

# California Fire & Rescue Training Authority

## POLICY HANDBOOK

POLICY TITLE: Conflict of Interest  
POLICY NUMBER: 1020

Issue Date: 1/10/2000  
Revised:

**1020.1** The Political Reform Act (Government Code Section 81000 et seq.) requires state and local government agencies to adopt the promulgate conflict of interest codes. The Fair Political Practices Commission adopted a regulation (2 Cal. Code of Regs. Sec 18730) that contain the terms of a standard conflict of interest code, which can be incorporated by reference in any agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. 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. This regulation and the designated officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the California Fire & Rescue Training Authority.

Designated employees shall file their statements with the California Fire & Rescue Training Authority who will make the statements available for public inspection and reproduction (Gov. Code Section 81008). Statements for all designated employees will be retained by the California Fire & Rescue Training Authority.

### Explanation of the Employee Designations and Disclosure Responsibilities

The California Fire & Rescue Training Authority ("JPA") intends to adopt a conflict of interest code pursuant to Government Code section 87300 and California Code of Regulations, Title 2, Section 18750.0.

The proposed conflict of interest code ("Proposed Code") is based upon the form of conflict of interest code contained in California Code of Regulations, Title 2, Section 18730(b). Appendix A of the Proposed Code contains the list of designated employees. Appendix B of the Proposed Code contains the list of reportable financial interests. These appendices are attached for reference.

The following is a detailed explanation of the reasons for the employee designations and the financial disclosure responsibilities. Interested persons may make written comments to the JPA concerning the designations and disclosure responsibilities as provided for in the NOTICE OF INTENTION TO ADOPT A CONFLICT OF INTEREST CODE.

#### Designations and Disclosure Responsibilities

##### 1. Members of the Governing Council

- A. Reasons for the Designation: As members of the JPA's governing body, members of the Governing Council frequently make or participate in the making of governmental decisions materially affecting financial interests.
- B. Reasons for Disclosure Responsibilities: Members of the Governing Council are involved in the broad, general management of all aspects of JPA business. Therefore, this position must report all

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### 2. Executive Director

- A. Reasons for Designation: The Executive Director is the chief executive officer of the JPA, and frequently make or participate in the making of governmental decisions materially affecting financial interests.
- B. Reasons for Disclosure Responsibilities: The Executive Director is involved in the broad, general management of all aspects of JPA business. Therefore, this position must report all reportable investments and business positions in business entities, sources of income and interests in real property.

### 3. Fiscal Officer

- A. Reasons for Designation: The Fiscal Officer, while involved in specific areas of responsibility and authority, frequently makes or participates in the making of governmental decisions materially affecting financial interests.
- B. Reasons for Disclosure Responsibilities: The Fiscal Officer, while involved in specific areas of responsibility and authority, frequently assists the Executive Director in the broad, general management of the JPA's business. Therefore, this position must report all reportable investments and business positions in business entities, sources of income and interests in real property.

### 4. Designated Member Agency Staff

- A. Reasons for Designation: Designated Member Agency Staff, while involved in specific areas of responsibility and authority, frequently makes or participates in the making of governmental decisions materially affecting financial interests.
- B. Reasons for Disclosure Responsibilities: The designated member agency staff, while involved in specific areas of responsibility and authority, frequently participates in the process of issuing and approving purchase orders for JPA business. Therefore, this position must report all reportable investments and business positions in business entities, sources of income and interests in real property.

### 5. Consultants

- A. Reasons for Designation: Consultants may make or participate in the making of governmental decisions materially affecting financial interests.

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- B. Reasons for Disclosure Responsibilities: Since the specific employment of a consultant may not involve making or participating in the making of governmental decisions materially affecting financial interests, the Executive Director is to make a determination of the specific disclosure statements in the case of each consultant.

### 6. Ad Hoc Committee Members

- A. Reasons for Designation: Ad Hoc Committee Members may make or participate in the making of governmental decisions materially affecting financial interests.
- B. Reasons for Disclosure Responsibilities: Since the specific employment of a consultant may not involve making or participating in the making of governmental decisions materially affecting financial interests, the Executive Director is to make a determination of the specific disclosure statements in the case of each consultant.

### Reportable Investments, Interest in Real Property, and Income

Definition: "Department" as used in this text means the particular department the designated employee is assigned to if such employee's responsibilities and duties involve only a single department of the JPA.

#### Disclosure Category

- 1 All investments and business positions in business entities, sources of income and interests in real property.
- 2 Investments and business positions in business entities, and sources of income from entities providing supplies, including but not limited to gasoline and other petroleum based products, services, vehicles, equipment or machinery of the type used by the JPA or by the department for which the designated employee is assigned.
- 3 Investments and business positions in, and income from entities, which are book outlets, vendors or providers of business services.
- 4 Investments and business positions in, and income from entities that provide training, services, or facilities of the type utilized by the JPA.
- 5 Investments and business positions in business entities and sources of income which provide services and supplies of the type used in emergency services coordination and training activities.
- 6 Investments and business positions in, and income from entities providing medical services or facilities of the type used by the JPA.
- 7 Investments and business positions in, and income from business entities engaged in providing eye examinations and eye glasses, including but not limited to opticians, ophthalmologists, etc.

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- 8 Investments and business positions in and income from business entities supplying or manufacturing electronic equipment, supplies or services of the type utilized by the employee's department.
- 9 Investments and business positions in business entities, and sources of income from sources that supply or manufacture fire fighting equipment or supplies.
- 10 Investments and business positions in business entities, and sources of income from entities providing supplies, including but not limited to shop supplies, services, tools, equipment or machinery of the type used by the JPA or by the department for which the designated employee is assigned.
- 11 Investments and business positions in business entities, and sources of income from entities, and sources of income from entities in which or with which the JPA is empowered to invest deferred compensation funds.

<u>LIST OF DESIGNATED EMPLOYEES</u>	<u>DISCLOSURE CATEGORY</u>
Members of the Governing Council	1
Executive Director	1
Fiscal Officer	1
Designated Member Agency Staff	1
Consultants*	1
Ad Hoc Committee Members**	1

\* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadcast disclosure category in the code subject to the following limitation:

The Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and based upon that description, a statement of the extent of the consultant's disclosure requirements. The Executive Director's determination is public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

\*\* Ad Hoc Committee Members, as determined by the Executive Director or his/her designee, shall be listed in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code. The Executive Director's determination is public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

1020.2 Designated employees shall file statements of economic interests with the Clerk of the Governing Council.