

Addition of Board of Supervisor Department Chief of Staff Position to the County of Santa Barbara Single Comprehensive Conflict of Interest Code

Board Hearing
July 11, 2023



County Executive Office

Presentation Overview

- Provide information to consider adding the Board of Supervisor department Chief of Staff position as a designated employee to the County's Single Code requiring them to file a Form 700
- Highlight intention of Form 700 filing
- Provide information on the County process for designating an employee
- Provide comparable county information
- Request direction

Context

- The Political Reform Act prohibits public officials from participating in or using their official position to influence a governmental decision in which the official has a financial interest
- A conflict of interest code designates the positions that involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest
- Persons holding the designated positions must periodically disclose certain investments, interests in real property, sources of income, gifts, loans and business positions by filing a Statement of Economic Interests - Form 700 (Form 700)
- The Chief of Staff position is not currently a designated employee in the County's Single Conflict of Interest Code, and therefore does not file a Form 700

Why is the Statement of Economic Interests (Form 700) Filed?

- Intended to provide reasonable assurance of transparency and accountability in the following two ways:
 - i. Provides necessary information to the public about an individual's personal financial interests to ensure that officials are making decisions in the best interest of the public and not enhancing their personal finances; and
 - ii. It serves as a reminder to the public official of potential conflicts of interest so the official can abstain from making or participating in governmental decisions that are deemed conflicts of interest

County Process for Designating an Employee

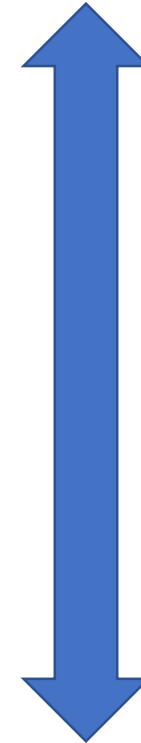
- The County is required to review the Single Code at least every two years. The Single Code was most recently reviewed and approved by the Board on November 29, 2022
- Department management is responsible for evaluating and updating their department's designated positions and assigning the disclosure category in the Single Code
- The Clerk, Recorder, Assessor administers the Single Code and brings amendments as needed to the Board
- If the Board decides to add the Chief of Staff position as a designated employee to the Single Code:
 - a disclosure category will need to be indicated, and
 - the Clerk, Recorder, Assessor will need to present a resolution amending the Single Code at a future board hearing

Form 700 Disclosure Categories

- The Single Code includes disclosure categories ranging from 1-7 which indicate what level of disclosure designated employees are required to file



Broadest disclosure requirement



Most limited disclosure requirement

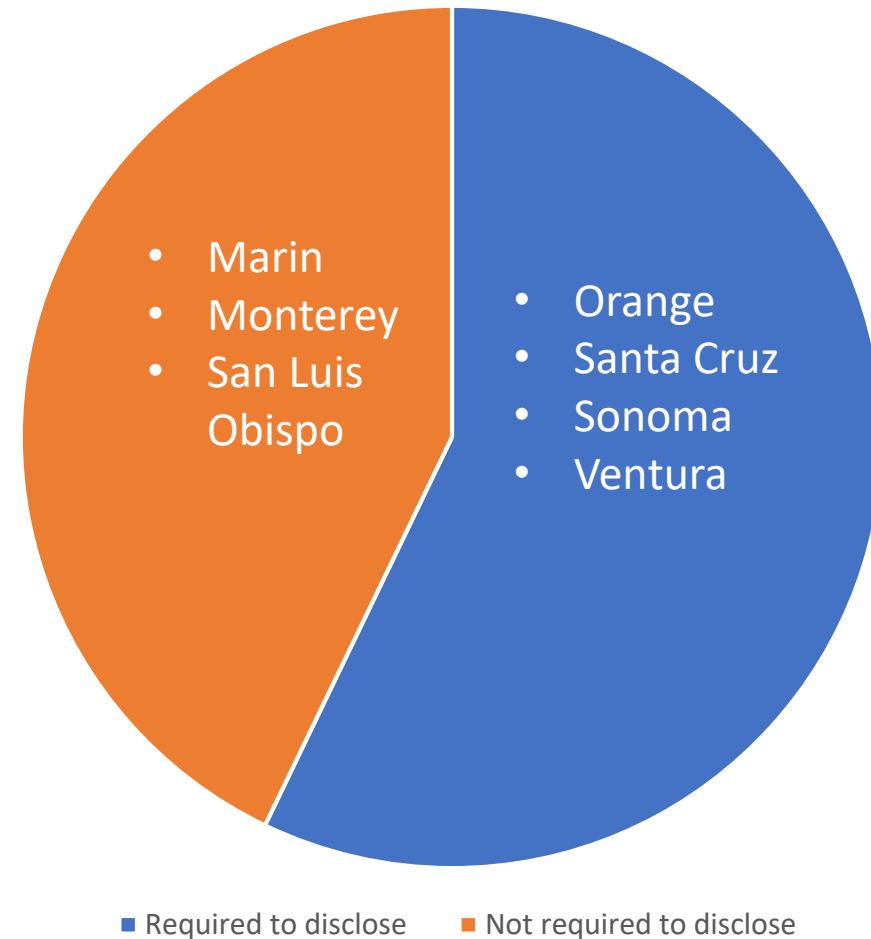
Form 700 Disclosure Categories

Category	Description
1	All investments; business positions; interests in real property; sources of income including receipt of loans, gifts and travel payments
2	Interests in real property
3	Investments, business positions, interests in real property and sources of income, including receipt of loans, gifts, and travel payments, subject to the regulatory, permit or licensing authority of the designated employee's Code Agency
4	Investments in business entities and sources of income, including receipt of loans, gifts, and travel payments, from sources of the type that engage in land development, construction or the acquisition of real property
5	Investments in business entities and sources of income, including receipt of loans, gifts, and travel payments, from sources of the type that contracts with the County of Santa Barbara to provide services, supplies, materials, machinery or equipment to any County department or agency
6	Investments in business entities and sources of income, including receipt of loans, gifts, and travel payments, from sources of the type that contracts with the County of Santa Barbara to provide to the designated employee's Code Agency, services, supplies, materials, machinery or equipment
7	Shall disclose pursuant to Category 1, subject to the limitation that with respect to consultants, interim positions and new positions, the CEO may determine in writing that a position is hired to perform duties that are limited in scope and thus, is not required to fully comply with the disclosure requirements described

Comparable Counties

- 4 out of 7 of our comparable counties require the Board of Supervisor department Chief of Staff position to file a Form 700
- The comparable counties that require the position to file use the broadest Category 1 disclosure category

Chief of Staff Disclosure Requirement



Recommended Actions

It is recommended that the Board of Supervisors:

- a) Consider the addition of the Chief of Staff position in the Board of Supervisors Department as a designated employee position to the to the Santa Barbara County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts (“Single Code”) and indicate the related disclosure category;
- b) Provide direction to the Clerk, Recorder, Assessor to bring forward a resolution amending the County’s Single Code at a future board hearing as appropriate; and
- c) Determine that the above action is an organizational or administrative activity of the government that will not result in direct or indirect physical changes in the environment and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines.

Thank You

Questions?



County Executive Office