

ATTACHMENT
Draft of the
Conflict of Interest Code of APCD

**CONFLICT OF INTEREST CODE
FOR THE
SANTA BARBARA COUNTY
AIR POLLUTION CONTROL DISTRICT**

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. Administrative Code 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 in the Political Reform Act after public notice and hearings. The terms of 2 California Administrative Code 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 officials, consultants, and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Santa Barbara County Air Pollution Control District.

Pursuant to Section 4 of the Standard Code, designated officers, employees and consultants shall file statements of economic interest with the District. Upon receipt of the statements by the Control Officer, the District shall make and retain a copy and file the original with the Elections Division of the Santa Barbara County Clerk-Recorder's Office, 1100 Anacapa Street, Santa Barbara, California, or at such other location as is hereinafter designated by the Clerk-Recorder.

APPENDIX A

Designated Positions

Disclosure Categories

Persons occupying the following positions are designated employees and must disclose financial interests in those categories described in Appendix B which are listed opposite their respective designated positions:¹

1.	Air Pollution Control Officer.....	1,2,3,4,5
2.	Division Manager.....	1,2,3,4,5
3.	Administrative Manager.....	1,2,3,4,5
4.	Human Resources Officer.....	1,2,3,4,5
5.	Information Technology & Monitoring Supervisor.....	1,2,3,4,5
6.	Air Quality Engineering Supervisor.....	1,2,3,4,5
7.	<u>Accounting</u> <u>Supervisor</u><u>Supervising</u> <u>Accountant</u>	1,2,3,4,5
8.	Planning and Grants Program Supervisor.....	1,2,3,4,5
9.	Community Programs Supervisor.....	1,2,3,4,5
10.	Inspection Specialist I,II,III.....	1,2,3,4,5
11.	Air Quality Engineer I,II,III.....	1,2,3,4,5
12.	Air Quality Specialist I,II,III.....	1,2,3,4,5
12.	_____	_____
13.	Emissions Inventory and Planning Specialist I,II,III.....	1,2,3,4,5
14-13.	Public Information and Education Specialist.....	1,2,3,4,5
15-14.	Monitoring Specialist I,II,III.....	1,2,3,4,5

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¹ In listing the various designated positions the job title shown in the Basic Salary Classification Plan should be used. No employee who performs purely ministerial, clerical, or service functions shall be a designated employee.

16.15. EDP Systems and Programming Analyst I,II,III	1,2,3,4,5
17.16. District Counsel	1,2,3,4,5
18.17. Consultant ²	1,2,3,4,5
19.18. Governing Board Member ³	1,2,3,4,5
20.19. Hearing Board Member	1,2,3,4,5

² Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation: The Control Officer may 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 shall include a description of the consultants duties and, based upon that description, a statement of the extent of disclosure requirements. The Control Officer’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.

³ Pursuant to Title 2, Section 18730(b)(3), Governing Board members who are County Board of Supervisors do not need to file an expanded Conflict of Interest statement pursuant to this District Code.

APPENDIX B

CATEGORIES OF DISCLOSURES

CATEGORY 1

Interests in real property which is 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 if
- 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.

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, in the future with reasonable foreseeability might furnish or contract to furnish services, supplies, materials, machinery or equipment as a subcontractor in any contact with the District to provide services, supplies, materials, machinery or equipment to or for the use of the District; and if

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.

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 if

b) The designated employee's duties involve the supervision or regulation (including the issuance or grant of franchises, building permits or other use or business permits or any other land use control or regulation) of that type of business entity or source of income.