

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

DEPT: Board of Supervisors

BOARD AGENDA #: *A-6b

AGENDA DATE: August 8, 2017

SUBJECT:

Approval to Adopt the Amended Conflict of Interest Code for the Oakdale Fire Protection District

BOARD ACTION AS FOLLOWS:

No. 2017-431

On motion of Supervisor Olsen, Seconded by Supervisor DeMartini
and approved by the following vote,

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

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:


ELIZABETH A. KING, Clerk of the Board of Supervisors

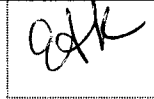
File No.

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

DEPT: Board of Supervisors

Urgent ☐

Routine ☒



BOARD AGENDA #: *A-6b

AGENDA DATE: August 8, 2017

CEO CONCURRENCE:

4/5 Vote Required: Yes ☐ No ☒

SUBJECT:

Approval to Adopt the Amended Conflict of Interest Code for the Oakdale Fire Protection District

STAFF RECOMMENDATIONS:

1. Adopt the Amended Conflict of Interest Code for the Oakdale Fire Protection District.

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 Oakdale Fire Protection District 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 amended 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.

Approval to Adopt the Amended Conflict of Interest Code for the Oakdale Fire Protection District

BOARD OF SUPERVISORS' PRIORITY:

Approval of the recommended action supports the Board's priority of Efficient Delivery of Public Services.

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. Amended Conflict of Interest Code for the Oakdale Fire Protection District

"To Save Life & Property"



OAKDALE FIRE PROTECTION DISTRICT

P.O. BOX 932

OAKDALE, CALIFORNIA 95361

PHONE (209) 543-0190

FAX (209) 543-6719

Board Members *Raymond Martin –Chairman Ryan Cope Vincent Victorine Richard Ardis*

May 17, 2017

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

BOARD OF SUPERVISORS
2017 MAY 22 A 11:15

Dear Ms. King,

At its May 17th meeting, the Oakdale Fire Protection District Board of Directors adopted an amendment to its conflict of interest code. The amendment which is attached contains the revisions that were recommended by Stanislaus County Counsel. These revisions include language changes made to disclosure categories I-III, the addition of 4 disclosure categories (IV-VII) as well as a change in the filing location.

It is my understanding that the Stanislaus County Board of Supervisors must approve the revised amendment before it can become effective so on behalf of the Board of Directors, I would request that this matter be placed on the Board of Supervisor's agenda at your earliest convenience.

Please contact me should you have any questions or require any additional information.

Sincerely,

Raymond Martin
Board Chairman

ATTACHMENT A

CONFLICT OF INTEREST CODE FOR THE

OAKDALE FIRE PROTECTION 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 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 Attachments B through D, in which members and employees are designated and disclosure categories are set forth, and the place of ~~filing~~ filing is specified, shall constitute the Conflict of Interest Code of the Oakdale Fire Protection District.

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

ATTACHMENT B
CONFLICT OF INTEREST CODE FOR THE
OAKDALE 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 Oakdale Fire Protection District and the appropriate schedules for filing:

POSITIONS:

DISCLOSURE CATEGORY:

| | |
|---------------|-------------------------------|
| Fire Chief | I, II, <u>III</u> , IV, V, VI |
| Deputy Chief | I, II, <u>III</u> , IV, V, VI |
| Consultant(s) | III , <u>VII</u> |

Officials who manages 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 OAKDALE FIRE PROTECTION DISTRICT
DISCLOSURE CATEGORIES FOR DESIGNATED EMPLOYEES/POSITIONS

CATEGORY I

All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that do business or own real property within the jurisdiction of the District, 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 with the district within the past two (2) years, and aAll interests in real property which is located in whole or in part: (1) within, or not more than the boundaries of the district, (2) within two (2) miles outside, of the jurisdiction boundaries of the dDistrict, or (3) with in (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 Oakdale Fire Protection District Board of Directors 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, base 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.

All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

CATEGORY IV

All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

CATEGORY V

All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated employee's department, unit or division.

CATEGORY VI

All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated employee's department, unit or division.

CATEGORY VII

Individuals serving as a consultant as defined in FPPC Reg 18700.3, or in a new position created since this Code was last approved, that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation: The Oakdale Fire Protection District may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The District's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest. (Gov. Code Sec. 81008)

ATTACHMENT D
CONFLICT OF INTEREST CODE FOR THE
OAKDALE FIRE PROTECTION DISTRICT
PLACE OF FILING

DESIGNATED EMPLOYEES/POSITIONS:

Where: Oakdale Fire Protection District

The District Secretary of the Board is the designated holder/receiver of District Statement of Economic Interest Forms (Form 700's). The District will retain a copy of filed Form 700's at the District Administrative Headquarters, ~~1398 E F Street, Oakdale, CA 95361. 3705 Oakdale Road, Modesto CA, 95357.~~ 5551 Ciccarelli Road, Salida CA, 95368.