

**SANTA BARBARA COUNTY
AGENDA BOARD LETTER**



Clerk of the Board of Supervisors
Room 407 105 E. Anapamu Street
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: **October 19, 2004**
Department: **County Counsel**
Budget Unit: **013**
Agenda Date: **November 2, 2004**
Placement: **Administrative**
Estimated Time: **Staff: None Required Total: None Required**
Continued Item: **No**

TO: Board of Supervisors

FROM: Shane Stark, County Counsel

STAFF

CONTACT: Rick Sanchez
Sr. Deputy County Counsel (Extension 2964)

SUBJECT: Public Hearing on the Amended Conflict of Interest Code of the Santa Barbara School District and the Santa Barbara High School District

RECOMMENDATION:

Set November 9, 2004, as the date for public hearing for the Board of Supervisors to consider and approve the Revised Amendment, as described below, of the conflict of interest code for the Santa Barbara School District and the Santa Barbara High School District pursuant to Government Code § 87303(b).

ALIGNMENT WITH BOARD STRATEGIC PLAN:

The recommendation is primarily aligned with compliance with requirements of law regarding conflict of interest codes adopted by local agencies.

EXECUTIVE SUMMARY AND DISCUSSION:

On February 10, 2004, the Board of Education of the Santa Barbara School District and the Santa Barbara High School District (collective referred to as "District") passed and adopted an amendment to its conflict of interest code, (hereafter "Original Amendment"), which Original Amendment makes changes to the designated positions and disclosure categories set forth in the District's conflict of interest code.

The District submitted the Original Amendment to the Clerk of the Board of Supervisors who forwarded the Original Amendment to county counsel for review and for submittal to the Board of Supervisors for action.

County counsel informed counsel for the District of certain material issues relating to the Designated Positions and to the Disclosure Categories set forth in the Original Amendment. Following discussions and consultations, counsel for the District agreed to make certain revisions to the Original Amendment. By letter dated October

11, 2004, counsel for the District submitted a Revised Amendment, [titled *Revised-Amended February 10, 2004*, referred to herein as the "Revised Amendment"], to supersede the Original Amendment.

Government Code § 87303(b) provides that the Board of Supervisors may revise a proposed conflict of interest code, or amendment thereto, and approve the code or amendment as revised. As applied to this case, the Board of Supervisors may accept the District's Revised Amendment and approve said Revised Amendment as the District's Amendment to its conflict of interest code.

MANDATES AND SERVICE LEVELS: None
FACILITIES AND FISCAL IMPACT: None

SPECIAL INSTRUCTIONS: Clerk to provide and publish in a newspaper of general circulation 10-day legal notice of the consideration of and approval by the Board of Supervisors of the amendment of the conflict of interest code for the Santa Barbara School District and the Santa Barbara High School District.

CONCURRENCE: County Counsel.

cc: Dianna Marie Valdez, Public Law Paralegal, Best Best & Krieger LLP, counsel for the District
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