

**COUNTY OF SAN MATEO**  
**OFFICE OF THE ASSESSOR-COUNTY CLERK-RECORDER**  
**Interdepartmental Correspondence**

**Date:** September 11, 2001

**Hearing Date:** September 18, 2001

**TO:** Honorable Board of Supervisors



**FROM:** Warren Slocum, Chief Elections Officer & Assessor-County Clerk-Recorder

**SUBJECT:** Approval of the Conflict of Interest Code of the San Mateo County Committee on School District Organization

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**RECOMMENDATION:**

Adopt a resolution approving the Conflict of Interest Code of the San Mateo County Committee on School District Organization.

**Background:**

State law requires each local public agency to adopt a conflict of interest code designating employees and consultants who must file annual conflict of interest statements. The Board of Supervisors as the code reviewing body, must approve the local agency's code. The Committee has adopted a Conflict of Interest Code on May 25, 2001, which is now submitted for this Board's approval.

**Discussion:**

The resolution approves the Conflict of Interest Code adopted by the San Mateo County Committee on School District Organization.

**Fiscal Impact:**

There is no fiscal impact.

3. Pursuant to 2 Cal Adm Code 18730(b) (3), there is no disclosure obligation for those designated employees who are also specified in Government Code section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same or is wholly included within the jurisdiction in which those persons must report their financial interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code sections 87000 et seq. In addition, there is no disclosure obligation for a designated employee who is designated in a conflict of interest code for another agency if the geographical jurisdiction of this agency is the same as or is wholly included in the jurisdiction of the other agency and the disclosure assigned in the code of the other agency is the same as that required under Article 2 of Chapter 7 of the Political Reform Act, Government Code section 87200.

4. The Executive Director shall determine which consultants must comply with the disclosure requirements of the Commission's Conflict of Interest Code. The Executive Director shall give notice to any consultant who is required to file Statements of Economic Interests. Consultants may participate in any decision in which the consultant has a financial interest, whether or not the consultant is required to file Statements of Economic Interests.

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# **COUNTY OF SAN MATEO**

## **COMMITTEE ON SCHOOL DISTRICT ORGANIZATION**

### **CONFLICT OF INTEREST POLICY**

#### **Purpose**

The purposes of this Conflict of Interest Policy are to provide for the disclosure of investments, real property, income and business positions of Committee members and consultants who may be materially affected by their official actions and to provide for the disqualification of members and consultants from participation in Committee decisions in which they may have a financial interest.

#### **Background**

The Political Reform Act of 1974 (Government Code Sections 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest policies. The Fair Political Practices Commission has adopted a regulation, Title 2 of the California Code of Regulations, Section 18730, which contains the terms of a standard conflict of interest policy. This regulation and any amendments thereto may be incorporated by reference by local agencies and, together with the designation of employees and disclosure categories, meets the requirements of the Political Reform Act.

The Workforce Investment Act of 1998 provides that a member of a local board may not vote on a matter under consideration by the local board regarding the provision of services by such member or by an entity that such member represents, or that would provide direct financial benefit to such member or the immediate family of such member, or engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.

## **Adoption of Conflict of Interest Policy**

The terms of Title 2 California Code of Regulations Section 18730 are hereby incorporated by reference and, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Policy of the County of San Mateo Committee on School District Organization.

Pursuant to the Political Reform Act and its regulations, all designated individuals shall file statements of economic interests with the Committee, which shall retain a copy and forward the originals to the San Mateo County Board of Supervisors, which shall be the filing officer. The San Mateo County Board of Supervisors shall be the policy reviewing body and shall be officially responsible for receiving and retaining Statements of Economic Interests filed with the Board of Supervisors.

Subsequent amendments to Title 2 of the California Code of Regulations, Section 18730 duly adopted by the Fair Political Practices Commission, after public notice and hearings, are also incorporated by reference unless the Committee, within 90 days after the date on which an amendment to Section 18730 becomes effective, adopts a resolution providing that the amendment is not to be incorporated into this Policy.

### **List of Designated Individuals and Description of Financial Disclosure Categories**

Each person holding any position listed below must file statements disclosing the kinds of financial interest shown for the individual's position. Statements must be filed at the times and on the forms prescribed by law. Failure to file statements on time may result in penalties, including but not limited to late fines.

<b>Designated Positions</b>	<b>Disclosure Category</b>
Committee Member	1, 2, 3, 4
Consultants*	1, 2, 3, 4

\*The Committee Chairperson and County Counsel shall review the duties and authority of all consultants retained by the Commission. Those consultants

**Committee on School District Organization**  
**Conflict of Interest Policy**  
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who, within the meaning of 2 Ca. Code of Regulations, Section 18701, subd. (a) (2) are required to file Statements of Economic Interests, shall do so. During each calendar year, the Committee shall maintain a list of such consultants for public inspection in the same manner and location as this Conflict of Interest Policy. Nothing herein excuses any consultant from any other provision of the Conflict of Interest Policy, specifically those dealing with disqualification.

**Disclosure Categories**

Category 1. A designated individual assigned to Category 1 is required to disclose direct or indirect investments in any business entity that may foreseeably be affected materially by any decision made or participated in by the designated individual by virtue of his or her position.

Category 2. A designated individual assigned to Category 2 is required to disclose interests in any real property that may foreseeably be affected materially by any decision made or participated in by the designated individual by virtue of his or her position.

Category 3. A designated individual assigned to Category 3 is required to disclose any source of income that may foreseeably be affected materially by any decision made or participated in by the designated individual by virtue of his or her position.

Category 4. A designated individual assigned to Category 4 is required to disclose any business entity in which the designated individual is a director, officer, partner, trustee, employee or holds any position of management that may foreseeably be affected materially by any decision made or participated in by the designated individual by virtue of his or her position.

RESOLUTION NO. 01-1

COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION  
COUNTY OF SAN MATEO

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RESOLUTION ADOPTING A CONFLICT OF INTEREST POLICY

RESOLVED, by the County Committee on School District Organization,  
that

WHEREAS, the Political Reform Act of 1974 mandates the adoption of a  
Conflict of Interest Policy by independent public agencies; and

WHEREAS, the County Committee on School District Organization is a  
public agency subject to the Political Reform Act of 1974, and the Committee  
desires to adopt a Conflict of Interest Policy, and

WHEREAS, there has been presented to the Committee for its  
consideration and acceptance a Conflict of Interest Policy in which the  
Committee members and those consultants specified by the Committee  
Chairperson and the County Counsel are designated as positions having to file  
statements of financial interest in categories 1-4; and

WHEREAS, the Board has examined the Conflict of Interest Policy and  
wishes to adopt said Policy;

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that (1) the  
Conflict of Interest Policy of the County Committee on School District  
Organization is hereby adopted in the form presented to the Committee and (2)  
the Secretary to the County Committee on School District Organization is  
directed to transmit a copy of the Conflict of Interest Code to the Board of  
Supervisors of the County of San Mateo for its review and approval.

AYES:

Ruben Abrica  
Romolo Braschi  
Lois Frontino  
Carolyn Livengood  
Tom Martinez  
Robert Stelzer, chair  
Patricia Steuer  
Sharon thompson  
Mark Weinberger

NOES:

None

ABSENT:

Dale Buettgenback  
Rudie Tretten

ATTEST:



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John Mehl, Secretary to the County  
Committee on School District Organization

5/25/01  
Date