

**2010 CONFLICT OF INTEREST CODE
BIENNIAL REVIEW REPLY FORM**

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS

2010 AUG 5 PM 2 00

Contact Person: David Nissen Telephone Number: 619 466 4188

Name of Agency: San Diego Rural Fire Protection District

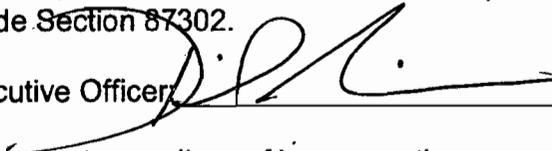
Mailing Address 14024 Peaceful Valley Ranch Rd., Jamul, CA 91935

This agency has reviewed its conflict of interest code and has determined that:

Amendments are necessary: (Attach Amended Code)
(Check all that applies)

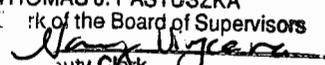
- Include new positions (including consultants) which must be designated
- Revise the titles of existing positions
- Delete titles of positions that have been abolished
- Delete positions that manage public investments
- Revise disclosure categories
- Other _____

No amendments are necessary. Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foresee-ably be affected materially by the decision made by those designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer:  Date: 8/3/10

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than August 31, 2010 to:**

**Clerk of the Board of Supervisors
(Conflict of Interest Code)
1600 Pacific Highway, Room 402
San Diego, CA 92101**

Approved and/or authorized by the Board
of Supervisors of the County of San Diego
Date 8/3/10 Minute Order No. 1
THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

Deputy Clerk

RESOLUTION NO. 2010-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO RURAL FIRE PROTECTION DISTRICT AMENDING THE CONFLICT OF INTEREST CODE AND ADOPTING THROUGH INCORPORATION BY REFERENCE THE STANDARD CONFLICT OF INTEREST PROVISIONS OF VOLUME 2 OF THE CALIFORNIA CODE OF REGULATIONS SECTION 18730

WHEREAS, the Political Reform Act of 1974 (“Act”), Government Code sections 81000, et seq., requires every California state or local agency to adopt and promulgate a conflict of interest code designating employees who must disclose economic interests, and designating what financial interests must be disclosed by those employees, and prohibiting the participation by such employees in decisions in which they have a financial interest; and

WHEREAS, on October 4, 1995, the Board of Directors adopted Resolution 95-07 entitled “San Diego Rural Fire Protection District Resolution Adopting Conflict of Interest Code Incorporating Political Practice Commissions Standard Model Conflict of Interest Code;” and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations, Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference, therefore, 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 reference, and, along with Appendix “A” in which officials and employees are designated and Appendix “B” in which disclosure categories are set forth, does constitute the Conflict of Interest Code of the San Diego Rural Fire Protection District (“District”), and;

WHEREAS, designated employees shall file Statements of Economic Interest with the District Clerk, who will make the Statements available for public inspection and reproduction pursuant to Government Code section 81008, and;

WHEREAS, nothing in this Resolution is intended to modify or abridge the provisions of the Act commencing at Government Code section 87100, which is applicable to all public officials of the District, and directs that no public official of the District shall make, participate in the making, or in any way attempt to use their official position to influence a District decision in which the official knows, or has reason to know, that he or she has a financial interest as defined by the Act, and;

WHEREAS, this Resolution intends to designate those positions in the District who are involved in District decisions, and to require designated officials to disclose those financial interests, using Form 700, which could foreseeably be affected, in a material manner, by a District decision made by the official in the performance of the official’s responsibilities.

NOW, THEREFORE, THE BOARD OF DIRECTORS FOR THE SAN DIEGO RURAL FIRE PROTECTION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

The San Diego Rural Fire Protection District Conflict of Interest Code Shall be Amended to Read as Follows:

1. The standard Conflict of Interest Code set forth in Volume 2 of the California Code of Regulations, Section 18730, and any amendments thereto duly adopted by the Fair Political Practices Commission ("Standard Code"), in which employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the San Diego Rural Fire Protection District.
2. The list of designated positions subject to the requirements of the Conflict of Interest Code are set forth in Appendix "A" and their respective disclosure categories are set forth in Appendix "B."
3. The Standard Code and Appendices "A" and "B" constitute the Conflict of Interest Code for the San Diego Rural Fire Protection District.
4. Unless otherwise indicated, the definitions of the Act, regulations and amendments thereto and binding judicial opinions thereon are incorporated herein, and this Resolution shall be interpreted in a manner consistent with such definitions.
5. The Board of Directors of the San Diego Rural Fire Protection District hereby directs the District Clerk and District Counsel to coordinate the preparation of a revised Conflict of Interest Code in succeeding even-numbered years in accordance with Government Code sections 87306 and 87306.5. The revised Code should reflect any changes in department or employee designations. If no revisions to the Code are required, the District Clerk shall submit a report no later than October 1st of the same year stating that amendments to the Code are not required

PASSED, ADOPTED, AND APPROVED this 3rd day of August, 2010 by the following votes:

AYES: Baldwin, Terry, Amato
NOES: None
ABSENT: Glitschka
ABSTAIN: None

Approved:



Larry Baldwin, Chairman

Attest:



Deborah Bowers, District Clerk

**SAN DIEGO RURAL FIRE PROTECTION DISTRICT
CONFLICT OF INTEREST CODE
APPENDIX A
DESIGNATED POSITIONS**

General Provisions

1. All designated employees required to submit an initial Statement of Financial Interest shall file the original with the District Clerk within thirty days after the effective date of this Resolution. Initial statements shall cover the period of the twelve months prior to the date of the adoption of this Conflict of Interest Code.
2. All individuals appointed, promoted, or transferred to a designated position shall file statements within thirty days of assuming office. These “assuming office” statements cover the period of the twelve months prior to the date of assuming office.
3. Annual statements shall be filed with the District Clerk by April 1st by all designated employees. Such statements shall cover the period of the preceding calendar year.
4. Every designated employee who leaves office shall file, within thirty days of leaving office, a statement disclosing financial interests held or received at any time during the period between the closing date of the last statement required to be filed and the date of leaving office.
5. Any employee serving in dual roles may file a combined statement by reporting according to their broadest range of disclosure.
6. Failure to file the required statement in a timely fashion may result in the imposition of administrative, criminal, and civil sanctions as provided in Government Code sections 81000-91014, as amended from time to time.

Designated Officials

It has been determined that the positions listed below are required to file Form 700 because they are public officials who make, participate in making or have the ability to influence District decisions that may foreseeably have a material effect on any financial interest:

<u>DESIGNATED POSITIONS</u>	<u>REPORTABLE ECONOMIC INTEREST CATEGORIES (SEE APPENDIX "B")</u>
Directors	<u>1,2,3</u>
<u>Chief</u>	<u>1,2,3</u>
Candidates for Office of Director	<u>1,2,3</u>
<u>Fire Marshal/Battalion Chief</u>	<u>4,5</u>
Finance Officer/ <u>District Clerk</u>	<u>4,5</u>
Attorney	<u>1,2,3</u>

Consultants

Consultants shall be included in the list of designated positions, and shall file economic statements when, pursuant to a contract with the District, the consultant either: (a) makes government decisions, or (b) "serves in a staff capacity" performing the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a designated position in this Conflict of Interest Code.

Consultant does not include a person who performs duties pursuant to a contract with the District but possesses no authority with respect to any District decision beyond the rendition of information, advice, recommendation or counsel.

Consultants who "serve in a staff capacity" as described in (b) above shall disclose financial interests in the same manner as is required for the designated position the duties for which are performed, in whole or in part, by the consultant.

Consultants who make government decisions pursuant to (a) above shall disclose financial interests according to disclosure categories 1- 7, with the following limitation: The Director may determine 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 fully comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant's duties and, based upon that

description, a statement of the extent of disclosure required. The determination shall be included in the contract by which the consultant is hired by the District. The Director'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.

SAN DIEGO RURAL FIRE PROTECTION DISTRICT
CONFLICT OF INTEREST CODE
APPENDIX B
DISCLOSURE CATEGORIES

General Provisions

1. When a designated employee is required to disclose investments in business entities, and business entities that are sources of income, the employee need only disclose investments in and income from sources that do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction in the past two years. In addition to other activities, a business entity is doing business in the jurisdiction if it owns real property within the jurisdiction.
2. When a designated employee is required to disclose interest in real property, the employee need only disclose real property, other than the employee's principal residence, which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction, or within two miles of any land owned or used by the District.
3. When a designated employee is required to disclose investments and real property interests, the employee is required to disclose his or her own interests, and the interests of the employee's spouse, domestic partner and dependent children.
4. When a designated employee is required to disclose income, the employee is required to disclose his or her own income, and the employee's community property interest (50%) in the income of his or her spouse or domestic partner.
5. When a designated employee is required to disclose income, the employee is not required to disclose salary or reimbursement for expenses from a government agency.

Disclosure Categories

Category 1 – Investments (Schedules A-1, A-2, C) and sources of income (Schedules A-2, C, D, E, F)

Category 2 – Interests in Real Property (Schedules A-2, B, C).

Category 3 – Investments (Schedules A-1, A-2, C), interests in real property (Schedules A-2, B, C) and sources of income (Schedules A-2, C, D, E, F) subject to regulatory, permit or licensing authority of the department.

Category 4 – Investments (Schedules A-1, A-2, C) in business entities and sources of income that engage in land development, construction or the acquisition or sale of real property.

Category 5 – Investments (Schedules A-1, A-2, C) in business entities and sources of income (Schedules A-2, C, D, E, F) of the type which, within the past two years, have contracted with the District to provide services, supplies, materials, machinery or equipment.

Category 6 – Investments (Schedules A-1, A-2, C) in business entities and sources of income (Schedules A-2, C, D, E, F) of the type which, within the past two years, have contracted with the District to provide services, supplies, materials, machinery or equipment.

Category 7 – Business Positions (Schedules A-2, C).