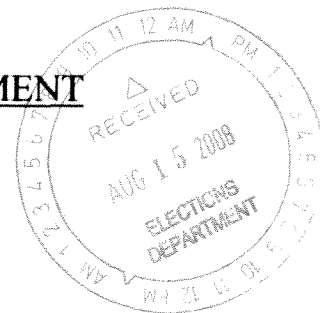


CONFLICT OF INTEREST CODE REVIEW STATEMENT



TO: Pioneer Fire Protection District

Please select one of the following:

The code reviewing body of the above named Agency has reviewed the agency's Conflict of Interest Code for the year 2008, and find it to satisfy our needs for the coming year.

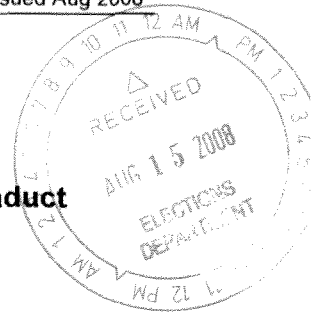
The code reviewing body of the above named agency has reviewed the agency's Conflict of Interest Code for 2008 and found that revisions are necessary.

Revised Conflict of Interest Code is attached.

Agency will submit revised Conflict of Interest Code within Ninety (90) days.

Peter Smith PETER SMITH  
Secretary of the District

This 14th day of AUGUST, 2008



**Section:** 2 **Board of Directors**  
**Policy Number:** 2.4 **Conflict of Interest – Code of Conduct**

### **Purpose**

The purpose of this policy is to establish compliance with legal requirements. As a public agency, including fire district governing boards, the District is required to adopt a conflict of interest code in compliance with Government Code 97300-87313.

### **Compliance**

The district Conflict of Interest Code shall comprise the terms of the California Code of Regulations, Title 2, 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, together with attachments specifying designated positions and disclosure categories.

Governing Board members shall adhere to the District Conflict of Interest Code adopted pursuant to the provisions of Government Code 87300.

The code reviewing body is the Board of Supervisors of the county in which the District is located if the District is located entirely in one county. The Fair Political Practices Commission is the code reviewing body for fire districts with jurisdiction in more than one county. (Government Code 82011)

### **Code Requirements**

Board members and designated employees shall file statements of economic interest with the District. The District's filing officer shall make and retain a copy and forward the original to the appropriate code reviewing body. (Government Code 82011)

Board members shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members. (Government Code 82011).

A Board member shall not be deemed to be financially interested in a contract between the Board and the Board member's minor child as long as the Board member's interest in the contract is disclosed to the Board and noted in the minutes of the Board. The Board member shall abstain from voting on the contract and shall not attempt to influence other members of the Board to approve the contract. (Government Code 1091)

A Board member shall not be deemed to be financially interested in a contract between the Board member's spouse and the district, provided the Board member's spouse has been employed by the district for at least one year prior to the Board member's election or appointment. (Government Code 1091.5)

A Board member shall not be considered to be financially interested in a contract if any of the exceptions set forth in Government Code 1091.5 apply.

A Board member who maintains a remote interest in any contract considered by the Board shall disclose the interest during a Board meeting and have the disclosure noted in the official Board minutes. "Remote interests" shall be those defined in Government Code 1091. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract.

In accordance with Government Code 1126:

A local agency officer or employee shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to this duty as a local agency officer or employee or with the duties, functions or responsibilities of his/her appointing power or the agency by which s/he is employed. Such officer or employee shall not perform any work, service or counsel for compensation outside of his/her local agency employment where a part of his/her efforts will be subject to approval by any other officer, employee, board or commission of his/her employing body, unless otherwise approved in the following manner:

Each appointing power may determine, subject to approval of the local agency, those outside activities which, for employees under its jurisdiction, are inconsistent with, incompatible to, or in conflict with their duties as local agency officers or employees. An employee's outside employment, activity or enterprise may be prohibited if it:

Involves the pursuit for private gain or advantage of his/her local agency time, facilities, equipment and supplies; or the prestige or influence of his/her local agency office or employment or

Involves receipt or acceptance by the officer or employee of any money or other consideration from anyone other than his/her local agency for the performance of an act which the officer or employee, if not performing such act, would be required or expected to render in the regular course or hours of his/her local agency employment or as a part of his/her duties as a local agency officer or employee or

Involves the performance of an act in other than his/her capacity as a local agency officer or employee or the agency by which s/he is employed or

Involves such time demands as would render performance of his/her duties as a local agency officer or employee less efficient.

The local agency may adopt rules governing the application of this section. Such rules shall include provision for notice to employees of the determination of prohibited activities, of disciplinary action to be taken against employees for engaging in prohibited activities, and for appeal by employees from such a determination and from its application to an employee.

Board approval date: August 14, 2008