

2014 Local Agency Biennial Notice

Name of Agency: Goleta Sanitary District
Mailing Address: One William Moffett Place
Contact Person: Rob Mangus Phone No: (805) 967-4519
E-Mail: rmangus@goletasanitary.org

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one box):

☒ **An amendment is required. The following amendments are necessary:**

(Mark all that apply.)

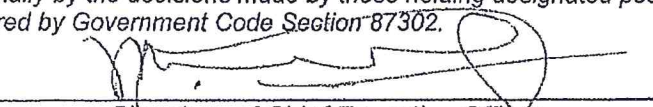
- ☒ Include new positions (including consultants) that must be designated
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete positions that no longer make or participate in making governmental decisions
- ☐ Other (describe) _____

☐ **The code is currently under review by the code reviewing body.**

☐ **No amendment is required.** (If your code is more than five years old, amendments may be necessary.)

Verification

This agency's conflict of interest code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions. The code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

September 23, 2014

Date

Complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2014**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF THE CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC

Lenzi, Chelsea

From: R Battles <rbattles@hmgllaw.com>
Sent: Wednesday, September 24, 2014 2:25 PM
To: Lenzi, Chelsea
Subject: Conflict of Interest Biennial Review
Attachments: MX-5001N_20140924_170017.pdf; MX-5001N_20140924_170033.pdf; MX-5001N_20140924_170054.pdf

Dear Ms. Lenzi-

This firm represents the Goleta Sanitary District. On behalf of the District, we are submitting the attached completed 2014 Local Agency Biennial Notice.

Also attached please find (i) a copy of Resolution No. 07-454, which reflects the adoption of the District's current conflict of interest code in 2007, and (ii) a certified copy of Resolution No. 14-581, which was adopted by the District's Governing Board on September 15, 2014, and which amends the District's current conflict of interest code.

Please submit Resolution No. 14-581 to the Board of Supervisors, as the code reviewing body, for approval. We also ask that you advise us once the Board of Supervisors' approval has been obtained.

Thank you for your assistance. If you have any questions or need further information, please do not hesitate to contact us.

Rick

Richard G. Battles | Howell Moore & Gough LLP
812 Presidio Avenue | Santa Barbara, CA 93101
Phone: (805) 962-0524 Ext. 11 | Fax: (805) 962-0534
Email: RBattles@HMGLaw.com | Website: www.HMGLaw.com

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From: Lenzi, Chelsea
Sent: Thursday, July 03, 2014 4:27 PM
Cc: Allen, Michael (COB); Lenzi, Chelsea; Esquer, Kaitlin
Subject: Conflict of Interest Biennial Review
Importance: High

Good afternoon,

Pursuant to Government Code § 87306.5, each local agency which has adopted a **Conflict of Interest Code** is required to review such code beginning July 1st of each even-numbered year.

Upon review of this code, if a change is necessitated by a change in circumstances, the local agency must submit an amended Conflict of Interest Code in accordance with subdivision (a) of Section 87302 and Section 87303 to the code

RESOLUTION NO. 07-454

RESOLUTION OF THE GOVERNING BOARD OF
THE GOLETA SANITARY DISTRICT ADOPTING
REVISED CONFLICT OF INTEREST CODE

WHEREAS, pursuant to the Political Reform Act (California Government Code §§ 81000 et seq.) and the regulations thereunder, the Goleta Sanitary District (the "District") adopted an amended Conflict of Interest Code on March 2, 1993 by passing Resolution No. 93-261 and adopted a revised Conflict of Interest Code on September 7, 2006 by passing Resolution No. 06-446 (the "Existing Code"); and

WHEREAS, the Governing Board of the District deems it to be in the District's best interests to adopt a new Conflict of Interest Code to update and supersede the District's Existing Code.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Governing Board of the District hereby adopts the attached Conflict of Interest Code as the Conflict of Interest Code for the District. The attached Conflict of Interest Code shall supercede and replace the Existing Code.
2. The General Manager of the District is hereby authorized and directed to submit a certified copy of the attached Conflict of Interest Code to the Santa Barbara County Board of Supervisors for approval.
3. The Conflict of Interest Code shall take effect immediately following approval by the Santa Barbara County Board of Supervisors.

PASSED AND ADOPTED this 7th day of May, 2007, by the following vote of the Governing Board of the Goleta Sanitary District:

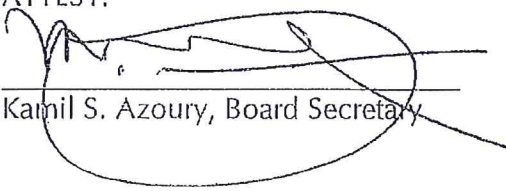
AYES: Emerson, Trantow, Fox, Carter, Majoewsky


NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:

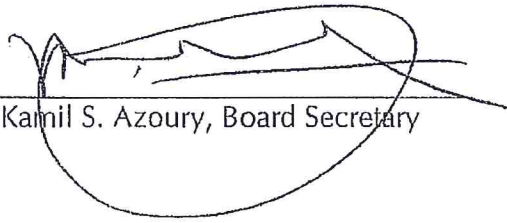

Kamil S. Azoury, Board Secretary


George W. Emerson, Board President

CERTIFICATION MADE UNDER PENALTY OF PERJURY (C.C.P. 2015.5)
COUNTY OF SANTA BARBARA

I certify (or declare) under penalty of perjury that the foregoing is a full, true and correct copy of the Resolution duly adopted by the Governing Board of the Goleta Sanitary District on May 7, 2007.

Dated: May 8, 2007


Kamil S. Azoury, Board Secretary

**GOLETA SANITARY DISTRICT
CONFLICT OF INTEREST CODE**

Adopted May 7, 2007

The Political Reform Act, Government Code sections 81000 et seq., requires state and local governmental agencies to promulgate and adopt 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. Section 18730 can be adopted by governmental agencies through incorporation by reference and 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 Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. The Conflict of Interest Code of the Goleta Sanitary District (the "District") is hereby amended and is hereafter comprised of (i) the terms of 2 California Code of Regulations section 18730, together with any amendments to it duly adopted by the Fair Political Practices Commission, (ii) the attached Appendix A (Designated Employees), and (iii) the attached Appendix B (Disclosure Categories).

Designated Employees shall annually file statements of economic interests with the District. Upon receipt of these statements, the District shall make and retain a copy and forward the original of each statement to the Elections Division of the Santa Barbara County Clerk-Recorder.

Appendix A
GOLETA SANITARY DISTRICT
DESIGNATED EMPLOYEES

It has been determined that the persons occupying the designated positions ("Designated Employees") listed below make or participate in the making of decisions which may foreseeably have a material effect on financial interests. Designated Employees must disclose financial interests in those categories described in *Appendix B*, which are listed opposite the respective Designated Employees.

<u>Designated Employees</u>	<u>Disclosure Categories</u>
Directors	1-4
General Manager	1-4
Board Secretary	1-4
General Counsel	1-4

Appendix B
GOLETA SANITARY DISTRICT
DISCLOSURE CATEGORIES

CATEGORY 1

Any real property in which the Designated Employee has a direct or indirect interest, but only if the real property is located in whole or in part within the jurisdiction of the Goleta Sanitary District. Real property interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property, if the fair market value of the interest is \$2,000.00 or more.

CATEGORY 2

Business positions or direct or indirect investments in or income from persons or business entities engaged in the appraisal, acquisition, or disposal of real property within the jurisdiction of the Goleta Sanitary District.

CATEGORY 3

Business positions or direct or indirect 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 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 Goleta Sanitary 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 Goleta Sanitary 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 direct or indirect 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 Goleta Sanitary 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, material, machinery or equipment of the same or a similar type as those so provided or contracted to be provided to the Goleta Sanitary 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 direct or indirect 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 Goleta Sanitary District; and
- (b) The Designated Employee's duties involve the supervision or regulation (including, but not limited to, the issuance of permits) of that type of business entity or source of income.

* * * * *

For purposes of the foregoing Disclosure Categories 1 through 5:

- (a) "Indirect investment" or "indirect interest" includes any investment or interest with a fair market value of \$2,000.00 or more that is owned by the spouse or dependent child of a Designated Employee, by an agent on behalf of a Designated Employee, or by a business entity or trust in which the Designated Employee, the Designated Employee's agents, spouse, and dependent children own directly, indirectly, or beneficially a ten percent (10%) interest or greater.
- (b) "Sources of income" shall include gifts, but shall exclude loans from commercial lending institutions made in the regular course of business on terms which are available to the public without regard to official status.

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RESOLUTION NO. 14-581

**RESOLUTION OF THE GOVERNING BOARD OF
THE GOLETA SANITARY DISTRICT AMENDING
CONFLICT OF INTEREST CODE**

WHEREAS, pursuant to the Political Reform Act (California Government Code §§ 81000 et seq.) and the regulations thereunder, the Goleta Sanitary District (the "District") adopted an amended Conflict of Interest Code on May 7, 2007 by passing Resolution No. 07-454 (the "Conflict of Interest Code"); and

WHEREAS, the Governing Board of the District desires to amend the Conflict of Interest Code to add the recently created position of Assistant General Manager to the list of Designated Employees which is attached to the Conflict of Interest Code as Appendix A.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Conflict of Interest Code is hereby amended by deleting Appendix A attached thereto and replacing it with the Amended Appendix A attached to this Resolution.
2. The General Manager of the District is hereby authorized and directed to submit a certified copy of this Resolution amending the Conflict of Interest Code to the Santa Barbara County Board of Supervisors for approval.
3. This amendment to the Conflict of Interest Code shall take effect immediately following approval by the Santa Barbara County Board of Supervisors.


PASSED AND ADOPTED this 15th day of September, 2014, by the following vote of the Governing Board of the Goleta Sanitary District:

AYES: Fox, Carter, Emerson, Rose, Smith

NOES: None

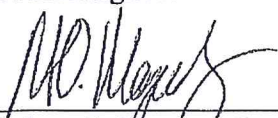
ABSENT: None

ABSTAIN: None



John R. Fox
President of the Governing Board

Countersigned:



Robert O. Mangus, Jr.
Secretary of the Governing Board

Amended Appendix A
GOLETA SANITARY DISTRICT
DESIGNATED EMPLOYEES

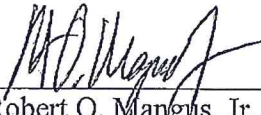
It has been determined that the persons occupying the designated positions ("Designated Employees") listed below make or participate in the making of decisions which may foreseeably have a material effect on financial interests. Designated Employees must disclose financial interests in those categories described in *Appendix B*, which are listed opposite the respective Designated Employees.

<u>Designated Employees</u>	<u>Disclosure Categories</u>
Directors	1-4
General Manager	1-4
Assistant General Manager	1-4
Board Secretary	1-4
General Counsel	1-4

CERTIFICATION MADE UNDER PENALTY OF PERJURY (C.C.P. 2015.5)
COUNTY OF SANTA BARBARA

I certify (or declare) under penalty of perjury that the foregoing is a full, true and correct copy of the Resolution duly adopted by the Governing Board of the Goleta Sanitary District on September 15, 2014.

Dated: September 15, 2014



Robert O. Mangus, Jr.
Secretary of the Governing Board