

RESOLUTION 942

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA MARIA PUBLIC AIRPORT DISTRICT AMENDING THE DISTRICT'S CONFLICT OF INTEREST CODE

WHEREAS, in a meeting held on July 25, 2024, the Board of Directors of the Santa Maria Airport District ("District") adopted Resolution 938, thereby revising and replacing all previous versions of the Conflict of Interest Code of the Santa Maria Public Airport District; and

WHEREAS, the Board of Directors thereby adopted the Model Conflict of Interest Code contained in 2 Cal. Code of Regs. § 18730, and any amendment to it duly adopted by the Fair Political Practices Commission, along with the District's own list of designated positions; and

WHEREAS, 2 Cal. Code of Regs. § 18730 requires that public agencies separately adopt a list of disclosure categories as part of the agency's Conflict of Interest Code; and

WHEREAS, this Board of Directors desires to adopt the required list of disclosure categories as part of the District's Conflict of Interest Code.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Santa Maria Public Airport District as follows:

1. The District Conflict of Interest Code is amended to state that Appendix "B", which is adopted by this resolution, is incorporated by reference. The amended District Conflict of Interest Code is attached hereto as Exhibit 1.

2. Appendix "B" to the District Conflict of Interest Code, which contains the list of disclosure categories, is adopted and incorporated into the District Conflict of Interest Code. Appendix "B" is attached hereto as Exhibit 2.

3. The Clerk to the Board is hereby directed to advise the Santa Barbara County Clerk Recorder that this District has further reviewed its Conflict of Interest Code, determined that an additional amendment is necessary, and adopted its list of disclosure categories as Appendix "B". The Clerk is directed to forward a copy of this resolution and its exhibit to the County Clerk Recorder and to request the Santa Barbara County Board of Supervisors approve the District's Conflict of Interest Code.

PASSED AND ADOPTED at the regular meeting of the Board of Directors of the Santa Maria Public Airport District held February 27, 2025, on motion by Director Brown, seconded by Director Clayton and carried by the following roll call vote:

AYES: Brown, Guy, Clayton

NOES:

ABSENT: Moreno, Adams

ABSTAIN:

Approved as to form:

Ignacio Moreno, President

District Legal Counsel

Steven Brown, Secretary

CONFLICT OF INTEREST CODE**SANTA MARIA PUBLIC AIRPORT DISTRICT**

(Revised February 27, 2025)

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”

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Categories</u>
District Counsel	All categories
Manager of Finance & Administration	All categories
Manager of Operations and Maintenance	All categories
Consultants and New Positions	See note below

***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.

(continued on next page)

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”**DISCLOSURE CATEGORIES**

Category 1: Investments of a business entity or in a business entity which 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 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.

Notes to Category 1:

- (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 \$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 to Category 2:

- (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: Their status as a director, officer, partner, trustee, employee, or holder of a position of management in any of the types of entities referred to in Categories 1 or 2.

Notes to Category 3:

(None)

Category 4: 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 dollars (\$1,000).

Notes to Category 4:

- (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.