



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: Clerk, Recorder and Assessor
Department No.: 062
For Agenda Of: 10/04/2016
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Joseph E. Holland, County Clerk, Recorder and Assessor
Director(s)
Contact Info: Sheila Hess 696-8975 / Renee Bischof 969-8963
SUBJECT: Major Revisions and 2015-2016 Biennial Review of the ‘Santa Barbara County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts’

County Counsel Concurrence

As to form: Yes

Other Concurrence: **Select_Other**

As to form: No

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors, as the Code Reviewing Body:

- a. Approve by resolution the attached Major Revisions of the “Santa Barbara County Single Comprehensive Conflict of Interest Code” for County Departments, Commission/Boards/Committees and Dependent Special Districts (“Single Code”). (See Attachment A);
- b. Approve by resolution the attached 2015-2016 Biennial Amendments to the Single Code. (See Attachment C); and
- c. Determine that the above action is an organization or administrative activity of the government that is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

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 make of decision which may foreseeably have a material effect on any financial interest” of the public official. Government Code Section 87301(a). The designated public officials must periodically disclose certain investments, interests in real property, sources of income,

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gifts, loans and business positions. The financial disclosures are compiled on Form 700 as required by the Political Reform Act. Government Code Sections 81000 et.seq. The Fair Political Practices Commission (“FPPC”) is the State agency charged with the enforcement of the Political Reform Act.

Agencies must amend their conflict of interest code when necessary to add or delete positions and disclosure categories. At a minimum, the Political Reform Act requires every local government agency to review its conflict of interest code biennially. A conflict of interest code specifies the financial interests that must be disclosed on the Form 700 of each designated public official.

The County Board of Supervisors is the “code reviewing body” for County Agencies, Commissions/Boards/Committees’ and Dependent Special Districts and any other local government agency whose jurisdiction is solely within the county. Government Code Section 82011. A conflict of interest code is not effective, until it is approved by the code reviewing body,

The Single Code, which is administered by the Clerk, Recorder and Assessor, covers County Departments, Commissions/Boards/Committees and Dependent Special Districts. The Clerk, Recorder and Assessor has adopted major revisions to the terms and the disclosure categories of the Single Code, and is seeking Board approval of these revisions. (See, Attachment A)

For your reference I have attached the current Single Code that was approved on December 5th, 1995. There have been no amendments to the body of the Single Code, nor to the disclosure categories, since that date. (See, Attachment B)

As part of the biennial review process, each member agency has reviewed the Single Code, and where necessary, has revised their designated positions and assigned disclosure categories. These changes have been adopted by the Clerk, Recorder and Assessor, and are being presented to the Board for approval, as well. (See, Attachment C).

The Surf Development Company, Inc.; and the Surf Enterprises and Surf Solar Company are being removed from the Single Code because they have their own standalone Conflict of Interest Code.

Background:

On October 3, 1995, the Board of Supervisors directed the Clerk, Recorder and Assessor to adopt a conflict of interest code for county department, commissions/boards/committees and dependent special districts. (Resolution NO. 95-450). The “Santa Barbara County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts” (“Single Code”) was adopted by the Clerk, Recorder and Assessor on December 5, 1995. The Single Code is intended to help ensure timely amendments and the coordinated filing of financial disclosure statements. The financial disclosure statements (Form 700’s) are filed in the Office of the Clerk, Recorder and Assessor; this provides a central repository for public access. The Board of Supervisors is the “code reviewing body” for the Single Code; amendments are not effective until approved by the Board. Government Code Section 87303.

A. MAJOR REVISIONS OF THE SINGLE CODE

As part of the Biennial Review, the Clerk, Recorder and Assessor made major revisions to the Single Code. First, the body of the Single Code was revised using plain language suggested by the FPPC.

Second, the disclosure categories were revised to help facilitate disclosure of only the financial interests impacted by the duties of a given position. For instance, the categories are more defined so that an Appraiser in the Assessor's Office, would be required to only file interests in real property. In many cases, the previous Single Code required the designated position's to over disclose.

The Clerk, Recorder and Assessor requests the Board, as the Code Reviewing Body, to approve these major revisions of the Single Code, contained in Attachment A.

B. THE 2015-2016 BIENNIAL AMENDMENTS OF THE SINGLE CODE.

All agencies covered by the Single Code ("Code Agencies"), as part of the 2015-2016 Biennial review process, have reviewed their list of designated positions, to insure it includes all positions that are involved in making or participating in the making of decisions, which may have a material effect on any of their financial interests. The Code Agencies, as needed, reclassified, added and deleted positions or deleted positions that are no longer needed due to departmental restructuring. Additionally, they assigned the new disclosure categories to each designated position.

- a) The Clerk, Recorder and Assessor requests the Board, as the Code Reviewing Body, to approve the 2015-2016 Biennial Amendments of the Single Code, contained in Attachment B. The 2015-2016 Biennial Amendments are summarized below: Exhibit C-1, the Agricultural Commission/Sealer of Weights and Measures, Cooperative Extension, University of California is amended by removing the "Cooperative Extension, University of California" from their agency name as it is no longer considered part of the Agricultural Commission/Sealer of Weights and Measure Department. Reassigned Disclosure Categories based on the revised Single Code.
- b) Exhibit C-2, the Agricultural Preserve Advisory Committee is amended by removing "County Counsel" and "Agricultural Representative, Alternate", and adding "and Alternate" to each of the remaining designated positions. Reassigned Disclosure Categories based on the revised Single Code.
- c) Exhibit C-3, the Alcohol, Drug and Mental Health Services Department is amended by changing the agency name to "Behavior Wellness Department". Reassigned Disclosure Categories based on the revised Single Code.
- d) Exhibit C-4, the Assessment Appeals Boards is amended by reassigning Disclosure Categories based on the revised Single Code.
- e) Exhibit C-5, the Auditor-Controller is amended by adding "Chief Deputy Controller" and "Division Chief of Advanced & Specialty Accounting". Reassigned Disclosure Categories based on the revised Single Code.
- f) Exhibit C-6/A, the Central Board of Architectural Review is amended by reassigning Disclosure Categories based on the revised Single Code.
- g) Exhibit C-6/B, the Montecito Bar of architectural Review is amended by reassigning Disclosure Categories based on the revised Single Code.

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- h) Exhibit C-6/C, the North Board of Architectural Review is amended by reassigning Disclosure Categories based on the revised Single Code.
- i) Exhibit C-6/D, the South Board of Architectural Review is amended by reassigning Disclosure Categories based on the revised Single Code.
- j) Exhibit C-7, the Child Support Services is amended by reclassifying the “Program/Business Leader – General” to “Business Manager”; and “Team/Project Leader – General” to “CSO Manager”. Reassigned Disclosure Categories based on the revised Single Code.
- k) Exhibit C-8, the Civil Service Commission is amended by reassigning Disclosure Categories based on the revised Single Code.
- l) Exhibit C-9, the Clerk, Recorder and Assessor is amended by reclassifying the “Enterprise Leader” to “Assessment Managers” and removing the following positions: “Mapping/GIS Supervisor”; “Program/Business Leader”; “Team/Project Leader”; “Administrative Office Professional”; “EDP System & Program Analyst”; “Mapping/GIS Technician”; “Mapping/GIS Analyst”; “Computer Systems Specialist”; “EDP Office Automation Specialist”; “Financial Office Professional”; “Department Business Specialist”; and “Financial Systems Analyst”. Reassigned Disclosure Categories based on the revised Single Code.
- m) Exhibit C-10, the Community Services Department has multiple covered agencies/divisions. The Community Services Administration is amended by adding the following positions: “Department Business Specialist I or II”; “Team/Project Leader”; and “Chief Curator/Visual Arts Coordinator”. The Parks Division is amended by reclassifying “Program and Project Business Leader” to “Program and Project Business Leader – Capital Projects Manager”; adding “Program and Project Business Leader – Business Manager”; and removing “Planner III”. The Housing & Community Development Division is amended by reclassifying “Manager emPowerSBC Program” to “Manager Energy and Sustainability Initiatives”; and adding “Department Business Specialist I & II”. Reassigned Disclosure Categories based on the revised Single Code.
- n) Exhibit C-11, the County Counsel is amended by reassigning Disclosure Categories based on the revised Single Code.
- o) Exhibit C-12, the District Attorney is amended by removing “District Attorney” who is covered under Government Code 87200; and removing “Chief Trial Deputy” and reclassifying “DP Manager Department” to “Information Technology Departmental Manager”. Reassigned Disclosure Categories based on the revised Single Code.
- p) Exhibit C-13, the Executive Office is amended by reclassifying “Business Manger III” to “Business Manager”; removing “Assistant to the County Executive Officer”; and adding “Public Information Officer” and “Deputy County Executive Officer”. Reassigned Disclosure Categories based on the revised Single Code.
- q) Exhibit C-14, the Finance Corporation, Inc. is amended by reassigning Disclosure Categories based on the revised Single Code.
- r) Exhibit C-15, the Fire Department is amended by removing “Assistant Fire Marshal” and “Air and Wildland Battalion Chief” and adding “Chief Financial Officer”. Reassigned Disclosure Categories based on the revised Single Code.

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- s) Exhibit C-16, the Children and Families Commission is amended by removing “Administrative Office Professional III Overseeing Funding Allocation”. Reassigned Disclosure Categories based on the revised Single Code.
- t) Exhibit C-17, the Fish and Game Commission is amended by changing the name to “Fish & Wildlife Commission” and reclassifying “Members of the Santa Barbara Fish & Game Commission” to “Members of the Santa Barbara County Fish & Wildlife Commission”. Reassigned Disclosure Categories based on the revised Single Code.
- u) Exhibit C-18, the Flood Control and Water Conservation District is amended by removing “Members of the Board of Directors” which is made up of the Board of Supervisors and therefore covered under Government Code 87200. Reassigned Disclosure Categories based on the revised Single Code.
- v) Exhibit C-19, the General Services Department is amended by removing the following positions: “Administrative Leader – General”; “Buyer”; “Department Business Specialist”; “Enterprise Leader – General”; “Program/Business Leader – General”; “Real Property Agent”; “Shop Supervisor”; and “Team/Project Leader – General”; and adding the following: “Department Business Specialist – Purchasing”; “Department Business Specialist – Facilities”; “Building Maintenance Supervisor”; “Team Project Leader – Facilities”; “Program Business Leader – ICT”; “Program Business Leader – Finance”; “Program Business Leader – Purchasing”; “Program Business Leader – Vehicle”; “Program Business Leader – Facilities”; “Program Business Leader – Real Property”; “Program Business Leader – Capital Projects”; “Team Project Leader – Energy”; “Team Project Leader – Capital Projects”; “Team Project Leader – Real Property”; and “Team Project Leader – ICT”. Reassigned Disclosure Categories based on the revised Single Code.
- w) Exhibit C-20, the Historic Landmarks Advisory Committee is amended by reassigning Disclosure Categories based on the revised Single Code.
- x) Exhibit C-21, the County Executive Office/Human Resources Division is amended by reclassifying “Assistant Department Leader – HR Director” to “Assistant Department Leader – Executive”; removing “Enterprise Leader – Assistant to the HR Director”; and adding “Administrative Leader – Recruitment” and “Team Project Leader – General”. Reassigned Disclosure Categories based on the revised Single Code.
- y) Exhibit C-22, the Human Services Commission is amended by reassigning Disclosure Categories based on the revised Single Code.
- z) Exhibit C-23, the Indian Gaming Local Community Benefit Committee is amended by reassigning Disclosure Categories based on the revised Single Code.
- aa) Exhibit C-24, the In-Home Care Network – Public Authority is amended by removing “Members of the Board of Director” which is made up of the Board of Supervisors and therefore covered under Government Code 87200; and adding “Program/Business Leader – Public Authority Director”. Reassigned Disclosure Categories based on the revised Single Code.
- bb) Exhibit C-25, the Laguna Sanitation is amended by removing the “Members of the Board of Directors which is made up of the Board of Supervisors and therefore covered under Government Code 87200. Reassigned Disclosure Categories based on the revised Single Code.

- cc) Exhibit C-26, the “Oversight Board of the Successor Agency to the former County of Santa Barbara Redevelopment Agency” is amended by reassigning Disclosure Categories based on the revised Single Code.
- dd) Exhibit C-27, the Planning & Development Department is amended by removing the following positions: “Administrative Office Professional, Expert”; “Computer Systems Specialist I/II”; “Electronic Data Processing Systems and Programming Analyst I/II”; “Electronic Data Processing Systems and Programming Analyst, Sr.”; and “Agricultural Land Use Planner”. Reassigned Disclosure Categories based on the revised Single Code.
- ee) Exhibit C- 28, the Probation Department is amended by reassigning Disclosure Categories based on the revised Single Code.
- ff) Exhibit C-29, the Public Defender is amended by reassigning Disclosure Categories based on the revised Single Code.
- gg) Exhibit C-30, the Public Health Department is amended by removing “Program/Bus Leader – Physician” and adding the following positions: “Staff Physician (Designated Health Officer Only)”; “Environmental Health Specialist”; “Environmental Health Specialist, Senior”; “Hazardous Material Specialist”; “Hazardous Materials Specialist, Supervisor”; “Animal Control Officer, Supervisor”; “Community Outreach Coordinator, Animal Health”; and “Team/Project Leader – General, Animal Health”. Reassigned Disclosure Categories based on the revised Single Code.
- hh) Exhibit C-31, the Public Works Department is amended by removing “Members of the Board of Directors” which is made up by the Board of Supervisors and therefore covered under Government Code 87200 and reassigning Disclosure Categories based on the revised Single Code.
- ii) Exhibit C-32, the Sheriff’s Office is amended by reassigning Disclosure Categories based on the revised Single Code.
- jj) Exhibit C-33, the Social Services Department is amended by reclassifying “Team Project Leader” to “Team Project Leader – Community Networks”; “Department Business Specialist (CalWORKS/WTW)” to “Department Business Specialist (CalWORKS/WTW/Child Care)”; and “Department Business Specialist (Children & Adult)” to “Department Business Specialist (Child Welfare Services)”; and adding the following positions: “Team Project Leader – Operations Support & Special Projects Manager”; “Program Business Leader – General (Child Welfare Services)”; “Program Business Leader – General (Operations Manager)” and “Department Business Specialist (Adult In-Home Supportive Services)”. Reassigned Disclosure Categories based on the revised Single Code.
- kk) Exhibit C-34, the Surf Development Company, Inc. has been removed from the Single Code because they have their own standalone Conflict of Interest Code. .
- ll) Exhibit C-35, the “Surf Enterprises and Surf Solar Company” has been removed from the Single Code because they have their own standalone Conflict of Interest Code. .
- mm) Exhibit C-36, the Treasurer-Tax Collector-Public Administrator has been amended by reclassifying “Investment/Debt Manager (Assistant Department Leader)” to “Chief Investment Officer (Assistant Department Leader)”. Reassigned Disclosure Categories based on the revised Single Code.

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- nn) Exhibit C-37, the Water Agency is amended by removing “Members of the Board of Directors” which is made up of the Board of Supervisors and therefore covered under Government Code 87200; and adding “Team/Project Leader – General”. Reassigned Disclosure Categories based on the revised Single Code.
- oo) Exhibit C-38, the Workforce Development Board has been amended by reclassifying “Workforce Investment Board Members” to “Workforce Development Board Members”; and “Enterprise Leader” to “Enterprise Leader – General”. Reassigned Disclosure Categories based on the revised Single Code.
- pp) Exhibit C-39, the Community Corrections Partnership is amended by reassigning Disclosure Categories based on the revised Single Code.
- qq) Exhibit C-40, the Juvenile Justice Coordinating Council is amended by reassigning Disclosure Categories based on the revised Single Code.

Special Instructions:

Please forward a copy of the minute order reflecting the Board’s action to the Elections Division, Attn: Sheila Hess

Attachments:

Attachment A – Revised Santa Barbara County Single Comprehensive Conflict of Interest Code (Single Code)

Attachment B – Current version of the Santa Barbara County Single Comprehensive Conflict of Interest Code (Single Code) as approved in 1995.

Attachment C – 2015 – 2016 Biennial Review submission from County Departments, Commissions/Boards/Committees and Dependent Special Districts.

Authored by: Sheila Hess/Renee Bischof

cc: Heather McCaslin, Joe Holland