



FAIRVIEW

FIRE PROTECTION DISTRICT

POLICY

NUMBER: 105.1
EFFECTIVE: 1/28/2020

Conflict of Interest Code

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I. Purpose and Basic Provisions

- A. The Fairview Fire Protection District's Conflict of Interest Code is promulgated under the authority of the Political Reform Act, Government Code §§ 81000, *et seq.*, which requires all state and local government agencies to adopt and promulgate conflict of interest codes.
- B. The provisions of 2 Cal. Code Regs § 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the sections below specifying designated positions and disclosure categories, constitute the District's conflict of interest code.
- C. All persons in designated positions must file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed below. All individuals within designated positions who are required to submit a statement of financial interest shall file the original with the District Secretary or other designated filing officer. The designated person receiving the statement of financial interest shall make and retain a copy and forward the original to the Alameda County Board of Supervisors.

II. Disclosure Categories

- A. **Full Disclosure Category:** Because it has been determined that the District's Board members and/or General Manager "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code § 87200:
 - 1. Interests in real property located entirely or partly within District boundaries, or within two miles of District boundaries, or of any land owned or used by the District.
 - 2. Reportable investments, business positions, and sources of income, including gifts, loans, and travel payments.
- B. Designated consultants shall be included in the list of individuals holding a designated position and shall be in the Full Disclosure category described above unless the Board President determines in writing that a particular consultant, although in a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the full disclosure requirements. The written determination shall include a description of the designated consultant's duties and, based upon that description, a statement of which of the below categories of disclosure is required. The Board President'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.

C. Category 1: A person designated Category 1 shall disclose:

1. Interests in real property located entirely or partly within District boundaries, or within two miles of District boundaries, or of any land owned or used by the District.
2. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the District, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the District, or manufacture or sell supplies, machinery, or equipment of the type used by the District.

D. Category 2: A person designated Category 2 shall disclose:

1. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the particular department area which the designated person manages or directs.
2. Investments or business positions in or income from sources which manufacture or sell supplies, machinery, or equipment of the type used by the particular department area which the designated person manages or directs.

III. Designated Positions

A. The District shall receive and maintain the statements of economic interests for:

Designated Position	Disclosure Category
Board Members	Full Disclosure
General Manager	Full Disclosure

B. Disclosures for Consultants

1. Consultants who must disclose financial interests as determined on a case-by-case basis by the Board President or designee. A consultant required to make disclosures would include an individual who, pursuant to a contract with the District, makes a governmental decision whether to (2 Cal. Code Regs § 18700.3):
 - a. Approve a rate, rule, or regulation
 - b. Adopt or enforce a law
 - c. Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement
 - d. Authorize the District to enter into, modify, or renew a contract that requires District approval
 - e. Grant District approval to a contract that requires District approval and in which the District is a party or to the specifications for such a contract
 - f. Grant District approval to a plan, design, report, study, or similar item
 - g. Adopt or grant District approval of District policies, standards, or guidelines

2. A consultant is also an individual who, pursuant to a contract with the District, serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in 2 Cal. Code Regs § 18704, subsections (a) or (b), or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's conflict of interest code. (2 Cal. Code Regs § 18700.3)



Melissa Dimic
President of the Board of Directors,
Fairview Fire Protection District

Date: 01/27/20