

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

DEPT: Board of Supervisors

BOARD AGENDA # \*A-5

Urgent

Routine

AGENDA DATE June 28, 2011

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 of the Keyes Community Services District

STAFF RECOMMENDATIONS:

Adopt an amendment to the Conflict of Interest Code of the Keyes Community Services District.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2011-378

On motion of Supervisor O'Brien, Seconded by Supervisor Chiesa

and approved by the following vote,

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

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  
CHRISTINE FERRARO TALLMAN, Clerk

File No. DCS-1-A-14

SUBJECT: Approval to Adopt an Amendment to the Conflict of Interest Code of the Keyes Community Services 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 a public meeting the Keyes Community Services District 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 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, Clerk of the Board of Supervisors Telephone: 209-525-4494



2011 JUN 13 A 10:19

49068-34363

*Mia S. Brown*

509 WEST WEBER AVENUE  
FIFTH FLOOR  
STOCKTON, CA 95203

June 9, 2011

POST OFFICE BOX 20  
STOCKTON, CA 95201-3020

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

(209) 948-8200  
(209) 948-4910 FAX

FROM MODESTO:  
(209) 577-8200  
(209) 577-4910 FAX

Re: Keyes Community Services District: Amendment of Conflict of Interest Code

Honorable Members of the Board:

I am writing on behalf of Keyes Community Services District (District) to notify you that the District has amended its conflict of interest code pursuant to Government Code Section 87306(a).

A copy of the resolution, which sets forth the conflict of interest code in full is attached for your review. The changes are summarized as follows: The position of General Manager was added as a designated position, and the Section 87200 reporting requirements were removed due to the fact that no District official or employee manages public investments, nor falls within the purview of that code section.

The District respectfully submits for approval its conflict of interest code, as amended, to the Stanislaus County Board of Supervisors as the designated code-reviewing body, pursuant to Government Code Section 87303.

Very truly yours,

MIA S. BROWN  
*Attorney at Law*

MSB:msb  
Enclosures



2011 JUN 13 A 10:19

**KEYES COMMUNITY SERVICES DISTRICT**

**RESOLUTION 2011-468**

**RESOLUTION ADOPTING AMENDED CONFLICT OF INTEREST CODE**

WHEREAS, Chapter 7 of the Political Reform Act of 1974, as amended, codified in California Government Code sections 81000 et seq., requires every State and local government agency to adopt a Conflict of Interest Code pursuant to its provisions; and

WHEREAS, the Fair Political Practices Commission requires all government and local agencies to review and keep up to date their Conflict of Interest Codes; and

WHEREAS, the District finds that the District General Manager should properly be added to the list of designated positions which required to file disclosure statements under certain circumstances; and

WHEREAS, such an addition requires a formal amendment to the existing Conflict of Interest Code; and

WHEREAS, the District finds that the Conflict of Interest Code, as amended, should be set forth in its entirety by this Resolution, thereby incorporating all previous amendments made thereto by previous resolutions:

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Board of Directors of the Keyes Community Services District hereby amend the District's Conflict of Interest Code to read in full as follows:

The Political Reform Act, Government Codes 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 confirm 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 Attachments B through D, in which members and employees are designated and disclosure categories are set forth, and the place of filing is specified, shall constitute the Conflict of Interest Code of the Keyes Community Services District.

Designated employees shall file statements of economic interests with the District, and the District shall retain copies of the submitted statements in the District's Office. Listed below are designated employees/positions for the Keyes Community Services District and the appropriate schedule for filing.

POSITIONS	DISCLOSURE CATEGORY
Attorney	I, II
Engineer	I, II
General Manager	I, II
Consultants(s)	III

CATEGORY I: All investments, interests in real property (other than real property which is used principally as the residence of the filer), income from and business positions in business entities located in or doing business in the District.

CATEGORY II: Investments and business positions in any business entity or income from any source if the business entity or source of income manufactures, distributes, or sells supplies, machinery or equipment of the type utilized by district.

CATEGORY III: Consultants shall be included in the list of designated positions and shall disclose economic interests pursuant to the broadest disclosure category in the Code, subject to the following limitation:

The Keyes Community Services District 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 decryption of the consultant's duties and, based upon the 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.

The District shall maintain a copy of each "Statement of Financial Interests" form at the District Office and the original Statements shall be forwarded to the Clerk of the Board of Supervisors and 1010 10<sup>th</sup> Street, Suite 6700, Modesto, CA 95354.

BE IT FURTHER RESOLVED that the District Secretary is hereby authorized to forward a copy of this Resolution to the Stanislaus County Board of Supervisors for its review and approval of the Conflict of Interest Code adopted herein.

\*\*\*\*VOTE TALLY AND SIGNATURES APPEAR ON FOLLOWING PAGE\*\*\*\*

This resolution is adopted this 31<sup>st</sup> day of May by the following vote,

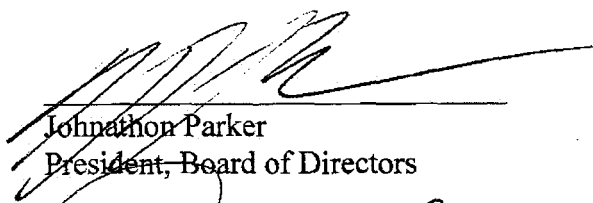
TO WIT:

AYES: PARKER, CHADWICK, BENAVIDES, LANDERS, Grewal

NOES:

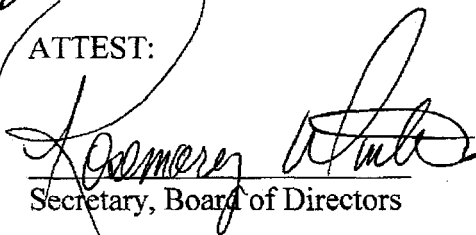
ABSENT:

ABSTAINING:



Johnathon Parker  
President, Board of Directors

ATTEST:



Rosemary White  
Secretary, Board of Directors

**CERTIFICATION**

I, Rosemary Winters, Secretary of Keyes Community Services District, do hereby certify that the foregoing is a full, true and correct copy of a resolution of the Keyes Community Services District duly passed and adopted at a continued regular meeting of the Board of Directors thereof held on the 31st day of May, 2011.

Dated: June 7, 2011

Rosemary Winters  
Secretary  
Keyes Community Services District

This resolution is adopted this 31<sup>st</sup> day of May by the following vote,

TO WIT:

AYES: PARKER, CHADWICK, BENAVIDES, LAWDEERS, Grewal

NOES: NONE

ABSENT: NONE

ABSTAINING: NONE

  
\_\_\_\_\_  
Johnathon Parker

President, Board of Directors

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors