

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

DEPT: Board of Supervisors

BOARD AGENDA # \*A-6

Urgent  Routine

AGENDA DATE November 2, 2010

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Adopt an Amendment to the Conflict of Interest Code for the Modesto-Ceres Fire Protection Agency Joint Powers Authority

STAFF RECOMMENDATIONS:

Adopt amendment to the Conflict of Interest Code of the the Modesto-Ceres Fire Protection Agency Joint Powers Authority.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2010-680

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

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

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, Clerk

File No.

SUBJECT: Approval to Adopt an Amendment to the Conflict of Interest Code for the Modesto-Ceres Fire Protection Agency Joint Powers Authority  
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**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 a public meeting the Modesto-Ceres Fire Protection Agency Joint Powers Authority approved amendments to their Conflict of Interest Code. After an agency adopts an amendment to their Code they must submit it to the Board of Supervisors. Upon receiving the amendments to the Conflict of Interest Code from the agencies the Board of Supervisors places the amendments 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, Clerk of the Board of Supervisors Telephone: 209-525-4494

**MODESTO – CERES FIRE PROTECTION AGENCY  
JOINT POWERS AUTHORITY**

**RESOLUTION 2010-02**

**A RESOLUTION OF THE MODESTO-CERES FIRE PROTECTION AGENCY ADOPTING THE CONFLICT OF INTEREST CODE FOR THE JOINT POWERS AUTHORITY**

**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, 2 Cal. Code of Regs. Section 18730, which contains the terms of a model conflict of interest code; and

**WHEREAS**, said code may be adopted by reference by a local government agency; and

**WHEREAS**, if so adopted, said code may be amended from time to time by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act; and

**WHEREAS**, pursuant to the regulations of the Fair Political Practices Commission, each local agency must review its conflict of interest code to make sure it is in compliance with the regulations of the Fair Political Practices Act; and

**WHEREAS**, at its meeting on September 20, 2010, the Commission discussed the approval of a code and adopted the Standard Conflict of Interest Code for Stanislaus County.

**NOW THEREFORE, BE IT RESOLVED** by the Joint Powers Authority of the Modesto-Ceres Fire Protection Agency as follows:


**SECTION 1:** Except as otherwise provided in this Chapter, the Model Conflict of Interest Code, as adopted by the Fair Political Practices Commission (2 Cal. Code of Regulations, is hereby incorporated by reference and along with the attached Appendix consisting of Attachment A,B and C.

**PASS AND ADOPTED** at a special meeting of the Joint Powers Authority of the Modesto-Ceres Fire Protection Agency held on September 20, 2010.


AYES: Nicholes, Kraus, Nyhoff

NOES: None

ABSENT: Gonzales, DeWerk

  
Bryan Nicholes, President

ATTEST:

  
Michele Edwards, Secretary

**ATTACHMENT A**

**CONFLICT OF INTEREST CODE FOR THE**

**MODESTO-CERES FIRE PROTECTION AGENCY**

**JOINT POWERS AUTHORITY**

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, in which members are designated and disclosure categories are set forth, and the place of filing is specified, shall constitute the Conflict of Interest Code of the Joint Powers Authority of the Modesto-Ceres Fire Protection Agency.

Designated commissioners shall file statements of economic interests with the agency. Upon receipt of the statements of the various designated members, 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 B.

## ATTACHMENT B

### CONFLICT OF INTEREST CODE FOR THE MODESTO-CERES FIRE PROTECTION AGENCY JOINT POWERS AUTHORITY

#### PART 1 – DESIGNATED MEMBERS

Under provisions of the Standard Code, designated employees shall file statements of economic interests. Listed below are the designated members for the Joint Powers Authority of the Modesto-Ceres Fire Protection Agency.

#### POSITION

#### DISCLOSURE CATEGORY:

##### **Commissioners**

City Manager for the City of Ceres	
City Manager for the City of Modesto	
Director or Public Safety for the City of Ceres	
Fire Chief of the City of Modesto	
Executive Secretary of Industrial Fire District	

##### **Legal Counsel**

Legal Counsel for the City of Ceres	
Legal Counsel for the City of Modesto	

##### **Alternate Commissioners**

Representative for City of Ceres	
Representative for City of Modesto	
Representative for Industrial Fire District	

#### PART 2 – DISCLOSURE CATEGORIES FOR DESIGNATED POSITIONS

##### CATEGORY I

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

**ATTACHMENT C**  
**CONFLICT OF INTEREST CODE FOR THE**  
**MODESTO-CERES FIRE PROTECTION AGENCY**  
**JOINT POWERS AUTHORITY**  
**PLACE OF FILING**

**PART I – DESIGNATED MEMBERS**

**Where:**        *Secretary of Commission*

The Secretary shall furnish to each designated member upon their appointment and termination, a form 700 – Annual Statement of Economic Interests. The member will submit the completed Statement to the Secretary. The Secretary shall retain a copy of the Statement and shall forward the original to the Clerk of the Board of Supervisors who shall retain the originals in the Clerk of the Board's Office.

**Clerk of the Board of Supervisors**  
**Attention: Christine Ferraro Tallman**  
**1010 Tenth Street, Suite 6700**  
**Modesto, CA 95354**