

**Attachment C—October 26, 2020 Resolution of the Board of Directors  
of the Montecito Fire Protection District & Conflict of Interest Code,  
Redline Copy**

RESOLUTION NO. 2020-08

RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE MONTECITO FIRE PROTECTION DISTRICT  
ESTABLISHING A CONFLICT OF INTEREST CODE

WHEREAS, 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, 2 California Code of Regulations Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendices "A" and "B" in which members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the Montecito Fire Protection District.

WHEREAS, pursuant to Section 4(A) of the standard code, designated employees shall file statements of economic interests with the agency. Upon receipt of the statements of the directors and fire chief, the agency shall make and retain a copy and forward the original of these statements to the Elections Division of the Santa Barbara County Clerk-Recorder. Statements for all other designated employees will be retained by the agency.

NOW, THEREFORE, it is hereby resolved by the Board of Directors of the Montecito Fire Protection District as follows:

1. The "District's Conflict of Interest Code" is adopted as set forth in this resolution.
2. Appendix A as attached to this resolution, entitled "Designated Positions and Disclosure Categories" is hereby adopted.
3. Appendix B as attached to this resolution, entitled "Categories of Disclosure" is hereby adopted.
4. Resolution No. 1992-10 of the Montecito Fire Protection District is hereby repealed.

PASSED AND ADOPTED by the Governing Board of Montecito Fire Protection District  
this 26th day of October, 2020, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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Sylvia Easton, President

ATTEST

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Judith Ishkanian, Secretary

## APPENDIX A

### DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES MONTECITO FIRE PROTECTION DISTRICT

<u>Designated Positions</u>	<u>Disclosure Categories</u>
All Members of the District Board	1, 2, 3, 4, 5
Fire Chief	1, 2, 3, 4, 5
Division Chief/Operations	1, 2, 3, 4, 5
Battalion Chief/Fire Marshal	1, 2, 3, 4, 5
Battalion Chief/Shift	3, 4
Captain/Assistant Fire Marshal	1, 2, 3, 4, 5
<del>Communications Coordinator</del> <u>Public Information Officer</u>	3, 4
Wildland Fire Specialist	3, 4
Inspectors	1, 2, 5
District Accountant	1, 2, 3, 4, 5
Administrative Assistant	3, 4
District Mechanic	3, 4
District Counsel	1, 2, 3, 4, 5
Consultant*	

\*The disclosure required of consultants shall be determined on a case by case basis by the Fire Chief.

The Fire Chief shall make a determination as to what disclosure, if any, is required by any particular consultant. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements.

The Fire Chiefs determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

## **APPENDIX B**

### **CATEGORIES OF DISCLOSURE MONTECITO FIRE PROTECTION DISTRICT**

#### CATEGORY 1

Interests in real property which are 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 the 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 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

#### 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 the 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.

#### 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 employee's duties involve the supervision or regulation (including, but not limited to, the issuance or granting of permits) of that type of business entity or source of income.