



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: County Counsel
Department No.: 013
For Agenda Of: February 15, 2011
Placement: Administrative
Estimated Tme: -0-
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Dennis A. Marshall, County Counsel 568-2950
Director(s) Joseph E. Holland, Clerk-Recorder-Assessor 568-2558
Contact Info: Jerry F. Czuleger, Sr. Deputy County Counsel 568-2950
SUBJECT: **2010-2011 Biennial Amendments to the ‘Santa Barbara County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts’ (Single Code)**

County Counsel Concurrence

Yes

Auditor-Controller Concurrence

As to from: N/A

Other Concurrence:

N/A

Recommended Actions:

That the Board of Supervisors adopt by resolution the 2010-2011 Biennial Amendments to the ‘Santa Barbara County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts’ (Single Code). The 2010-2011 Biennial Amendments:

- Update the agencies/positions that are required to report and/or the disclosure categories for the public officials associated with the various County Agencies that are included in the Single Code.

Summary Text:

Every state and local government agency is required to adopt a “conflict of interest code”. Government Code Section 87300. A conflict of interest code designates the positions within an agency that “involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest” of the public official. Government Code Section 87302(a). The designated public officials must periodically disclose certain investments, interests in real property, sources of income, gifts, loans and business positions. The financial disclosures are compiled on Form 700 as required by the Fair Political Practices Act. Government Code Sections 81000 et.seq. Agencies

must amend their conflict of interest codes when necessary to add or delete positions and disclosure categories. Conflict of interest codes must be reviewed at least every two years.

On October 3, 1995, the Board of Supervisors directed the Clerk-Recorder-Assessor to adopt a conflict of interest code for county departments, commissions/boards/committees and dependent special districts, which became the "Santa Barbara County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts" (Single Code). (Resolution No. 95-450). The Single Code was adopted by the Clerk-Recorder-Assessor on December 5, 1995. The Single Code is intended to help ensure timely amendments and revisions. Additionally, all financial disclosure statements (Form 700's) are filed in the Office of the Clerk-Recorder-Assessor, which provides a central repository for public access. The Board of Supervisors is the "code reviewing body" for the Single Code. Government Code Section 87303.

The Board of Supervisors has approved several amendments to the Single Code, which have added and deleted agencies, and revised the list of designated positions and disclosure categories.

The 2010-2011 Biennial Amendments to the Single Code are summarized as follows:

- a) Exhibit No. C-2, the Human Services Commission for the purpose of revising the titles of existing positions;
- b) Exhibit No. C-3, the Santa Barbara County Housing and Community Development Department for the purpose designating new positions and revising the titles of existing positions;
- c) Exhibit No. C-4, the Santa Barbara County Laguna Sanitation District for the purpose of revising titles to existing positions;
- d) Exhibit No. C-6, the Santa Barbara County Department of Child Support Services for the purpose of revising the titles of existing positions;
- e) Exhibit No. C-11, the Santa Barbara County Clerk of the Board is deleted from Exhibit No. C-11 and this Exhibit will be left blank for future use. The Clerk of the Board of Supervisors is now a Division of the County Executive Office and is no longer a Department. As such, designated employees listed on Exhibit C-11 are no longer applicable. The position of Chief Deputy Clerk of the Board of Supervisors (Enterprise Leader Classification) is now included as a designated position in the County Executive Office.
- f) Exhibit No. C-12, the Santa Barbara County Clerk, Recorder and Assessor for the purpose of simplifying the existing classification titles, as well as, adding and deleting classifications;
- g) Exhibit No. C-13, the Santa Barbara County Counsel for the purpose of designating new positions;
- h) Exhibit No. C-15, the Santa Barbara County Employees' Retirement System is deleted from the Code and this Exhibit will be left blank for future use. The Santa Barbara County Employees' Retirement System has adopted its own separate conflicts of interest code.
- i) Exhibit No. C-16, the Santa Barbara County General Services Department for the purpose of revising the titles of existing positions and deleting titles to positions that have been abolished;

- j) Exhibit No. C-17, the Santa Barbara County Public Health Department for the purpose of revising the titles of existing positions and deleting titles to positions that have been abolished;
- k) Exhibit No. C-20, the Santa Barbara County Alcohol Drug and Mental Health Services for the purpose of revising disclosure categories, revising the titles of existing positions and deleting titles to positions that have been abolished;
- l) Exhibit No. C-21, the Santa Barbara County Executive Office for the purpose of designating new positions, deleting positions that manage public investments, revising the titles of existing positions and deleting titles to positions that have been abolished;
- m) Exhibit No. C-24, the Santa Barbara County Parks Department for the purpose of revising the titles of existing positions;
- n) Exhibit No. C-25, the Santa Barbara County Human Resources Department for the purpose designating new positions and deleting duplicate positions;
- o) Exhibit No. C-27, the Santa Barbara County Planning and Development Department for the purpose designating new positions and deleting abolished positions;
- p) Exhibit No. C-28, the Santa Barbara County Probation Department for the purpose of revising the titles of existing positions;
- q) Exhibit No. C-30-A, the Santa Barbara County Public Works Department for the purpose of revising the titles of existing positions;
- r) Exhibit No. C-30-B, the Santa Barbara County Flood Control & Water Conservation District for the purpose of revising the titles of existing positions;
- s) Exhibit No. C-30-C, the Santa Barbara County Water Agency for the purpose of revising the titles of existing positions;
- t) Exhibit No. C-31-A, the Santa Barbara County Sheriff/Coroner Department for the purpose designating new positions;
- u) Exhibit No. C-31-B, the Santa Barbara County Fire Department for the purpose of deleting a position that now reports on Exhibit C-21 (County Executive Office);
- v) Exhibit No. C-32, the Santa Barbara County Social Services Department for the purpose designating new positions and deleting abolished positions;
- w) Exhibit No. C-34, the Redevelopment Agency of the County of Santa Barbara for the purpose of designating new positions, revising the titles of existing positions and deleting titles to positions that have been abolished;
- x) Exhibit No. C-36, the In-Home Care Network, Santa Barbara County for the purpose of revising the titles of existing positions;
- y) Exhibit No. C-37, the Workforce Investment Board for the purpose of revising the titles of existing positions;

All other provisions of the Single Code that are not addressed in these amendments remain in effect.

Performance Measure: N/A

Fiscal and Facilities Impacts: N/A

Special Instructions:

Clerk to send copies of fully executed resolution and minutes approving the County Clerk-Recorder-Assessor's amendment of the Single Code to:

- Jerry F. Czuleger, Sr. Deputy County Counsel;
- Sheila Hess, Elections Supervisor, Office of the County Clerk-Recorder-Assessor.

Attachments:

Resolution with 2010-2011 Biennial Amendments to the Single Code

Authored by:

Jerry F. Czuleger, Sr. Deputy County Counsel