



Contra
Costa
County

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: February 9, 2021

Subject: Conflict of Interest Code for the Rodeo-Hercules Fire Protection District

RECOMMENDATION(S):

APPROVE amended Conflict of Interest Code for the Rodeo-Hercules Fire Protection District ("District").

FISCAL IMPACT:

None.

BACKGROUND:

The District has amended its Conflict of Interest Code and submitted the revised code, attached as Exhibit A, to the Board for approval pursuant to Government Code sections 87306 and 87306.5.

The changes include an updated code with amended disclosure categories and the addition and deletion of positions designated to file conflict of interest statements. These changes will ensure that the Conflict of Interest Code is up-to-date and accurately reflects the current positions and organizational structure in use by the District. A strike-out version of the Conflict of Interest Code is attached as Exhibit B.

<input checked="" type="checkbox"/> APPROVE	<input type="checkbox"/> OTHER
<input checked="" type="checkbox"/> RECOMMENDATION OF CNTY ADMINISTRATOR	<input type="checkbox"/> RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/09/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II
Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 9, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia A. Schwerin, Deputy
County Counsel, (925) 655-2200

By: June McHuen, Deputy

CONSEQUENCE OF NEGATIVE ACTION:

None.

ATTACHMENTS

Exhibit A - Conflict of Interest Code for the Rodeo-Hercules Fire Protection District

Exhibit B - Conflict of Interest Code for the Rodeo-Hercules Fire Protection District -
STRIKE-OUT



POLICY TITLE: CONFLICT OF INTEREST
CODE

POLICY NUMBER: 1035
01/25/1977

ADOPTED:

AMENDED: 11/18/2020

POLICY TITLE: Conflict of Interest

POLICY NUMBER: 1035

The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission (“FPPC”) has adopted a regulation (2 Cal. Code of Regs. §18730) which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act. The Board approved and adopted the FPPC’s standard conflict of interest on November 18, 2020. Therefore, the terms of 2 Cal. Code of Regs. §18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference and, along with the attached Appendix , in which members of the Board of Directors and employees are designated, and in which disclosure categories are set forth, constitute the conflict of interest code of the Rodeo-Hercules Fire Protection District.

Designated employees shall file statements of economic interests with the District, which will make the statements available for public inspection and reproduction. The District will retain a copy of each statement and forward originals to the Contra Costa County Board of Supervisors, which shall be the filing officer.

APPENDIX A: DESIGNATED POSITIONS

Designated Positions	Disclosure Categories
Fire Chief	1, 2, 3, 4
Battalion Chief	1, 2, 3
Captains	1, 2, 3
General Counsel	1, 2, 3, 4
Consultants, New Positions*	

*Consultants/New positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The Fire Chief may determine in writing that a particular consultant or new position, 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 in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Fire Chief’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 (Gov. Code Section 81008).

The following positions are NOT covered by the conflict of interest code because they must file a statement of economic interests pursuant to Government Code § 87200 and, therefore, are listed for information purposes only:

Members of the Board of Directors and Oversight Committees

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 their position has been categorized incorrectly. The Fair Political Practices Commission makes the determination whether a position is covered by §87200.

APPENDIX B:

DISCLOSURE CATEGORIES

Designated positions must disclose pursuant to the categories below:

Category 1: Interests in real property within the jurisdiction of the District or within five miles of the District.

Category 2: Investments, business positions and income, including gifts, loans and travel payments, from sources that are subject to a land use proceeding in which the District has authority to provide agency input (e.g., a zoning application).

Category 3: Investments, business positions and income, including gifts, loans, and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the District.

Category 4: Investments, and business positions in business entities, and income (including receipt of gifts, loans, and travel payments) from sources that have filed a claim against the District within the last two years or have a claim pending against the District.