



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

Submitted on:
(COB Stamp)

Department Name: County Executive Office
Department No.: 012
For Agenda Of: 9/12/06
Placement: Set Hearing
Estimate Time: 1/2 hr on 9/26/06
Continued Item: NO
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Michael F. Brown, County Executive Officer
Contact Info: Jim Laponis, Deputy County Executive Officer, 568-3400
SUBJECT: Adoption of a Code of Ethics for County Officials and Board Appointees

County Counsel Concurrence:

As to form/legality: Yes No N/A

Auditor-Controller Concurrence:

As to form: Yes No N/A

Recommended Action(s):

That the Board of Supervisors:

- A. Set a hearing on the departmental agenda for September 26, 2006 to discuss and adopt a Code of Ethics for County Officials and Board Appointees.
- B. Conduct a hearing on September 26, 2006 (estimated twenty minutes) to:
 1. Adopt the attached Resolution Establishing a Code of Ethics for County Officials and Board Appointees.
 2. Direct the County Executive Office to distribute the Code of Ethics to all affected persons including, but not limited to, individuals subject to the statutory public officials' ethics training.

Summary:

A Code of Ethics would provide guidance to County public officials regarding standards of conduct while performing their public duties. The National Association of Counties' (NACO) Code of Ethics, attached, and incorporated within the accompanying resolution, is one model that the Board of Supervisors may wish to adopt. A Code of Ethics, if adopted, would apply to all County elected and appointed officials as well as all individuals appointed by the Board of Supervisors to County boards, commissions, committees and special districts such as the Board of Directors of the seven cemetery districts. The Ethical Principles espoused in the Code of Ethics complement the training curriculum relating to public service and ethics law that is currently provided to members of the Board of Supervisors, all County elected officials and several County board, commission and committee members.

Background:

On June 20, 2006, the Board of Supervisors approved ethics training for certain County officials as required by California Government Code §53234-53235.2, which stipulates that local government officials take two hours of ethics training every two years. On August 8, 2006, the Board of Supervisors adopted responses to a Civil Grand Jury report on Water and Cemetery Districts, which contained a recommendation that the County Supervisors should have a written policy on what constitutes misconduct in, and triggers removal of, board members of independent special districts with appointed boards. The Board responded that it would consider adopting the National Association of Counties' (NACO) Code of Ethics or a similar code of ethics during calendar year 2006. Other cities and counties throughout the country have passed legislation adopting an ethics code and/or policy. Locally, cities with ethics policies include Goleta, Santa Maria, San Luis Obispo and Ventura County.

Fiscal and Facilities Impacts:

There are no fiscal or facility impacts associated with adopting a Code of Ethics for County Officials and Board Appointees.

Budgeted: Yes No

Fiscal Analysis:

Staffing Impact(s):

Legal Positions:

0

FTEs:

0

Special Instructions:

Attachments: (list all)

National Association of Counties (NACO) Code of Ethics for County Officials
Resolution Establishing a Code of Ethics for County Officials and Board Appointees

Authored by:

Sharon Friedrichsen, Project Manager, CEO

CC:

County Elected Officials

Department Directors

Impacted Board, Commission, Committee Members and Board of Directors of Special Districts

Department Director Liasons with Impacted Boards, Commissions, Committees and Special Districts

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA ESTABLISHING A CODE OF ETHICS FOR COUNTY OFFICIALS AND BOARD APPOINTEES

WHEREAS, Santa Barbara County is committed to ensuring the highest standards of conduct by and among County officials and by and among the individuals County officials appoint to boards, commissions, committees and special districts in the performance of public duties; and,

WHEREAS, a Code of Ethics promulgates ethical principles that serve as guidelines to assist County officials and Board appointees regarding standards of conduct in their decision-making and policy-setting; and,

WHEREAS, the following Code of Ethics has been adapted from the National Association of Counties' (NACO) Code of Ethics for County Officials to apply to the County of Santa Barbara and is hereby referenced as the "County of Santa Barbara Code of Ethics for County Officials and Board Appointees", and states:

The ethical County official should:

1. Properly administer the affairs of the County;
2. Promote decisions which only benefit the public interest;
3. Actively promote public confidence in County government;
4. Keep safe all funds and other properties of the County;
5. Conduct and perform the duties of the office diligently and promptly dispose of the business of the County;
6. Maintain a positive image to pass constant public scrutiny;
7. Evaluate all decisions so that the best service or product is obtained at a minimal cost without sacrificing quality and fiscal responsibility;
8. Inject the prestige of the office into everyday dealings with the public employees and associates;
9. Maintain a respectful attitude toward employees, other public officials, colleagues and associates;
10. Effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interest of the County; and
11. Faithfully comply with all laws and regulations applicable to the County and impartially apply them to everyone.

The ethical county official should not:

1. Engage in outside interests that are not compatible with the impartial and objective performance of his or her duties;
2. Improperly influence or attempt to influence other officials to act in his or her own benefit; or ,
3. Accept anything of value from any source which is offered to influence his or her action as a public official.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Santa Barbara as follows:

1. The County of Santa Barbara endorses the ethical principles espoused in the National Association of Counties' Code of Ethics for County Officials and, based on these principles, establishes the "County of Santa Barbara Code of Ethics for County Officials and Board Appointees".
2. The Code of Ethics is effective immediately and is applicable to all County elected and appointed officials and Board appointees to boards, commissions, committees and special districts.
3. The Code of Ethics will be distributed to all County elected and appointed officials and Board appointees to boards, commissions, committees and special districts as well as to attendees at the County's statutory public officials' ethics training.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 26th day of September, 2006, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Joni Gray
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By _____
Deputy Clerk

Approved as to Form:
Stephen Shane Stark
County Counsel

Approved as to Form:
Robert W. Geis
Auditor-Controller

By _____
Deputy County Counsel

By _____
Deputy Auditor-Controller