

**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: 9/1/05
Department: County Counsel
Budget Unit: 0710
Agenda Date: 9/20/05
Placement: Administrative
Estimate Time: -0-
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Shane Stark, County Counsel
Joseph E. Holland, Clerk-Recorder-Assessor

STAFF CONTACT: Rick Sanchez, Sr. Deputy County Counsel, 2950

SUBJECT: Amendment to the Santa Barbara County Single Comprehensive Conflict of Interest Code for County "Local Agencies" (Single Code)

Recommendations for action to be taken in the following sequential order:

- A. That the County of Santa Barbara Board of Supervisors (Board of Supervisors) set October 4, 2005, as the date for public hearing for the Board of Supervisors to consider and approve proposed Amendment No. 12 to the Santa Barbara County Single Comprehensive Conflict of Interest Code for County "Local Agencies" (Single Code) referenced in Item B below.
- B. That the Board of Supervisors approve proposed Amendment No. 12 to the Single Code adopted by the Santa Barbara County Clerk-Recorder-Assessor (Clerk-Recorder) for agencies specified in Resolution No. 95-450, as amended.

Alignment with Board Strategic Plan:

Law and Business Necessity: The recommendation is primarily aligned with actions required by law or business necessity.

Executive Summary and Discussion:

On October 3, 1995, the Board of Supervisors adopted Resolution No. 95-450 that provides for the adoption of the Single Code for those county departments, commissions and dependent special districts identified in the resolution. Thereafter, the Board of Supervisors made several amendments to Resolution No. 95-450 by adding and deleting agencies subject to the Single Code.

In order to implement Resolution No. 95-450, the Clerk-Recorder adopted the Single Code, on December 5, 1995, and the Board of Supervisors approved the Single Code on December 19, 1995. Thereafter, the Board of Supervisors approved Amendments Nos. 1 through 11 to the Single Code that were adopted by the Clerk-Recorder.

The Clerk-Recorder adopted Amendment No. 12 to the Single Code on September __, 2005. Amendment No. 12 is effective when approved by the Board of Supervisors.

Amendment No. 12, as adopted by the Clerk-Recorder, revises exhibits in the Single Code for each respective agency listed below in the following manner:

(1) Revises and amends the following exhibits, which set forth designated positions and disclosure categories for designated positions, in the current Single Code to reflect personnel or agency name changes for each listed agency:

- a) Exhibit No. C-9 (Designated Positions) for the Santa Barbara County Auditor-Controller;
- b) Exhibit No. C-17 (Designated Positions) for the Santa Barbara County Public Health Department;
- c) Exhibit No. C-29 (Designated Positions) for the Santa Barbara County Public Defender.

Mandates and Service Levels:

Direction by the Board of Supervisors will not change the program or service levels.

Fiscal and Facilities Impacts:

Direction by Board of Supervisors will not cause a facility or fiscal impact.

Special Instructions:

Please forward a copy of the executed documents and minute order to Rick Sanchez, Sr. Deputy County Counsel, 2950.

Concurrence:

The following departments concur:

- (1) Auditor-Controller
- (2) Public Health Department
- (3) Public Defender



SANTA BARBARA COUNTY SINGLE COMPREHENSIVE
CONFLICT OF INTEREST CODE
ADOPTED BY THE
SANTA BARBARA COUNTY-CLERK-RECORDER-ASSESSOR
FOR LOCAL AGENCIES IN
SANTA BARBARA COUNTY RESOLUTION NO. 95-450,
AS AMENDED

Approved by the Santa Barbara County
Board of Supervisors:
(i) On March 22, 2005,
effective March 22, 2005; and
(ii) Revised on October 4, 2005, and
Revisions Effective October 4, 2005.

AMENDMENT NO. 12
TO THE SANTA BARBARA COUNTY
SINGLE COMPREHENSIVE CONFLICT OF INTEREST CODE
FOR LOCAL AGENCIES SPECIFIED
IN SANTA BARBARA COUNTY RESOLUTION NO. 95-450,
AS AMENDED

(1) The Political Reform Act, Government Code § 81000 et seq., provides that state and local agencies adopt and amend, as circumstances require, and promulgate conflict of interest codes.

(2) The Fair Political Practices Commission adopted a regulation, title 2 of the California Code of Regulations § 18730, which contains the terms for a model standard conflict of interest code (hereinafter "Standard Code"), which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendment to the Political Reform Act after public notice and hearings.

(3) Pursuant to Santa Barbara County Resolution No. 95-450, as amended, which authorizes the Santa Barbara County Clerk-Recorder-Assessor (Clerk-Recorder) to adopt a single comprehensive conflict of interest code for those agencies identified in said resolution, the Clerk-Recorder has previously on December 5, 1995, adopted the Model Standard Code by incorporation by reference of the terms of title 2, Cal. Code of Regs., § 18730, attached hereto as Exhibit D, and any amendments to it duly adopted by the Fair Political Practices Commission, as the Single Comprehensive Conflict of Interest Code for Local Agencies Identified in Santa Barbara County Resolution No. 95-450, as amended, and hereinafter referred to as the "Single Code".

(4) The following exhibits that set forth designated positions and the disclosure categories for the designated positions, attached hereto as Exhibits C-9, C-17 and C-29, hereby amend in their entirety the corresponding exhibits marked as Exhibits C-9, C-17 and C-29 in the series C Exhibits of said Single Code:

Exhibit No. C-9 (Designated Positions) for the Santa Barbara County Auditor-Controller;

Exhibit No. C-17 (Designated Positions) for the Santa Barbara County Public Health Department;

Exhibit No. C-29 (Designated Positions) for the Santa Barbara County Public Defender.

(5) The other provisions of the Single Code that are not covered by Paragraph 4 of this amendment remain in full force and effect.

(6) Pursuant to section 4 of the Standard Code, designated employees who are identified in the series C Exhibits attached to the Single Code shall file original statements of economic interest

with the Elections Division of the Office of the Clerk-Recorder at 130 E. Victoria Street, Santa Barbara, California, or at such other location as is hereinafter designated by the Clerk-Recorder.

Adopted this _____ day of September 2005.

Joseph E. Holland
Clerk-Recorder

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EXHIBIT C-9 (Designated Positions)

SANTA BARBARA COUNTY AUDITOR-CONTROLLER

<u>Designated Employee Positions:</u>	<u>Disclosure Categories for Positions:</u>
<p>Persons occupying the following positions are “designated employees”* and must disclose financial interest in those categories described in Exhibit “B: Standard Disclosure Categories” of Santa Barbara County Resolution No. 95-450, as amended. The term “local agency” as used in said Exhibit B shall mean for purposes of this Exhibit C-9 the Santa Barbara County Auditor-Controller</p>	
<p>Positions:</p>	
<ol style="list-style-type: none">1. Auditor-Controller2. Assistant Auditor-Controller3. Financial Systems Analyst Advising the Department of Housing and Community Development	<p>1, 2, 3, 4, 5 1, 2, 3, 4, 5 1, 2, 3, 4, 5</p>

*A “designated employee” is anyone within the above-mentioned agency who is an officer, employee, member or consultant who is designated in the code because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest. (Government Code § 82019.)

The term “designated employee” does not include any officer identified in Government Code § 87200, i.e., members of planning commissions, members of the board of supervisors, district attorneys, county counsels, county treasurers, chief administrative officers and other public officials who manage public investments.

EXHIBIT C-17 (Designated Positions)

SANTA BARBARA COUNTY PUBLIC HEALTH DEPARTMENT

<u>Designated Employee Positions:</u>	<u>Disclosure Categories for Positions:</u>
<p>Persons occupying the following positions are “designated employees”* and must disclose financial interest in those categories described in Exhibit “B: Standard Disclosure Categories” of Santa Barbara County Resolution No. 95-450, as amended. The term “local agency” as used in said Exhibit B shall mean for purposes of this Exhibit C-17 the Santa Barbara County Public Health Department</p>	
<p>Positions:</p>	
<p>1. Public Health Director/Health Officer (1)</p>	<p>1, 2, 3, 4, 5</p>
<p>2. Public Health Deputy Director (3)</p>	<p>1, 2, 3, 4, 5</p>
<p>3. Medical Director (1)</p>	<p>1, 2, 3, 4, 5</p>
<p>4. Chief Financial Officer (1)</p>	<p>1, 2, 3, 4, 5</p>
<p>5. Data Processing Manager, Departmental, Senior (1)</p>	<p>1, 2, 3, 4, 5</p>
<p>6. Planning & Special Programs Manager (1)</p>	<p>1, 2, 3, 4, 5</p>
<p>7. Human Services Program Administrator (1)</p>	<p>1, 2, 3, 4, 5</p>
<p>8. Animal Services Director (1)</p>	<p>1, 2, 3, 4, 5</p>
<p>9. Environmental Health Program Manager Director (1)</p>	<p>1, 2, 3, 4, 5</p>
<p>10. Environmental Health Specialist, Supervisor (3)</p>	<p>1, 2, 3, 4, 5</p>
<p>11. Deputy Health Officer/Deputy Medical Director (2)</p>	<p>1, 2, 3, 4, 5</p>
<p>12. Deputy Medical Services Manager (1)</p>	<p>1, 2, 3, 4, 5</p>
<p>13. Human Resources Manager, Departmental (1)</p>	<p>1, 2, 3, 4, 5</p>

*A “designated employee” is anyone within the above-mentioned agency who is an officer, employee, member or consultant who is designated in the code because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest. (Government Code § 82019.)

The term “designated employee” does not include any officer identified in Government Code § 87200, i.e., members of planning commissions, members of the board of supervisors,

EXHIBIT C-17 (Designated Positions)

Agency: SANTA BARBARA COUNTY PUBLIC HEALTH DEPARTMENT

Continued

district attorneys, county counsels, county treasurers, chief administrative officers and other public officials who manage public investments.

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EXHIBIT No. C-29 (Designated Positions)

Santa Barbara County Public Defender

<u>Designated Employee Positions:</u>	<u>Disclosure Categories for Positions:</u>
<p>Persons occupying the following positions are “designated employees”* and must disclose financial interest in those categories described in Exhibit “B: Standard Disclosure Categories” of Santa Barbara County Resolution No. 95-450, as amended. The term “local agency” as used in said Exhibit B shall mean for purposes of this Exhibit C-29 the Santa Barbara County Public Defender</p>	
<p>Positions:</p>	
<p>Public Defender</p>	<p>1, 2, 3, 4, 5</p>

*A “designated employee” is anyone within the above-mentioned agency who is an officer, employee, member or consultant who is designated in the code because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest. (Government Code § 82019.)

The term “designated employee” does not include any officer identified in Government Code § 87200, i.e., members of planning commissions, members of the board of supervisors, district attorneys, county counsels, county treasurers, chief administrative officers and other public officials who manage public investments.