



SARATOGA FIRE DISTRICT

SERVICE SINCE 1923

RESOLUTION NO. 2014-4

A RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF THE SARATOGA FIRE PROTECTION DISTRICT ADOPTING AN UPDATED CONFLICT OF INTEREST CODE FOR DESIGNATED POSITIONS

WHEREAS, the Political Reform Act (California Government Code Section 81000 *et seq.*) establishes conflict of interest disclosure and disqualification requirements for specified officers and employees of public agencies and other persons designated by the agency who make or participate in the making of agency decisions; and

WHEREAS, the Political Reform Act requires government agencies to adopt and promulgate Conflict of Interest Codes; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, Title 2, California Code of Regulations, Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings,

NOW, THEREFORE, BE IT RESOLVED by the Board of Fire Commissioners of the Saratoga Fire Protection District as follows:

1. The model Conflict of Interest Code set forth in Title 2, Section 18730 of the California Code of Regulations, and any amendments to the Model Conflict of Interest Code subsequently adopted by the Fair Political Practices Commission, are hereby adopted by the Saratoga Fire Protection District as its Conflict of Interest Code and the same are incorporated herein by reference. The full text of the Section 18730, together with any amendments thereto, may be found at: <http://www.fppc.ca.gov/legal/regs/current/18730.pdf>.

2. The officers, employees, and consultants of the District holding a position listed in the Appendix attached to this Resolution and made a part hereof, are hereby designated as persons who make or participate in the making of decisions who must file conflict of interest



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statements in accordance with the Disclosure Category assigned to each listed position, as set forth in the Appendix.

3. Designated officers, employees, and consultants shall file statements of economic interests with the Business Manager of the District, who shall be deemed to be the filing official. If a statement is received in signed paper format, the District's filing official shall make and retain a copy and forward the original of this statement to the filing officer, the County of Santa Clara Clerk of the Board of Supervisors. If a statement is electronically filed using the County of Santa Clara's Form 700 e-filing system, both the District's filing official and the County of Santa Clara Clerk of the Board of Supervisors will receive access to the e-filed statement simultaneously. The District shall make the statements available for public inspection and reproduction pursuant to Government Code section 81008.

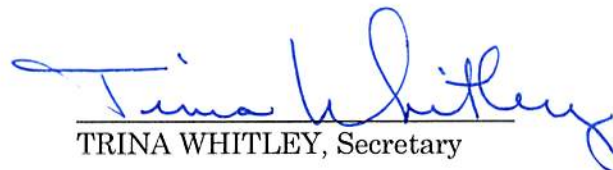
4. This Resolution shall supersede all prior resolutions adopting a conflict of interest code for the Saratoga Fire Protection District and the same are hereby repealed.



JOE LONG, Chairman

I hereby certify that the foregoing Resolution No. 2014-4 was duly and regularly adopted at a regular meeting of the Board of Fire Commissioners of the Saratoga Fire Protection District held on September 16, 2014, by the following vote:

AYES: 3
NOES: 0
ABSTAIN: 0



TRINA WHITLEY, Secretary



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APPENDIX To Conflict of Interest Code of the Saratoga Fire Protection District

<u>Designated Person:</u>	<u>Disclosure Category:</u>
Member of the Board of Fire Commissioners	1
Fire Chief	1
Business Manager	1
District Legal Counsel	1
Consultant	2
Newly Created Position	*

Disclosure Category 1:

Persons in this category shall disclose:

- (1) all investments, business positions, and income (including gifts, loans and travel payments) from:
 - (a) any source that provides, plans to provide, or has provided in the last two years, leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the District;
 - (b) any source that is subject to the regulatory, permit or licensing authority of, or has an application for a license or permit pending before, the District;
 - (c) any source that receives, is planning to apply to receive, or has received in the last two years, grants or other monies from or through the District; and
- (2) all interests in real property located entirely or partly within the District's boundaries, or within two miles of the District boundaries, or of any land owned or used by the District.

Disclosure Category 2:

This category shall apply only to consultants retained by the District. Consultants, as defined for purposes of the Political Reform Act, shall disclose pursuant to the broadest disclosure category in the code (Category 1), subject to the following limitation: The District's Business Manager or designee may determine in writing that a particular



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consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements for Category 1, but instead must comply with more tailored disclosure requirements specific to that consultant. Such a determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. 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 code.

***Newly Created Positions:**

A newly created position that makes or participates in the making of decisions that may foreseeably have a material effect on any financial interest of the position-holder, and which specific position title is not yet listed in an agency's conflict of interest code is included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The District's Business Manager or designee may determine in writing that a particular newly created position, 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 broadest disclosure requirements, but instead must comply with more tailored disclosure requirements specific to that newly created position. Such written determination shall include a description of the newly created position's duties and, based upon that description, a statement of the extent of disclosure requirements. 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 code. (Gov. Code Section 81008.)

As soon as the District has a newly created position that must file statements of economic interests, the District shall contact the County of Santa Clara Clerk of the Board of Supervisors Form 700 division to notify it of the new position title to be added in the County's electronic Form 700 record management system, known as eDisclosure. Upon this notification, the Clerk's office shall enter the actual position title of the newly created position into eDisclosure and the district shall ensure that the name of any individual(s) holding the newly created position is entered under that position title in eDisclosure.

Additionally, within 90 days of the creation of a newly created position that must file statements of economic interests, the District shall update this conflict-of-interest code to add the actual position title in its list of designated positions, and submit the amended conflict of interest code to the County of Santa Clara Office of the County Counsel for code-reviewing body approval by the County Board of Supervisors. (Gov. Code Sec. 87306.)

County of Santa Clara
Local Agency Conflict of Interest Code 2014 Biennial Amendment

List of Amendments to Code Since Last County-Approved Code

Complete this form in MS Word to submit the MS Word document to Kim Forrester in the Office of the County Counsel. (This form was included in the email to your agency.) Please do not alter the text of the questions. Use as much space as needed for each item – subsequent questions and answers may move down to additional pages. For each question, **compare your last County-approved code (a copy was provided to you) with the amended code you are submitting for the 2014 update.** For question 1, please check “yes” or “no.” For questions 2 through 6, please fill-in as requested or write N/A if not applicable.

Agency Name: Saratoga Fire Protection District

1. Did your Agency amend any of the text (any text outside the list of designated positions and disclosure categories) of your conflict of interest code?

x Yes No

2. List any **new** positions added to your Agency’s list of designated positions:

Newly Created Position

3. List any positions **removed** from your Agency’s list of designated positions, and **explain the reason why the position was removed** (e.g., position no longer exists due to reorganization, position’s job description changed such that the agency determined position is not required to file, etc.) (add additional rows as needed):

Position Title Removed	Reason Position Title Was Removed
N/A	

4. List any positions that were already listed in your Agency’s list of designated positions, but whose position title has been revised (list both the prior position title and the new position title) (add additional rows as needed):

This only applies to **position title changes**. If a position was abolished and a new position was created, please enter those above as a removed position and new position.

Prior Position Title	Revised Position Title

5. List the category **number** of any disclosure category(ies) that was either added to your Agency’s code, or whose text was amended?

Category 1, Category 2

6. List any designated position(s) that had its assigned disclosure category number changed.

N/A