

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

DEPT: Board of Supervisors

BOARD AGENDA # \*A-4

Urgent

Routine

AGENDA DATE December 11, 2012

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Adopt the Amendments to the Conflict of Interest Codes for the Hughson Fire Protection District and the Empire Sanitary District

STAFF RECOMMENDATIONS:

Adopt amendments to the Conflict of Interest Codes for the Hughson Fire Protection District and the Empire Sanitary District .

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2012-592

On motion of Supervisor Withdraw, Seconded by Supervisor Chiesa

and approved by the following vote,

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

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:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

**SUBJECT:** Approval to Adopt the Amendments to the Conflict of Interest Codes for the Hughson Fire Protection District and the Empire Sanitary District  
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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 public meetings the Hughson Fire Protection District and the Empire Sanitary District adopted 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 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: HUGHSON FIRE PROT. DIST  
Mailing Address: P.O. Box 37, HUGHSON, CA 95326  
Contact Person: Jon Galt Office Phone No: 209-883-2843  
E-mail: Jonmlee@aol.com Fax No: \_\_\_\_\_

**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 location of filing location

**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

10-10-12

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 10<sup>th</sup> Street, Suite 6700  
Modesto, CA 95354

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

**STEWART W. JAMES**

ATTORNEY AT LAW

7108 HUGHSON AVENUE  
P.O. BOX 147  
HUGHSON, CALIFORNIA 95326

BOARD OF SUPERVISORS

2012 NOV 28 A 10:44

Telephone (209) 883-4409  
Fax: (209) 883-4588


November 26, 2012

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

Re: My File No. 7282

On behalf of the Hughson Fire Protection District I am sending with this letter a copy of the Amended Conflict of Interest Code adopted by the District's Board on November 14, 2012. Also enclosed is a copy of the previous Code showing the changes that have been made.

Yours sincerely,

  
STEWART W. JAMES

Enclosures

cc: Hughson Fire Protection District

**ATTACHMENT A**  
**CONFLICT OF INTEREST CODE**  
**OF THE HUGHSON FIRE PROTECTION DISTRICT**

The Political Reform Act, Government Code Sections 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 agency's 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 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 Hughson Fire Protection District.

Designated employees and members shall file statements of economic interests with the District.

ATTACHMENT B  
CONFLICT OF INTEREST CODE FOR THE  
HUGHSON FIRE PROTECTION DISTRICT  
DESIGNATED EMPLOYEES/POSITIONS

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

POSITIONS:

DISCLOSURE CATEGORY:

Fire Chief

I, II

Consultant(s)

III

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Officials who manage Public Investments:

It has been determined that the positions listed below manage public investments and will file a Statement of Economic Interests pursuant to Government Code Section 87200:

Members of the Board of Directors

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

CATEGORY I

Investments and business positions in business entities which have contracted to provide, or have provided, the District with services, supplies, materials, machinery or equipment, and income from any such entity other than a public agency.

CATEGORY II

Investments in business entities which do business, plan to do business, or have done business in the district within the past two (2) years, and all interests in real property located in whole or in part: (1) within the boundaries of the district, (2) within two (2) miles of the boundaries of the district, or (3) within two (2) miles of any land owned or used by the district, including any leasehold, beneficial or ownership interest, or option to acquire such interest in real property, but not including real property which is used principally as the residence of the filer.

CATEGORY III

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

The Hughson Fire Protection 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 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.

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**ATTACHMENT D**  
**CONFLICT OF INTEREST CODE**  
**HUGHSON FIRE PROTECTION DISTRICT**  
**PLACE OF FILING**

DESIGNATED EMPLOYEES/POSITIONS

Where: HUGHSON FIRE PROTECTION DISTRICT

The District shall retain the original of each "Statement of Financial Interests" in the District Office, 2316 Third Street, Hughson, California.



**2012 Local Agency Biennial Notice** OF SUPERVISORS

Name of Agency: Empire Sanitary District 2012 AUG 17 A 11 44

Mailing Address: P.O. Box 294 Empire Ca, 95319

Contact Person: Brandy Ochoa Office Phone No: 209-522-3687

E-mail: empiresanitary@sbcglobal.net Fax No: 209-522-3685

**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.)

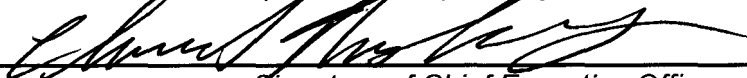
- Include new positions.
- Revise disclosure categories.
- Revise the titles of existing positions.
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.

Other (describe) Change of filing agency from the Clerk of the Board to our own agency's Secretary.

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

8/15/2012  
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 10<sup>th</sup> Street, Suite 6700  
Modesto, CA 95354

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

BOARD OF SUPERVISORS  
2012 NOV 26 A 10:53

ATTACHMENT A  
CONFLICT OF INTEREST CODE  
OF THE EMPIRE SANITARY 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 maybe 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 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 Empire Sanitary District.

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

ATTACHMENT B  
CONFLICT OF INTEREST CODE  
OF THE EMPIRE SANITARY DISTRICT  
DESIGNATED EMPLOYEES/POSITIONS

Under provisions of the Standard Code, designated employee/positions shall file statements of economic interests. Listed below are the designated employees/positions for the Empire Sanitary district and the appropriate schedules for filing:

<u>POSITIONS:</u>	<u>DISCLOSURE CATEGORY:</u>
Attorney	I, II
Consultant(s)	III

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OFFICIALS WHO MANAGE PUBLIC INVESTMENTS:

It has been determined that the positions listed below manage public investments and will file a statement of economic interests pursuant to Government Code Section 87200:

Members of the Board of Directors

ATTACHMENT C  
CONFLICT OF INTEREST CODE  
OF THE EMPIRE SANITARY DISTRICT  
DISCLOSURE CATEGORIES FOR DESIGNATED EMPLOYEES/POSITIONS

CATEGORY I

Investments and business positions in business entities, which have contracted to provide, or have provided, the district with services, supplies, materials, machinery or equipment, and income from any such entity other than a public agency.

CATEGORY II

Investments in business entities which do business, plan to do business, or have done business in the district within the past two (2) years, and all interests in real property located in whole or in part: (1) within the boundaries of the district, (2) within two (2) miles of the boundaries of the district, or (3) within two (2) miles of any land owned or used by the district, including any leasehold, beneficial or ownership interest, or option to acquire such interest in real property, but not including real property which is used principally as the residence of the filer.

CATEGORY III

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

The Empire Sanitary 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 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.

ATTACHMENT D  
CONFLICT OF INTEREST CODE  
OF THE EMPIRE SANITARY DISTRICT  
PLACE OF FILING

DESIGNATED EMPLOYEES/POSITIONS:

Where: Empire Sanitary District

The district shall maintain the original copy of each "Statement of Financial Interests" form at the district and a copy shall be forwarded to the Clerk of the Board of Supervisors at 1010 10<sup>th</sup> Street, Ste. 6500, Modesto, CA 95354.

Empire Sanitary District  
P.O. Box 294  
Empire, CA 95319  
Ph. (209) 522-3687

BOARD OF SUPERVISORS

2012 NOV 26 A 10:53

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## REGULAR MEETING NOTICE

Thursday October 11, 2012

Time 7:00p.m.

Empire Community Hall  
98 I St.  
Empire, CA 95319

Empire Sanitary District Board regular meetings are held every second Thursday of the month at 7:00p.m. The public is welcome and encouraged to participate and comments are always appreciated. Members of the public may be heard on any item of interest to the public. A person addressing the board will be limited to five (5) minutes unless a longer period of time is granted by the chairman of the board. Comments by members of the public on any item on the agenda will only be allowed during consideration of that item.

Material related to an item on the agenda submitted to the Empire Sanitary District after distribution of the agenda packet are available for public inspection in the office at 5017 Yosemite Blvd., Empire, CA, during normal business hours.

## AGENDA

1. Call meeting to order (7:00 p.m.)
2. Pledge of allegiance
3. Roll Call:
4. Discussion & Motion to Approve Minutes of the previous meeting
5. Discussion & Motion to approve Calendar (payroll checks, approve Payments, Transfers, signing of warrants).
6. Discuss Mandatory Ethics Training.
7. Discuss & Approve change of Code for Form 700's
8. Discuss & Approve New Safety Light bar for Service Truck.
9. Go to Closed Session: Conference with Legal Counsel anticipated litigation 1 case ( pursuant-to California Government code section 54956.9)
10. Discuss double and single billing of properties.
11. Board Comments
12. Meeting Adjourned

**EMPIRE SANITARY DISTRICT  
REGULAR MEETING  
OCTOBER 11, 2012  
EMPIRE COMMUNITY HALL  
98 I ST., EMPIRE, CA. 95319**

- 1) MEETING CALLED TO ORDER @ 7:08 P.M.
- 2) PLEDGE OF ALLEGIANCE RECITED BY ALL PRESENT
- 3) ROLL CALL: MR. THORNSBERRY, MRS. LITTLE, MR. HANEY, MRS. HANKINS; MR. BURNS DID NOT ATTEND
- 4) DISCUSS & APPROVE MINUTES FROM PREVIOUS MEETING
  - a) MOTION MADE BY MR. THORNSBERRY
  - b) 2<sup>ND</sup> BY MR. HANEY; ALL IN FAVOR – MOTION PASSED
- 5) DISCUSS & APPROVE CALENDAR
  - a) MOTION MADE BY MR. THORNSBERRY
  - b) 2<sup>ND</sup> BY MRS. LITTLE; ALL IN FAVOR – MOTION PASSED
- 6) DISCUSS MANDATORY ETHICS TRAINING
  - a) Mr. THORNSBERRY WENT OVER WHEN AND WHERE THE TRAINING WOULD BE HELD.
- 7) DISCUSS & APPROVE 700'S FORM AMENDMENT
  - a) MOTION MADE BY MR. THORNSBERRY
  - b) 2<sup>ND</sup> BY MR. HANEY; ALL IN FAVOR – MOTION PASSED
- 8) DISCUSS & APPROVE NEW SAFETY LIGHT BAR FOR SERVICE TRUCK
  - a) MR. THORNBERRY STATED TOTAL WOULD BE AROUND \$150.00 FOR A STROBE SAFETY LIGHT BAR.

- b) MOTION MADE BY MR. THORNSBERRY TO PURCHASE SAFETY LIGHT BAR FOR SERVICE TRUCK
  - c) 2<sup>ND</sup> BY MRS. LITTLE; ALL IN FAVOR – MOTION PASSED
- 9) REQUEST MADE BY PUBLIC TO SKIP TO AGENDA ITEM # 10 BEFORE ENTERING INTO CLOSED SESSION.
- 10) DISCUSS & APPROVE SINGLE AND DOUBLE BILLING OF MULTIPLE UNIT PROPERTIES.
- a) MR. THORNSBERRY READ OVER THE EMPIRE SANITARY DISTRICTS POLICY FOR BILLING OF MULTIPLE UNIT PROPERTIES.
  - b) MR. THORNSBERRY ASKED MRS. HANKINS IF THESE POLICIES COVERED WHAT YOU WANTED DISCUSSED AT THE LAST BOARD MEETING.
  - c) MRS. HANKINS STATED I DON'T KNOW, I DIDN'T ASK FOR THIS TO BE ON THE AGENDA THIS MONTH.
  - d) MR. THORNSBERRY THIS WAS YOUR SUBJECT THAT WAS TABLED FROM LAST MONTHS MEETING
  - e) MRS. LITTLE STATED I THINK WE DROP IT
  - f) MR. THORNSBERRY ASKED THE BOARD IF THEY WOULD LIKE TO TABLE THE TOPIC UNTIL NEXT MONTHS MEETING SO IT CAN BE REVISED
  - g) MRS. LITTLE STATED YES I VOTE TO REVISE IT
  - h) MOTION MADE BY MRS. LITTLE TO REVISE THE EMPIRE SANITARY DISTRICTS MULTIPLE UNIT PROPERTY BILLING POLICY
  - i) 2<sup>ND</sup> BY MR. HANEY; ALL IN FAVOR – MOTION PASSED
- 11) ENTERED INTO CLOSED SESSION: (PURSANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.9)
- a) NO REPORTED ACTION TAKEN
- 12) MEETING ADJOURNED @ 7:37 PM