

# RESOLUTION NO. 20-09

## A RESOLUTION OF THE BOARD OF DIRECTORS OF NORTH CENTRAL FIRE PROTECTION DISTRICT AMENDING ITS CONFLICT OF INTEREST CODE

At a regular meeting of the Board of Directors of North Central Fire Protection District (the "District"), it was moved by director FOGLIO, and seconded by director BELLUOMINI and duly carried that the following resolution be adopted:

**WHEREAS**, section 87300 of the California Government Code requires every public agency to adopt and promulgate a conflict of interest code; and

**WHEREAS**, amendments to the Political Reform Act, Government Code Sections 81000, *et seq.*, have in the past and foreseeably will in the future require conforming amendments to be made in Conflict of Interest Codes adopted and promulgated pursuant to its provisions; and

**WHEREAS**, the Fair Political Practices commission has adopted a regulation, 2 Cal. Code of Regs, Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which will be amended to conform to amendments in the Political Reform Act after public notice and hearings conducted by the Fair Political Practices Commission pursuant to the Administrative Procedure Act, Government Code Sections 11370, *et seq.*; and

**WHEREAS**, in 1990 Government Code Section 87306.5 was added to the Political Reform Act requiring every local agency which has adopted a conflict of interest code to review its code every two years, by either amending its code if necessary or reporting to its respective code reviewing body that no amendment is necessary; and

**WHEREAS**, the District last reviewed its Conflict of Interest Code in compliance with the Political Reform Act at a regular meeting held on September 27, 2018, by and through Resolution No. 18-09; and

**WHEREAS**, section 82011 of the California Government Code requires that the reviewing body for agencies located entirely within the county shall be the County Board of Supervisors.

**NOW, THEREFORE, BE IT RESOLVED and the Board of Directors of North Central Fire Protection District hereby finds that:**

1. All previously adopted resolutions approving various separate Conflict of Interest Codes and Appendices applicable to designated employees and disclosure categories are hereby repealed.

2. The Conflict of Interest Code for North Central Fire Protection District is hereby amended and promulgated in the form set forth in Exhibit "1" attached hereto and incorporated herein by this reference.

3. This Conflict of Interest Code is adopted pursuant to the provisions and in accordance with the requirements of sections 87300, et seq., of the California Government Code.

4. After adoption of this resolution the Secretary of the Board of Directors of the North Central Fire Protection District shall forward a certified copy of this resolution with appendices to the clerk of the Fresno County Board of Supervisors for review and approval and/or amendment.

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The foregoing resolution was regularly introduced and adopted by the Board of Directors of North Central Fire Protection District at a regular meeting held on the 24<sup>th</sup> day of September, 2020, by the following vote:

**AYES:** Abrahamian, Belluomini, Foglio, Nonini and Souza

**NOES:**


**ABSENT:**

**ABSTENTION:**

**APPROVED:**

  
Chairperson of the Board of Directors

**ATTEST:**


  
Secretary of the Board of Directors

#### CERTIFICATE

State of California }  
County of Fresno } ss.  
City of Kerman }

I, Amanda Souza, Secretary of the Board of Directors of North Central Fire Protection District, do hereby Certify the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of North Central Fire Protection District on the 24th day of September, 2020.

DATED: September 24, 2020

  
Secretary of the Board of Directors

**EXHIBIT "1"**  
**CONFLICT OF INTEREST CODE FOR**  
**NORTH CENTRAL FIRE PROTECTION DISTRICT**

The Political Reform Act, sections 81000, et seq. of the California Government code, requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, section 18730 of title 2 of the California Code of Regulations, which contains the terms of a standard conflict of interest code and which can be incorporated by reference in any 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.

Wherefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by the reference and such regulation together with both the Appendix attached hereto as Appendix "A", designating officials and employees and establishing disclosure categories, and the Appendix attached hereto as Appendix "B", describing the categories of disclosure, shall constitute the conflict of interest code of the **North Central Fire Protection District (the "District")**.

The Form 700s for designated positions, other than the **members of the District's Board of Directors** along with any alternates ("**Board Members**") and **District Fire Chief ("Fire Chief")**, shall be filed with the District. The Board Members and Fire Chief are to file their original Form 700s directly with the Clerk of the Board for the Fresno County Board of Supervisors using the electronic filing system. If the Form 700s are not filed electronically, the paper Form 700 and waiver shall be filed with the District and, upon receipt of these paper Form 700s with waivers, the District shall make and retain a copy and forward the original to the Clerk of the Board of Supervisors.

The District shall retain a copy of all electronically filed Form 700s, a copy of all paper Form 700s with waivers, and the original Form 700s of designated positions not required to file with the County. The District shall make the Form 700s available for public review, inspection, and reproduction. (Gov. Code section 81008.)

The provisions of all Conflict of Interest Codes and amendments thereto previously adopted by the District are hereby superseded.

## APPENDIX "A"

### Public 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*. These positions are listed for informational purposes only:

- Board Members
- Business Manager
- Fire Chief

An individual holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

<u>List of Designated Positions</u>	<u>Assigned Disclosure</u>
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<u>Categories</u>	
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Assistant Fire Chief	Category 1
Attorney	Category 1
*Consultants	Category 1

\* Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this code subject to the following limitation:

The Fire Chief and/or Business Manager may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that is 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. The determinations of the Fire Chief and/or Business Manager constitute public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Sec. 81008.)

## **APPENDIX “B”, DISCLOSURE CATEGORIES**

Individuals holding designated positions must report their interests according to their assigned disclosure category(ies).

### Disclosure Category 1

Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency; and investments and business positions in business entities, and income, including loans, gifts, and travel payments, from all sources.