

CONFLICT OF INTEREST CODE

SANTA MARIA PUBLIC AIRPORT DISTRICT

~~The terms of the Model Conflict of Interest Code, 2 Ca. Admin. Code Section 18730 (attached hereto as Exhibit "A"), and any amendments to it as are duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached appendix to Exhibit "A" in which certain officials and employees are designated and disclosure categories are set forth, hereby replaces and supersedes the Conflict of Interest Code adopted by this Board on August 11, 1977, and such Model Conflict of Interest Code shall constitute the Conflict of Interest Code of the Santa Maria Public Airport District. Pursuant to Section 4(B) of the Model Conflict of Interest Code, designated employees shall file statements of economic interest with this Board which shall make and retain a copy and forward the originals to the filing officer of the Santa Barbara County Board of Supervisors as the code reviewing body. The Santa Maria Public Airport District shall inform the Fair Political Practices Commission that it has adopted the Model Conflict of Interest Code by filing the form attached hereto as Exhibit "B" so that the Santa Maria Public Airport District can be placed on the Fair Political Practices Commission's mailing list to receive all future amendments to the Model Conflict of Interest Code.~~

The Political Reform Act (Government Code Section 81000, *et. seq.*) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, California Code of Regulation ("CCR"), Title 2, section 18730, which contains the terms of a standard conflict of interest code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments to the Political Reform Act after public notice and hearings.

Therefore, the terms of CCR, Title 2, section 18730, along with any amendments to it duly adopted by the Fair Political Practices Commission, together with the attached Appendix "A" designating positions and Appendix "B" designating disclosure categories, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Santa Maria Public Airport District ("District"). This Conflict of Interest Code hereby replaces and supersedes any conflict of interest codes previously adopted by this Board.

The Santa Barbara County Clerk, Recorder and Assessor is the filing officer for the Santa Barbara County Board of Supervisors, which is the code reviewing body for the District (Government Code section 87500). Statements of Economic Interest ("Statements") may be filed online or using a paper Form 700. Statements may be filed online using eDisclosure, which will submit the Form 700 to the Santa Barbara County Clerk, Recorder and Assessor. Statements may also be filed using a paper Form 700 which shall be filed with the District. Upon receipt of the Statement, the District shall retain a copy and forward the original to the Santa Barbara County Clerk, Recorder and Assessor. Statements will be made available for public inspection and reproduction (Government Code Section 81008).

APPENDIX “A”

SANTA MARIA PUBLIC AIRPORT DISTRICT

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Members of the Board of Directors and board member alternates	All categories
General Manager	All categories
District Counsel	All categories
Manager of Finance & Administration	All categories
Manager of Operations and Maintenance	All categories
Consultant*s and New Positions	<u>See note below</u>

***Consultants.** “Consultant” means an individual who, pursuant to a contract with the Santa Maria Public Airport District, either: (A) Makes a governmental decision whether to: (1) approve a rate, rule or regulation; (2) adopt or enforce a law; (3) issue, deny, suspend or revoke any permit, license, application, certificate, approval, order or similar authorization or entitlement; (4) authorize the District to enter into, modify or renew a contract provided it is the type of contract that requires District approval; (5) grant District approval to a contract that requires District approval and to which the District is a party, or to the specifications for such a contract; (6) grant District approval to a plan, design, report, study or similar item; or (7) adopt or grant District approval of policies, standards or guidelines for the District, or for any subdivision thereof; or (B) Serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in CCR, Title 2, section 18702.2 or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District’s conflict of interest code under Government Code section 87302. (CCR, Title 2, section 18701 (a)(2).)¹

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

The General Manager will determine in writing that a particular consultant, 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 would include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager’s determination is a public record and will be retained for public inspection in the same manner and location as this conflict of interest code.

¹ A consultant serves in a capacity only if he or she has an on-going relationship with the District. A consultant who works on one project or a limited range of projects for the district is not deemed a consultant subject to the reporting requirements of this code unless the project or projects extend over a substantial period of time, generally more than one year (See *Smith* Advice Letter, FPPC No. I-99-316; *Travis* Advice Letter, FPPC No. A-96-053; *Randolph* Advice Letter, FPPC No. A-95-045.)

New Position Added Without Code Revision. If the District creates a new position that requires disclosure without simultaneously amending this code, the employee appointed to fill such a position will file a Form 700 assuming office statement and thereafter file an annual Form 700 disclosure of economic interest statement using the broadest disclosure category until the District amends the code to designate the position. Alternatively, the General Manager may designate for any such position or consultant narrower disclosure obligations using FPPC Form 804 or Form 805 as appropriate. (See 2 CCR section 18734.)

Officials Who Manage Public Investments. Officials who manage public investments are deemed to be “statutory filers” within the meaning of Government Code section 87200 and CCR, Title 2, section 18720 because they must file statements of economic interest (FPPC Form 700) pursuant to the state Political Reform Act instead of the District’s conflict of interest code. As a result, such persons are not designated in this code and are listed here for information only. The District’s statutory filers are:

Members of the Board of Directors
General Manager

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 that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code section 87200.

"APPENDIX B"
SANTA MARIA PUBLIC AIRPORT DISTRICT - DISCLOSURE CATEGORIES
(Rev. July 11, 1985)

CATEGORY 1

INVESTMENTS OF A BUSINESS ENTITY OR IN A BUSINESS ENTITY WHICH: ~~(a)~~ HAS CONTRACTED WITH THE DISTRICT WITHIN THE LAST TWO YEARS, OR IN THE FUTURE MAY WITH REASONABLE FORESEEABILITY DO SO, TO PROVIDE SERVICES OF ANY KIND, SUPPLIES, MATERIALS, MACHINERY OR EQUIPMENT TO THE DISTRICT; OR ~~(b)~~ MANUFACTURES, PRODUCES, OR PROCESSES ANY OF SAID TYPES OF THINGS, AND SELLS OR LEASES THEM TO A BUSINESS ENTITY WHICH SELLS OR LEASES THEM TO THE DISTRICT; ~~OR~~

~~DEALS IN, OR REPAIRS OR SERVICES ANY OF SAID TYPES OF THINGS WHICH HAVE BEEN USED WITHIN THE LAST TWO YEARS, OR IN THE FUTURE MAY WITH REASONABLE FORESEEABILITY BE USED, BY THE DISTRICT.~~

NOTES

- (1) Investments of a business entity shall not be reported under Category 1 unless the designated employee or his spouse owns, directly, indirectly or beneficially, a 10% or greater interest.
- (2) No asset is deemed an investment unless its fair market value exceeds \$~~4~~2,000.
- (3) Investments of an individual also include a pro rata share of investments of any business entity or trust in which the individual or spouse owns, directly, indirectly or beneficially, a 10% interest or greater.
- (4) Investments in or of a regulated public utility company need not be reported under Category 1.

CATEGORY 2

INVESTMENTS OF ANY VALUE IN OR ANY INCOME FROM ANY PERSON OR BUSINESS ENTITY WHO OR WHICH IS A TENANT, LICENSEE, PERMITTEE OR CONCESSIONAIRE OF THE DISTRICT.

NOTES

- (1) Income, for purposes of Category 2, includes gifts or payments of any amount or value and property of any value.
- (2) An investment is not reportable under Category 2 if its fair market value does not exceed \$1,000.

CATEGORY 3

~~INCOME FROM ANY OF THE TYPES OF BUSINESS ENTITIES REFERRED TO IN CATEGORY 1 ABOVE, OR FROM ANY PERSON OR BUSINESS ENTITY WHO OR WHICH RECEIVES THE SERVICES PROVIDED BY THE DISTRICT, OR IN THE FUTURE MAY FORESEEABLY DO SO, EXCEPT SUCH INCOME AS IS EXCLUDED BY THE PROVISIONS OF SUBDIVISION (b) OF SECTION 82030 OF THE GOVERNMENT CODE.~~

NOTES

- ~~(1) Income from or investments in a regulated public utility company need not be reported under Category 3.~~
- ~~(2) Except in Category 2, income (except gifts) aggregating less than \$250 in value from any one person or business entity during the reporting period need not be reported.~~

~~(3) Except in Category 2, income includes gifts aggregating \$50 or more in value received from any one person or business entity during the reporting period.~~

CATEGORY 34

HIS OR HER STATUS AS A DIRECTOR, OFFICER, PARTNER, TRUSTEE, EMPLOYEE, OR HOLDER OF A POSITION OF MANAGEMENT IN ANY OF THE TYPES OF BUSINESS ENTITY REFERRED TO IN CATEGORIES 1, OR 2-OR-3.

CATEGORY 45

ALL INTERESTS IN REAL PROPERTY LOCATED IN THE DISTRICT'S AIRPORT PROTECTIVE ZONE, IF THE FAIR MARKET VALUE OF THE INTEREST IS GREATER THAN ONE THOUSAND (\$1,000) DOLLARS.

NOTES

(1) For the purposes of this Code the term "District's Airport Protective Zone" means and includes the land owned by the District, the land within the District's Noise Protective Zone as established by the District's Board of Directors, land within the F-Airport Approach Area Combining Zones of Santa Barbara County for the Santa Maria Public Airport, the land within Skyway Industrial Park, Tract No. 5011, and the land extending one-half mile out from the boundaries of the foregoing described land areas.

(2) Interests in real property which is used as the principal residence of the designated employee shall not be reported.

(3) Interests in real property includes a pro rata share of interests in real property of any business entity or trust in which the individual or spouse owns, directly, indirectly or beneficially, a 10% interest or greater.

CATEGORY 6

~~INVESTMENTS OF ANY VALUE AND INTERESTS IN REAL PROPERTY LOCATED IN THE JURISDICTION OF THE DISTRICT OF A FAIR MARKET VALUE OF \$1,000 OR GREATER OF A BUSINESS ENTITY REFERRED TO IN CATEGORIES 1 AND 2, PROVIDED THE FILER HAS A FIFTY PERCENT (50%) OR GREATER INTEREST IN SUCH BUSINESS ENTITY.~~

CATEGORY 7

~~INCOME OF A BUSINESS ENTITY RECEIVED FROM A PERSON OR BUSINESS ENTITY REFERRED TO IN CATEGORIES 1 OR 2, OR FROM ANY PERSON OR BUSINESS ENTITY WHO OR WHICH RECEIVES THE SERVICES PROVIDED BY THE DISTRICT, OR IN THE FUTURE MAY FORESEEABLY DO SO, EXCEPT SUCH INCOME AS IS EXCLUDED BY THE PROVISIONS OF SUBDIVISION (b) OF SECTION 82030 OF THE GOVERNMENT CODE.~~

NOTES

~~(1) Income of a business entity shall not be reported under Category 7 unless the designated employee or his spouse owns, directly, indirectly or beneficially, a 10% or greater interest in the business entity.~~

~~(2) Income of a business entity from a regulated public utility company need not be reported under Category 7, unless it falls in Category 2.~~

~~(3) Income of an individual also includes a pro rata share of any income of a business entity or trust in which the individual or spouse owns, directly, indirectly or beneficially, a 10% interest or greater.~~