

# 2014 Local Agency Biennial Notice

2014 AUG 29 PM 1:10

Name of Agency: Montecito Sanitary District  
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COUNTY OF SANTA BARBARA  
CLERK OF THE  
BOARD OF SUPERVISORS

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one box):

An amendment is required. The following amendments are necessary:

(Mark all that apply.)

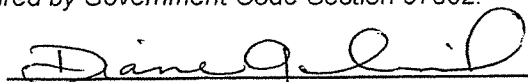
- Include new positions (including consultants) that must be designated
- Revise disclosure categories
- Revise the titles of existing positions
- Delete positions that no longer make or participate in making governmental decisions
- Other (describe) add information concerning section 81008 of the Govt Code (700 forms as public records)

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is more than five years old, amendments may be necessary.)

## Verification

*This agency's conflict of interest code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions. The code includes all other provisions required by Government Code Section 87302.*

  
\_\_\_\_\_  
Signature of Chief Executive Officer

July 28, 2014  
\_\_\_\_\_  
Date

Complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2014**, or by the date specified by your agency, if earlier, to:

Clerk of the Board of Supervisors  
County of Santa Barbara  
105 E. Anapamu St. Room 407  
Santa Barbara, CA 93101

**RESOLUTION NO. 2014-890**

**RESOLUTION OF THE GOVERNING BOARD  
OF THE MONTECITO SANITARY DISTRICT  
ADOPTING A CONFLICT OF INTEREST CODE  
AND REPEALING RESOLUTION NO. 2000-780**

WHEREAS, the Political Reform Act of 1974 (section 81000, et seq. of the California Government Code) requires the Montecito Sanitary District to adopt and promulgate a conflict of interest code and to conduct a biennial review of its adopted code to ensure that the adopted code continues to comply with all applicable regulations and law.

WHEREAS, the California Fair Political Practices Commission has adopted regulation 18730 of 2 California Code of Regulations, which specifies elements of a local agency conflict of interest code and allows the elements to be incorporated by reference, including as amended, into a local agency code.

WHEREAS, the Montecito Sanitary District has not amended its Conflict of Interest Code since 2000 and the District intends to follow current Fair Political Practices guidance about required elements of a conflict of interest code.

NOW, THEREFORE, the Governing Board of the Montecito Sanitary District hereby resolves:

1. Resolution 2000-780, adopted August 14, 2000, is repealed and an amended code adopted in its stead;
2. section 87302 of the Government Code, and as it may be amended, mandating the required elements of a conflict of interest code, is hereby incorporated by reference as elements of the Montecito Sanitary District Conflict of Interest Code;
3. regulation 18730 of 2 California Code of Regulations, and as it may be amended, is hereby incorporated by reference as elements of the Montecito Sanitary District Conflict of Interest Code;
4. Appendices A and B hereto designate the officials and personnel required to comply with the Montecito Sanitary District Conflict of Interest Code and the disclosure categories for each designated official and personnel; Appendices A and B are elements of the Montecito Sanitary District Conflict of Interest Code;
5. pursuant to subdivision (b) of section 87302 of the Government Code, each designated official and personnel shall file a Statement of Economic Interest with the Montecito Sanitary District;
6. the District shall maintain and retain at least a copy of each filed Statement;
7. the original Statements filed by elected officials shall be forwarded to the Elections Division of the Santa Barbara County Clerk-Recorder and copies of these Statements shall be retained by the District; and
8. all filed Statements of Economic Interest are available at the District's office for public review and copying; these are public records subject to section 81008 of the Government Code.

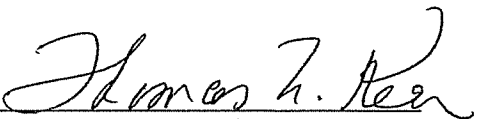
**PASSED AND ADOPTED** by the Governing Board of the Montecito Sanitary District on the 28th day of July 2014 by the following vote:

**AYES:** Kern, Kerns, Owens

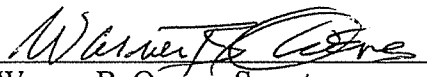
**NAYS:**

**ABSTAIN:**

**ABSENT:** Ishkanian, Cannata

  
Thomas N. Kern, President

**ATTEST:**

  
Warner B. Owens, Secretary



**CONFLICT OF INTEREST CODE**

**APPENDIX A**

**DESIGNATED POSITIONS**

Persons occupying the following positions are required to file a Statement of Economic Interest which discloses financial interests in the disclosure categories prescribed for each position:

<b><u>Designated Position</u></b>	<b><u>Disclosure categories</u></b>
Director of the Governing Board	1, 2, 3, 4, and 5
General Manager	1, 2, 3, 4, and 5
Legal Counsel	1, 2, 3, 4, and 5
District Retained Consultant*	TBD*

\*Consultants shall make disclosures as directed by the General Manager on a case-by-case basis to comply with section 87302 of the Government Code.

**CONFLICT OF INTEREST CODE**

**APPENDIX B: DISCLOSURE CATEGORIES**

**CATEGORY 1**

Interests in real property located in whole or in part within the jurisdiction of the District, including any leasehold, beneficial, or ownership interest or option to acquire such interest in real property, if the fair market value of the interest is \$1,000 or more.

**CATEGORY 2**

Business positions or investments in or income from persons or business entities engaged in the appraisal, acquisition, or disposal of real property within the jurisdiction of the District.

**CATEGORY 3**

Business positions or investments in and income from any source or sources of income, if:

- a) The business entities or the source or sources of income are of the type which, within the previous two years, have provided or contracted to provide, or in the future with reasonable foreseeability might provide or contract to provide services, supplies, materials, machinery, or equipment to or for the use of the District; and
- b) Within the previous two years, the designated employee has made, participated in making, or in any way has attempted to use his or her official position to influence, a governmental decision to obtain or procure services, supplies, materials, machinery, or equipment of the same or a similar type as those so provided or contracted to be provided to the District or if the duties of the designated employee's position make it reasonably foreseeable that he or she might engage in such activity.

**CONFLICT OF INTEREST CODE**

**APPENDIX B: DISCLOSURE CATEGORIES**

**CATEGORY 4**

Business positions or investments in business entities and income from any source or sources of income, if:

- a) The business entities or the source or sources of income are of the type which, within the previous two years, have furnished or contracted to furnish, or in the future with reasonable foreseeability might furnish or contract to furnish services, supplies, materials, machinery, or equipment as a subcontractor in any contract with the District to provide services, supplies, materials, machinery, or equipment to or for the use of the District; and
- b) Within the previous two years, the designated employee has made, participated in making, or in any way has attempted to use his or her official position to influence a government decision to obtain or procure services, supplies, materials, machinery, or equipment of the same or a similar type as those so provided or contracted to be provided to the District or if the duties of the designated official's or personnel's position make it reasonably foreseeable that he or she might engage in such activity.

**CATEGORY 5**

Business positions or investments in business entities and income from any source or sources of income, if:

- a) The business entities or the source or sources of income are of the type which are subject to the regulation or supervision of the District; and
- b) The designated official's or personnel's duties involve the supervision or regulation (including, but not limited to, the issuance or granting of franchises, building permits, or other use or business permits or any other land use control or regulation) of that type of business entity or source of income.