

ATTACHMENT B

RESOLUTION OF THE
SANTA BARBARA COUNTY CLERK, RECORDER, AND ASSESSOR
ADOPTING THE INCORPORATION OF ADDITIONAL AGENCIES TO THE
SANTA BARBARA COUNTY
SINGLE COMPREHENSIVE CONFLICT OF INTEREST CODE
FOR COUNTY DEPARTMENTS, COMMISSIONS/BOARDS/COMMITTEES
AND DEPENDENT SPECIAL DISTRICTS

Recitals

WITH REFERENCE TO THE FOLLOWING:

- a. Whereas, the Political Reform Act of 1974 (“Political Reform Act”) (Gov. Code, § 81000 et seq.) requires state and local government agencies with final decision-making authority to adopt and promulgate Conflict of Interest Codes. The Political Reform Act implementing regulations are adopted by the Fair Political Practices Commission and are located at title 2, division 6, chapter 1, section 18110 et seq. of the California Code of Regulations (“CCR”). Title 2 CCR section 18730 sets forth a model standard Conflict of Interest Code (“Model Standard Code”) that includes the basic provisions for a Conflict of Interest Code required by the Political Reform Act;
- b. Whereas, on October 3, 1995, the Santa Barbara County Board of Supervisors directed the Santa Barbara County Clerk-Recorder and Assessor to follow the model provided in 2 CCR section 18730 and adopt a comprehensive Conflict of Interest Code covering multiple agencies. On December 5, 1995, the Clerk, Recorder, and Assessor adopted a comprehensive Conflict of Interest Code for County Departments and certain County-related Commissions/Boards/Committees and Dependent Special Districts (“Code Agencies”) by incorporating by reference the Model Standard Code. This Conflict of Interest Code is entitled the “Santa Barbara County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts” (“Single Code”);
- c. Whereas, the Single Code designates the positions within the Code Agencies that involve the making or participation in the making of decisions, which may foreseeably have a material effect on a financial interest of the designated public official. Designated employees must periodically disclose certain investments, interests in real property, sources of income, gifts, loans, and business positions. The financial disclosures are compiled on a Statement of Economic Interests Form 700 in accordance with the disclosure categories identified in the Single Code;
- d. Whereas, the Board of Supervisors is the “code reviewing body” of the Single Code. (Gov. Code, § 82011, subd. (b).) As the code reviewing body, the Board of Supervisors approved the initial Single Code. (Gov. Code, § 87303.) At a minimum, the Single Code is reviewed every two years and is amended as needed. (Gov. Code, § 87306.5.);

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- e. Whereas, there have been several amendments to the Single Code, which have added and/or deleted agencies and revised the list of designated positions and disclosure categories. Amendments are first adopted by the Clerk, Recorder, and Assessor and then approved by the Board of Supervisors as the code reviewing body;
- f. Whereas, the Citizens Independent Redistricting Commission (“CIRC”), the Commission for Women, and the Psychiatric Health Facility Governing Board (“PHF Governing Board”) have requested that they be added to the Single Code;
- g. Whereas, the CIRC was created by Santa Barbara County Code section 2-10.9A. The CIRC shall adopt a redistricting plan adjusting the boundaries of the supervisorial districts. Santa Barbara County Code section 2-10.9A requires that each commission member shall be a designated employee for purposes of the Conflict of Interest Code adopted by Santa Barbara County pursuant to Article 3 (commencing with section 87300) of chapter 7 of title 9 of the Government Code;
- h. Whereas, on June 18, 1973, the Commission for Women was established by the Board of Supervisors to serve as a fact-finding body on the status of women in Santa Barbara County in the critical areas of employment, housing, education, credit and law, medical, and child care. The Commission for Women is advisory to the Board of Supervisors. Typically, an advisory body, such as the Commission for Women, would not be required to adopt a Conflict of Interest Code. However, an advisory body may evolve into a “decision-making” body and be required to adopt a Conflict of Interest Code if, over an extended period of time, it makes substantive recommendations that have been regularly approved without significant amendment or modification by the agency to which it is advisory. (2 Cal. Code Regs 18700(c)(2).) Over time some of the Commission for Women’s substantive recommendations have been regularly approved without significant amendment or modification by the Board of Supervisors;
- i. Whereas, on August 30, 2016, the PHF Governing Board was established by the Board of Supervisors to serve as the governing body of the County's Psychiatric Health Facility (“PHF”) in accordance with state and federal law. The PHF Governing Board, in exercising its authority and responsibility for the conduct of the facility, makes final decisions about credentials and privileges of PHF management and medical staff and has final approval over medical staff bylaws and PHF policies and procedures;
- j. Whereas, the CIRC, the Commission for Women, and the PHF Governing Board took-action to create Conflict of Interest Codes by designating covered positions identifying corresponding disclosure categories and requesting that they be included in the Single Code. The CIRC, the Commission for Women, and the PHF Governing Board took such actions on January 19, 2021; November 6, 2020; and September 27, 2017, respectively. (See attached CIRC Resolution 2021-1, Commission for Women Resolution 2019-1, and PHF Governing Board Resolution 2017-1.);

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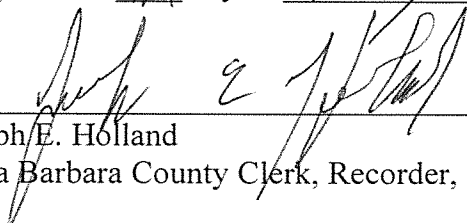
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- k. Whereas, the Clerk, Recorder, and Assessor approves the requests of the CIRC, the Commission for Women, and the PHF Governing Board and amends the Single Code to add these agencies as members. The CIRC's designated positions are incorporated in the attached Exhibit C-26. The Commission for Women's designated positions are incorporated in the attached Exhibit C-34. The PHF Governing Board's designated positions are incorporated in the attached Exhibit C-35; and
- l. Whereas, all other provisions of the Single Code not addressed by this amendment remain in effect.

NOW, THEREFORE BE IT, AND IT IS HEREBY ORDERED AND RESOLVED that:

1. The above recitations are true and correct.
2. The attached Exhibits C-26, C-34, and C-35 adding the Citizens Independent Redistricting Commission, the Commission for Women, and the Psychiatric Health Facility Governing Board as members of the Single Code are adopted and amend the Single Code.
3. All other provisions of the Single Code not addressed by this amendment remain in effect.

Adopted this 4th day of May, 2021



Joseph E. Holland
Santa Barbara County Clerk, Recorder, and Assessor

EXHIBIT C-26

SANTA BARBARA COUNTY
CITIZENS' INDEPENDENT REDISTRICTING COMMISSION

Persons occupying the following positions are “designated employees” as defined below. Designated employees must disclose financial interests in the disclosure category or categories assigned to their position. The disclosure categories are defined in Exhibit B—Standard Disclosure Categories of the current County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts (“Single Code”).

A “designated employee” is anyone within the above-mentioned agency who is an officer, employee, member or consultant who is designated in this Single Code, because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest. (Government Code § 82019.)

<u>Designated Employee Positions:</u>	<u>Disclosure Categories for Position</u>
1. Members of the County of Santa Barbara Citizens' Independent Redistricting Commission	1
2. Administrative or Executive Director	1
3. Independent Legal Counsel	1
4. Commission Clerk	1
5. Consultants/New Positions	1

*Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code.

Individuals who perform under contract the identical duties of any designated position shall be required to file Statements of Economic Interests disclosing reportable interests in the categories assigned to that designated position.

The term “designated employee” does not include any officer identified in Government Code section 87200, i.e., members of planning commissions, members of the board of supervisors, district attorneys, county counsels, county treasurers, chief administrative officers of counties, other public officials who manage public investments, and candidates for any of these offices at any election. The financial disclosure requirements for these positions are set forth in Government Code section 87200 et seq.

EXHIBIT C-34

SANTA BARBARA COUNTY
COMMISSION FOR WOMEN

Persons occupying the following positions are “designated employees” as defined below. Designated employees must disclose financial interests in the disclosure category or categories assigned to their position. The disclosure categories are defined in Exhibit B—Standard Disclosure Categories of the current County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts (“Single Code”).

A “designated employee” is anyone within the above-mentioned agency who is an officer, employee, member or consultant who is designated in this Single Code, because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest. (Government Code § 82019.)

Designated Employee Positions:

Disclosure Categories for Position

1. Commissioners of the Santa Barbara County
Commission for Women

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The term “designated employee” does not include any officer identified in Government Code section 87200, i.e., members of planning commissions, members of the board of supervisors, district attorneys, county counsels, county treasurers, chief administrative officers of counties, other public officials who manage public investments, and candidates for any of these offices at any election. The financial disclosure requirements for those positions are set forth in Government Code section 87200 et seq.

EXHIBIT C-35

**SANTA BARBARA COUNTY
PSYCHIATRIC HEALTH FACILITY GOVERNING BOARD**

Persons occupying the following positions are “designated employees” as defined below. Designated employees must disclose financial interests in the disclosure category or categories assigned to their position. The disclosure categories are defined in Exhibit B—Standard Disclosure Categories of the current County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts (“Single Code”).

A “designated employee” is anyone within the above-mentioned agency who is an officer, employee, member or consultant who is designated in this Single Code, because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest. (Government Code § 82019.)

Designated Employee Positions:

Disclosure Categories for Position

- | | |
|---|---|
| 1. Members of the Santa Barbara County
Psychiatric Health Facility Governing Board | 1 |
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The term “designated employee” does not include any officer identified in Government Code section 87200, i.e., members of planning commissions, members of the board of supervisors, district attorneys, county counsels, county treasurers, chief administrative officers of counties, other public officials who manage public investments, and candidates for any of these offices at any election. The financial disclosure requirements for those positions are set forth in Government Code section 87200 et seq.