

**RESOLUTION NO. 04-14**

**RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE PURSUANT  
TO THE POLITICAL REFORM ACT OF 1974 FOR EMPLOYEES AND  
OFFICERS OF THE CENTRAL COUNTY FIRE DEPARTMENT, A JOINT  
POWERS AUTHORITY**

The Joint Powers Board of the Central County Fire Department ("JPA"), a joint powers authority whose members are the Town of Hillsborough and the City of Burlingame, both of which are wholly located in the County of San Mateo, hereby resolves as follows:

WHEREAS, the JPA was created by a Joint Powers Agreement dated April 20, 2004, and effective July 1, 2004;

WHEREAS, the Political Reform Act of 1974 (Title 9 of the Government Code, beginning with Section 81000) ("Act") and specifically Government Code §§87300 and 87302 require that the Joint Powers Board adopt a Conflict of Interest Code ("Code") applicable to all designated employees named in the Code, other than positions specified in Government Code §87200;

WHEREAS, no officers or employees of the JPA hold positions specified in Government Code §87200;

WHEREAS, Government Code §87311 requires that the review and preparation of the Code be carried out under procedures that provide adequate notice to officers, employees, members, and consultants of the JPA and to residents of the JPA and a fair opportunity to present their views;

WHEREAS, the proposed adoption of the Code is set forth as an agenda item on the agenda for the July 27, 2004, meeting of the Joint Powers Board;

WHEREAS, notice of such meeting was given and the agenda for such meeting was posted in compliance with the Ralph M. Brown Act (Government Code §§54950 et seq.);

WHEREAS, Government Code §87303 provides that no conflict of interest code shall be effective until it has been approved by the code reviewing body and that each agency shall submit a proposed conflict of interest code to the code reviewing body by the deadline established by the code reviewing body, which, for a new agency, shall be no later than six months after the new agency came into existence;

WHEREAS, Government Code §82011(b) provides that the San Mateo County Board of Supervisors is the code reviewing body for the JPA;

WHEREAS, the deadline for submission of the JPA's proposed conflict of interest code to the San Mateo County Board of Supervisors is the deadline set forth in the state statute, which for the JPA is January 1, 2005;

WHEREAS, the Fair Political Practices Commission ("FPPC") has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code and which can be incorporated by reference and which may be amended by the FPPC after public notice and hearings to conform to amendments in the Act; and

WHEREAS, the FPPC recommends that Regulation 18730 be adopted by local agencies "because the type of information required to be in the main body of the [conflict of interest] code is quite complex and Regulation 18730 contains all of these provisions" (FPPC Bulletin August 1998, page 10);

WHEREAS, Government Code §87302.6 and 2 Cal. Code of Regs. Section 18754 provide that members of the JPA's board shall file an initial disclosure statement at the same time and in the same manner as those individuals required to file under Government Code §87200, namely within thirty (30) days of assuming office and providing full disclosure, and that once the JPA has an approved conflict of interest code, the members of the JPA's board shall thereafter file their statements pursuant to that conflict of interest code;

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that:

1. The terms of 2 Cal. Code of Regs. Section 18730 and any amendments thereto duly adopted by the FPPC, along with the attached Appendix A listing the designated employees and their disclosure categories, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Central County Fire Department.
2. The Secretary of the JPA shall submit this Conflict of Interest Code to the San Mateo County Board of Supervisors for review and approval.
3. The Conflict of Interest Code set forth in this resolution shall be effective upon approval by the San Mateo County Board of Supervisors.
4. The four members of the Joint Powers Board shall file assuming office Statements of Economic Interests by July 30, 2004, but the remaining designated employees listed on Appendix A shall not file Statements of Economic Interests until approval of the Code by the San Mateo County Board of Supervisors.
5. The filing agency for the JPA shall be as designated by the San Mateo County Board of Supervisors.

6. This resolution shall be posted and/or published in the same manner as applicable to resolutions of the two members of the JPA.

Regularly passed and adopted this 27<sup>th</sup> day of July, 2004.


AYES: Board members Mullooly, Regan, Galligan

NOES: Board members \_\_\_\_\_

ABSENT: Board members Coffey

  
\_\_\_\_\_  
CHAIRMAN OF THE JOINT POWERS BOARD

ATTEST:

  
\_\_\_\_\_  
Secretary of the Joint Powers Board

## APPENDIX A

<u>Position</u>	<u>Assigned Disclosure Categories</u>
Chief Administrative Officer	1
Secretary	4
Treasurer	1
Fire Chief	1
Deputy Fire Chief	2
Battalion Fire Chiefs	2
Members of the Joint Powers Board	1
Legal counsel	1

### DISCLOSURE CATEGORIES

All persons listed in this Appendix must file a Statement of Economic Interests (FPPC Form 700 or successor form) according to the instructions in the form. Such persons shall disclose sources of income and business positions. In addition, such persons shall make any other disclosures on the form as required by the disclosure category assigned to such person's position. The disclosure categories are as follows:

1. Disclosure of investments and interests in real property.
2. Disclosure of investments.
3. Disclosure of interests in real property.
4. No further disclosures required.