

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



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

**Agenda Number:**  
**Prepared on:** 06/0706  
**Department Name:** CEO  
**Department No.:** 990  
**Agenda Date:** 06/06/06  
**Placement:** Admin  
**Estimate Time:** 1/2 Hour on 06/20/06  
**Continued Item:** No  
**If Yes, date from:**

---

**TO:** Board of Supervisors

**FROM:** Michael F. Brown, County Executive Officer  
Stephen Shane Stark, County Counsel

**STAFF CONTACT:** Jim Laponis, Deputy County Executive Officer (568-3404)

**SUBJECT:** Required Ethics Training for Certain County Officials

---

## Recommendation:

That the Board of Supervisors:

Set June 20, 2006, as the date to consider recommendations regarding ethics training requirements as follows:

- A. Receive and file a report on statutory public officials' ethics training requirements.
- B. Determine that the County will administer and pay the cost of the ethics training for those County elected officials, board, commission, and committee members required to take the training under current law.
- C. Direct the County Executive Officer and County Counsel to provide live ethics training in both Santa Maria and Santa Barbara
- D. Direct the CEO to identify a source of funding for on-line ethics training from an outside provider.

## Alignment with Board Strategic Plan:

These recommendations are primarily aligned with: 1) An efficient government able to anticipate and respond effectively to the needs of the community, and 2) A strong, professionally managed County organization.

## **Executive Summary and Discussion:**

### Background

Effective January 1<sup>st</sup>, 2006, California certain local agency officials are required by California Government Code § 53234-53235.2 to take two hours of ethics training related to their public service every two years. Incumbent officials must complete their first training by January 1<sup>st</sup>, 2007. Impacted officials who are newly elected or appointed after January 1<sup>st</sup>, 2006, are required to complete the training within one year of their first date of service. The State Legislature is currently considering clean-up legislation exempting elected officials who are leaving office in January 2007, from the training.

Officials affected by this law are any members of a local agency legislative body including boards, commissions, and committees created by charter, ordinance, resolution, or formal action of a legislative body or any elected local official who receives compensation, salary, stipend or reimbursement for expenses. (Basically, any member of a body subject to the Brown Act who receives compensation, including reimbursement, is required to take the training.) It also applies to any employee designated by a local agency legislative body (i.e. Board of Supervisors) to receive training. An official who serves on multiple committees needs to take the training only once.

The training must cover general ethics principles relating to public service and ethics laws. Ethics laws are defined as including:

- Laws related to personal financial gain by public officials (including bribery and conflict-of-interest laws).
- Laws related to office-holder perks, including gifts and travel restrictions, personal and political use of public resources and prohibitions against gifts of public funds.
- Governmental transparency laws, including financial disclosure requirements and open government laws (the Brown Act and Public Records Act).
- Laws related to fair processes, including fair contracting requirements, common law bias requirements and due process.

When local agency officials receive the training, they are to be given a certificate as proof of completion. Copies of these certificates must be provided to the agency's custodian of records and maintained as public records subject to disclosure to the media, the public and others for at least five years. The new law gives the Attorney General and Fair Political Practices Commission a consulting role on course content.

### County Public Officials' Ethics Training

The ethics training requirement affects all members of the Board of Supervisors and all County elected officials as well as several County board, commission, and committee members. Currently, the County Executive and County Counsel's Offices together offer ethics training as a part of the County's Public Service Training for members of boards, commissions, and committees appointed by the Board. The training is held yearly, and is recommended to be expanded to meet the new statutory requirements related to ethics. This year's training is currently scheduled on July 13th, 2006, concurrently at the Santa Barbara and Santa Maria Board of Supervisors' hearing rooms via video link.

The other ethics training method recommended is the on-line training by the Institute for Local Government (ILG), a non-profit arm of the League of California Cities. It costs \$50 per person for two one-hour sessions that include tests. On-line training would allow those who cannot attend the CEO/County Counsel Public Service Training to take the training at their convenience which would facilitate 100% compliance with the law.

Staff would ensure training is made available, monitored, and tracked for the following list of 272 elected officials, board, commission, and committee members that are subject to ethics training under the new law:

- i. Advisory Board on Alcohol and Drug Problems (20 Members)
- ii. Affirmative Action Commission (13 Members)
- iii. Assessment Appeals Board I (Five Members)
- iv. Assessment Appeals Board II (Five Members)
- v. Auditor-Controller
- vi. Board of Supervisors (Five Members)
- vii. Central Coast Commission Area Agency on Aging (12 Members)
- viii. Central County Board of Architectural Review (Seven Members)
- ix. Civil Service Commission (Three Members)
- x. Clerk-Recorder-Assessor
- xi. Commission for Women (14 Members)
- xii. Community Action Committee (Nine Members)
- xiii. District Attorney
- xiv. First Five, Children and Families Commission (12 Members)
- xv. Fish and Game Commission (12 Members)
- xvi. Historic Landmarks Advisory Committee (11 Members)
- xvii. Housing Authority Board of Commissioners (Seven Members)
- xviii. Human Relations Commission (14 Members)
- xix. Human Services Commission (15 Members)
- xx. In-Home Support Services Authority Advisory Committee (11 Members)
- xxi. Juvenile Justice Delinquency Prevention Commission (10 Members)
- xxii. Local Agency Formation Commission (LAFCO) (10 Members, Three Members from Board of Supervisors, Seven Public Members)
- xxiii. Mental Health Commission (15 Members)
- xxiv. North County Board of Architectural Review (Six Members)
- xxv. Parks Commission (Five Members)
- xxvi. Planning Commission (Five Members)
- xxvii. Retirement Board of the Santa Barbara County Employees Retirement System (Seven Members)
- xxviii. Regional Health Authority (10 Members)
- xxix. Santa Barbara County Finance Corporation, Inc. (Five Members)
- xxx. Sheriff
- xxxi. South County Board of Architectural Review (Six Members)
- xxxii. Telecommunications Review Committee
- xxxiii. Tobacco Settlement Advisory Committee (Eight Members)
- xxxiv. Treasurer-Tax Collector
- xxxv. Veterans' Services Advisory Committee (Eight Members)

Although, technically, the statute places responsibility for taking and paying for the required training with each individual impacted, it is recommended that the County provide, track, and pay the cost of training. The Assistant County Executive Officer/Human Resources Director is currently developing an additional ethics training program curriculum for executives and managers. That training would also cover areas of ethics determined appropriate for management level employees. When the program is developed, it will be brought to the Board with appropriate recommendations for implementation.

**Mandates and Service Levels:**

Public officials' ethics training for certain County officials is mandated by state law (GC § 53234-53235.2). The recommendations contained in the report would implement the mandate.

**Fiscal and Facilities Impacts:**

There is a potential initial cost in FY 2005-06 / 2006-07 of up to \$13,600 (if all 272 public officials take the on-line training) as well as yearly recurring costs for each new and continuing participant to stay current on the requirement. In addition, there would be an undetermined cost of staff time to track and record training completion. There would also be minor facilities impacts to store certificates of participation/completion for five years for each participant in a central record keeping space, accessible to the media upon request.

cc: County Elected Officials  
Department Directors  
Impacted Board, Commission, and Committee Members  
Department Director Liaisons with Impacted Boards, Commissions, and Committees  
Susan Paul, Assistant CEO/HR Director