

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

DEPT: Board of Supervisors

BOARD AGENDA:5.A.7
AGENDA DATE: October 9, 2018

SUBJECT:

Approval of the Amended Conflict of Interest Code for the Stanislaus County Regional Fire Authority

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0487

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow
and approved by the following vote,

Ayes: Supervisors: Olsen, Chiesa, Withrow, Monteith, and Chairman DeMartini

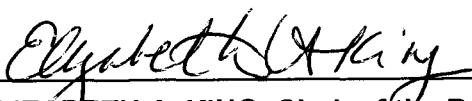
Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:

ATTEST: 
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No. DF-21-4

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Board of Supervisors

BOARD AGENDA:5.A.7
AGENDA DATE: October 9, 2018

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval of the Amended Conflict of Interest Code for the Stanislaus County Regional Fire Authority

STAFF RECOMMENDATION:

1. Approve the Amended Conflict of Interest Code for the Stanislaus County Regional Fire Authority.

DISCUSSION:

The Political Reform Act requires every local government agency to review its conflict of interest code on a biennial basis to determine if it is accurate or if amendments are needed. It is essential and legally required that an agency's conflict of interest code reflects the current structure of the agency and properly identifies all officials and employees who should be filing a Statement of Economic Interest (Form 700), and what financial interests they must disclose.

The County Board of Supervisors is the code reviewing body for county agencies and any other local government agency whose jurisdiction is determined to be solely within the county (e.g., school districts). An agency's amended code is not effective until it has been approved by the code reviewing body.

The Stanislaus County Regional Fire Authority has reviewed its conflict of interest code, and has submitted amendments to the Board of Supervisors for approval. County Counsel has reviewed the subject conflict of interest code in compliance with Government Code Section 87309 and has determined it meets the legal requirements.

POLICY ISSUE:

Stanislaus County Board of Supervisors is the code reviewing body for public agencies whose jurisdictions fall within Stanislaus County. An agency's conflict of interest code is not effective until it has been approved by the Board of Supervisors.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD OF SUPERVISORS' PRIORITY:

Approval of the recommended action supports the Board's priority of *Delivering Efficient Public Services and Community Infrastructure*.

STAFFING IMPACT:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Elizabeth King, Clerk of the Board of Supervisors	(209) 525-4494
Thomas Boze, Assistant County Counsel	(209) 525-6376

ATTACHMENT(S):

1. Stanislaus County Regional Fire

2018 Local Agency Biennial Notice

Name of Agency: Stanislaus County Regional Fire Authority
Mailing Address: 3705 Oakdale Rd
Contact Person: Richard Murdock Phone No: 552-3600
E-Mail: rmurdock@stanoes.com

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 includes disclosure by those 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):

2018 SEP -1 P 5:55
BOARD OF SUPERVISORS

An amendment is required. The following amendments are necessary:

(Mark all that apply.)

- Include new positions Elected Officers
- Revise disclosure categories
- Revise the titles of existing positions
- Delete positions that have been abolished and/or no longer make or participate in making governmental decisions

Other (describe) changed language to read "All statements will be retained by Fire Authority Clerk. Added paragraph #2 under conflict of interest code review and amendment."

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

No amendment is required. (If your code is more than five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's conflict of interest 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 designated positions. The code includes all other provisions required by Government Code Section 87302.

[Signature] Fire Warden/Assist Director CES 9/6/18
Signature of Authorizing Official and Title Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than October 1, 2018 to:

CLERK OF THE BOARD OF SUPERVISORS
STANISLAUS COUNTY
1010 10th Street, Suite 6700
MODESTO, CA 95354
PLEASE DO NOT RETURN THIS FORM TO THE FPPC

**CONFLICT OF INTEREST CODE FOR THE
STANISLAUS COUNTY FIRE AUTHORITY**

Conflict of Interest Code Requirements

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., tit. 2, ' 18730), which contains the terms of a standard conflict of interest code that can be incorporated by reference in an agency' s code. The State standard conflict of interest code 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 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 designating positions and establishing disclosure categories shall constitute the Conflict of Interest Code of the Stanislaus County Fire Authority.

Individuals holding designated positions shall file statements of economic interests with the Stanislaus County Fire Authority, which will make the statements available for public inspection and reproductions (Gov. Code Sec. 81008). All statements will be retained by the Fire Authority Clerk.

Conflict of Interest Code Review and Amendment

To ensure the Stanislaus County Fire Authority conflict of interest code remains current and accurate, the Fire Authority is required to review its code at least every even-numbered year. The Fire Authority will receive a Biennial Notice as a reminder of this obligation from the County Board of Supervisors, the code reviewing body.

The California Fair Political Practices Commission suggests updating the conflict of interest code if the current code is more than five years old; if there have been substantial changes to the agency's organizational structure; positions have been eliminated, renamed or added; if there have been any substantial changes in duties or responsibilities for any positions.

**APPENDIX TO THE CONFLICT OF INTEREST CODE FOR THE
STANISLAUS COUNTY FIRE AUTHORITY**

A. DESIGNATED POSITIONS

Listed below are the designated positions for the Stanislaus County Fire Authority and the appropriate disclosure category for reporting financial interests for each position.

<u>Designated Positions</u>	<u>Disclosure Category</u>
Member Agency Representative	1, 2
Member Agency Alternate Representative	1, 2
Elected Officers	1, 2
County Counsel	1, 2
Consultants	3

B. DISCLOSURE CATEGORIES

Disclosure Category 1

All sources of income, including gifts, loans and travel payments, interests in real property and investments and business positions in business entities located in or doing business in Stanislaus County.

Disclosure Category 2

All investments and business positions in business entities and sources of income, including gifts, loans and travel payments, which provide supplies, materials, machinery, equipment, leased facilities or services, including training or consulting services, of the type utilized by the Stanislaus County Fire Authority or the Stanislaus County Fire Warden.

Disclosure Category 3

Consultants shall disclose pursuant to Disclosure Category 1, subject to the following limitation:

The Chief Executive Officer of Stanislaus County 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 duties and, based upon that description, a statement of the extent of disclosure requirements. Such determination shall be a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.