

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

DEPT: Board of Supervisors

BOARD AGENDA # *A-7

Urgent

Routine

AGENDA DATE June 4, 2014

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

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. 2014-263

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

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

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

Modesto-Ceres Fire Protection Agency
1010 10th Street, Suite 5200
Modesto, CA 95354

BOARD OF SUPERVISORS

2014 JUN -3 P 3:30

June 3, 2014

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

Dear Christine Ferraro,

On May 20, 2014, the Modesto-Ceres Fire Protection Agency JPA, approved resolution 2014-04 adopting the amendment to the Conflict of Interest Code. The changes are noted on Attachment A and Attachment C included with this letter. Also attached is the approved 2012 Local Biennial Notice. We would appreciate these items be reviewed and approved by the board of Supervisors.

Thank you,



Diane Rambo
Secretary

MODESTO-CERES FIRE PROTECTION AGENCY
JOINT POWERS AUTHORITY

MINUTES
May 20, 2014

CALL TO ORDER: 3:32

ROLL CALL:

Present: President Nicholes, Alternate Williams-Ridley, Alternate Slamon

Absent: Member deWerk

Other Attendees: Roland Stevens, Gloriette Genereux, DeAnna Espinoza, Gloria Garza, Mike Lyons, Diane Rambo

OLD BUSINESS:

- a) Roland Stevens reported back on the liability of transferring property. He stated that we do have the power. When property was transferred to MRFA, they didn't have insurance but now that it is coming back to the City of Modesto, it will be covered. Gloriette stated that Diane will follow up on the title transfer form.
- b) It was m/s by Slamon/Williams-Ridley to approve Resolution 2014-01, rescinding the motion made on July 18, 2013 to sign over the Fire Station No. 10 Property Transfer to Modesto Regional Fire Authority.

AYES: Nicholes, Slamon, Williams-Ridley

NOES: None

ABSENT: deWerk

- c) Resolution 2014-02 adopting the Fire Station No. 10 Property Transfer to the City of Modesto was m/s by Slamon/Williams-Ridley

AYES: Nicholes, Slamon, Williams-Ridley

NOES: None

ABSENT: deWerk

NEW BUSINESS:

- a) Approval of the July 18, 2013 Meeting Minutes
It was m/s by Slamon/Williams-Ridley to approve the July 18, 2013 Meeting Minutes.
Motion passed by the following vote:

AYES: Nicholes, Slamon, Williams-Ridley

NOES: None
ABSENT: deWerk

- b) Approval of the 2012 Biennial Notice with no amendment necessary was m/s by Slamon/Williams-Ridley.

AYES: Nicholes, Slamon, Williams-Ridley
NOES: None
ABSENT: deWerk

- c) Gloria Garza presented the following:

Brown Armstrong audited the F/S, and related notes, of the Modesto-Ceres Fire Protection Agency JPA (Joint Powers Authority), for the period ending June 30, 2013.

The auditors found the Accounting and Reporting Policies conform to Generally Accepted Accounting Principles

They also found the F/S disclosures to be neutral, consistent and clear. There were no material findings or deficiencies

Highlights of the Statement of Net Position include: Total Current Assets were \$709,586, an increase of \$244,682 from PY, primarily due to an increase in Cash & Investments; Total Capital Assets were \$74,835, a decrease of \$5,755 from PY, due to Accumulated Depreciation; Total Liabilities were \$692,062, an increase of \$235,920 from PY
Total Liabilities and Net Assets were \$784,421, a net increase of \$238,927 from PY.

Highlights of the Statement of Revenue, Expenditures and Changes in Fund Balance include: Total Revenues were \$728,574, an increase of \$253,859 from PY, due primarily to one time RPTTF Allocation; Total Expenditures were \$719,812, an increase of \$243,448; The Net Change in Fund Balance is \$8,762, an increase of \$10,411 from PY.

The Fund Balance is showing \$17,524. There was an error made when calculating the Amount Due to City of Ceres and City of Modesto. Therefore, the \$17,524 will be allocated to the agencies respectively.

Resolution 2014-03 adopting the Audited Financial Statements from Fiscal Year 2012/2013 was m/s by Williams-Ridley/Slamon

AYES: Nicholes, Slamon, Williams-Ridley
NOES: None
ABSENT: deWerk

- d) Resolution 2014-04 adopting the amendment to the Conflict of Interest Code for the JPA was m/s by Williams-Ridley/Slamon. It was noted that the Secretary will retain the original Statements in her office at 1010 10th Street, Suite 5200.

AYES: Nicholes, Slamon, Williams-Ridley

NOES: None

ABSENT: deWerk

- e) Gloria Garza said that the Industrial Fire Budget, for FY 14/15, was budgeted conservatively and that revenues were budgeted at a 7.3% Increase from prior year. The Total Estimated Revenues for FY 14/15 were budgeted at \$515,941, an increase of \$35,170, primarily from Special Assessments or \$26,420. Expenses were budgeted flat.

Resolution 2014-05 adopting Fiscal Year 2014/2015 Operating Budget was m/s by Williams-Ridley/Slamon.

AYES: Nicholes, Slamon, Williams-Ridley

NOES: None

ABSENT: deWerk

Items Not on the Agenda:

President Nicholes signed the 2014 Capax insurance renewal package.

Next meeting will be scheduled for December.

There being no further business of the board, it was m/s by Slamon/Williams-Ridley to adjourn the meeting at 3:48 PM.

Submitted By,
Diane Rambo
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 retain the original of these statements to the place of filing, as indicated on Attachment C.

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 of 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 the original Statement in the office of the Secretary of the Commission.

**Secretary of Modesto-Ceres Fire Protection Agency
Attention: Diane Rambo
1010 Tenth Street, Suite 5200
Modesto, CA 95354**

2012 Local Agency Biennial Notice

Name of Agency: Modesto - Ceres Fire Protection Agency JPA
Mailing Address: 1010 10th Street, Suite 5200
Contact Person: Diane Rambo Office Phone No: (209) 577-5369
E-mail: drambo@modestogov.com Fax No: (209) 571-5880

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) _____
- 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.

Diane Rambo

Signature of Chief Executive Officer

5/20/14
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 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 BC.

ATTACHMENT C
CONFLICT OF INTEREST CODE FOR THE
MODESTO-CERES FIRE PROTECTION AGENCY
JOINT POWERES 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~~ original Statement in the office of the Secretary of the Commission. ~~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~~Secretary of Modesto-Ceres Fire Protection Agency
~~Attention: Christine Ferraro Tallman~~Diane Rambo
1010 Tenth Street, Suite ~~6700~~5200
Modesto, CA 95354