

# BEST BEST & KRIEGER

## ATTORNEYS AT LAW

INDIAN WELLS  
(760) 568-2611

IRVINE  
(949) 263-2600

LOS ANGELES  
(213) 617-8100

ONTARIO  
(909) 989-8584

3750 University Avenue, Suite 400  
Post Office Box 1028  
Riverside, California 92502-1028  
(951) 686-1450  
(951) 686-3083 Fax  
BBKlaw.com

SACRAMENTO  
(916) 325-4000

SAN DIEGO  
(619) 525-1300

WALNUT CREEK  
(925) 977-3300

### Dianna Marie Valdez

Conflicts of Interests & Ethics Coordinator  
DiannaMarie.Valdez@BBKLAW.COM

September 2, 2008

Michael Allen, Chief Deputy Clerk  
County Board of Supervisors  
Santa Barbara County  
105 East Anapamu Street  
Santa Barbara, CA 93101

Re: Carpinteria-Summerland Fire Protection District - Nonsubstantive  
Amendment of Appendix of Conflict of Interest Code

Dear Michael:

The Carpinteria-Summerland Fire Protection District has amended the Appendix of its Conflict of Interest Code to revise the title of one of its designated positions and, as requested by the Fair Political Practices Commission, include definitional language clarifying income in the introductory paragraph of the list of Disclosure Categories. Enclosed is a legislative version of the Appendix showing the changes being made since the Board of Supervisors last approved the District's Appendix.

As described in 2 Cal. Code of Regs § 18752(e)(1) (copy enclosed), the foregoing change is considered nonsubstantive and does not affect or modify any existing disclosure responsibilities. Therefore, the District hereby requests approval of this nonsubstantive amendment to its Code Appendix.

Also enclosed is a clean copy of the Appendix, as amended, for your records.

Please notify me when approval has been given and feel free to call me if you or County Counsel have any questions regarding the enclosed.

Sincerely,



Dianna Marie Valdez  
Conflicts of Interests & Ethics Coordinator  
for BEST BEST & KRIEGER LLP  
Special Counsel  
Carpinteria-Summerland Fire Protection District

:dmv  
Encls:

# APPENDIX

## CONFLICT OF INTEREST CODE OF THE CARPINTERIA-SUMMERLAND FIRE PROTECTION DISTRICT

(Amended March 16, 2004<sup>1</sup>)

### EXHIBIT "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but are subject to the disclosure requirements of the Act. (Government Code Section 87200 et seq.). [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments<sup>2</sup>:

Financial Consultants

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<sup>1</sup> Titles Updated September 2008

<sup>2</sup> Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by § 87200.

## DESIGNATED POSITIONS

### GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrative Assistant/Financial Officer	6
Battalion Chief	6
Fire Chief	1, 2
General Counsel	1, 2
Fire Prevention Officer	7
Members of the Board of Directors	1, 2
Consultant <sup>3</sup>	

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<sup>3</sup> Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Fire Chief (Manager) may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. 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 Chief's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

## EXHIBIT "B"

### DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, including gifts, loans and travel payments, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income located in, that do business in or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District, plan to engage in such activities within the jurisdiction of the District within the next year, or have engaged in such activities within the jurisdiction of the District within the past two (2) years.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

Category 7: All investments and business positions in, and sources of income from, business entities subject to the regulatory, permit, or licensing authority of the Designated Employee's Department, will be subject to such authority within the next year, or have been subject to such authority within the past two (2) years.

**LEGISLATIVE VERSION**  
**(SHOWS CHANGES MADE)**

**APPENDIX**

**CONFLICT OF INTEREST CODE  
OF THE  
CARPINTERIA-SUMMERLAND FIRE PROTECTION DISTRICT**

**(Amended March 16, 2004<sup>1</sup>)**

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<sup>1</sup> Titles Updated ~~August 2006~~ September 2008

<sup>2</sup> Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by § 87200.

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Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District, plan to engage in such activities within the jurisdiction of the District within the next year, or have engaged in such activities within the jurisdiction of the District within the past two (2) years.

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Category 7: All investments and business positions in, and sources of income from, business entities subject to the regulatory, permit, or licensing authority of the Designated Employee's Department, will be subject to such authority within the next year, or have been subject to such authority within the past two (2) years.

# Regulations of the Fair Political Practices Commission

## TITLE 2, DIVISION 6, CALIFORNIA CODE OF REGULATIONS

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(Back to Regulations of the Fair Political Practices Commission)

### **18752. Nonsubstantive Amendments of Conflict of Interest Codes**

(a) A state agency or a local government agency with jurisdiction in more than one county may make nonsubstantive alterations of a conflict of interest code for its agency. (b) No alteration of a conflict of interest code shall be deemed nonsubstantive until the agency has requested and received prior written approval from the Executive Director of the Fair Political Practices Commission, or his or her designee, to classify the alteration as nonsubstantive.

(c) Each request for a nonsubstantive alteration shall be in writing and shall be accompanied by:

(1) The conflict of interest code for the agency showing the proposed nonsubstantive amendments in strikeout/underscore format;

(2) A brief description of the proposed amendments; and

(3) A declaration by the chief executive officer of the agency declaring that the code specifically enumerates each of the positions within the agency which involve the making or participation in the making of decisions which may foreseeably have a material financial effect on any financial interest.

(d) The Executive Director, or his or her designee, shall respond in writing to each request for interim approval within 30 calendar days of receipt.

(e) Nonsubstantive alterations of conflict of interest codes shall be limited to the following:

(1) The reclassification or renaming of previously designated positions, provided no designated positions are created and provided no existing disclosure responsibilities are modified;

(2) The deletion of a position for which the classification has been abolished by the agency;

(3) The addition, deletion or modification of definitional or operational provisions of a conflict of interest code in conformity to a statutory amendment, a regulation of the Fair Political Practices Commission, a decision of the California Supreme Court, or a final decision of a California Court of Appeal; or

(4) The modification of any provision of a conflict of interest code, provided no disclosure or disqualification obligation of any designated employee is disturbed thereby.

(f) Nonsubstantive amendments to a state agency conflict of interest code which have been approved by the Executive Director or his or her designee shall be transmitted within 30 days by the agency to the Office of Administrative Law for filing with the Secretary of State without further review pursuant to Article 6 (commencing with Section 11349) of Chapter 3.5 of Division 1 of Title 2 of the Government Code. When the agency files the nonsubstantive amendments with the Office of Administrative Law, it shall:



(1) Indicate that it is transmitting a conflict of interest code approved by the Fair Political Practices Commission for filing; and

(2) Request that the Office of Administrative Law publish the code in its entirety, or request that the Office of Administrative Law print an appropriate reference to the agency's code in its title of the California Code of Regulations.

(g) The nonsubstantive amendments to the conflict of interest code shall become effective on the thirtieth day after approval by the Executive Director or his or her designee or in the case of a state agency, the thirtieth day after the date of filing with the Secretary of State.

Note: Authority: Section 83112, Gov. Code

Reference: Section 87306, Gov. Code

#### History

(1) New section filed 6-3-77; effective thirtieth day thereafter.

(2) Amendment of subsection (a) filed 4-28-82; effective thirtieth day thereafter.

(3) Amendment filed 1-11-83; effective thirtieth day thereafter.

(4) Amendment filed 4-21-92; effective thirtieth day thereafter.