Best, Acting Clerk of the Board of Board of Directors
West Stanislaus County Fire Protection District

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