



**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:
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s) Joseph E. Holland, County Clerk Recorder and Assessor
Contact Info: Sheila Hess 696-8975 / Renee Bischof 696-8963
SUBJECT: Approve adding the Community Corrections Partnership to the Santa Barbara
County Single Comprehensive Conflict of Interest Code for County Departments,
Commissions/Boards/Committees

County Counsel Concurrence:

As to form: ☒ Yes ☐ No ☐ N/A

Other Concurrence: N/A

As to form: ☐ Yes ☐ No ☒ N/A

Auditor-Controller Concurrence:

As to form: ☐ Yes ☐ No ☒ N/A

Recommended Action(s):

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

- a. Approve the attached resolution that approves the addition of the Community Corrections Partnership to 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 – Board Resolution); and
- b. Determine that the above action is an organizational or administrative activity of 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 'decision making' 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 Political Reform Act. Government Code Sections 81000 et.seq. Agencies must amend their conflict of interest codes

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when necessary to add or delete positions and disclosure categories. Conflict of interest codes must be reviewed at least every two years. Amendments are not effective until approved by the “code reviewing body”.

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. (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-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-Assessor; this provides a central repository for public access.

The Single Code has been periodically amended by adding and/or deleting agencies, and by revising the list of designated positions and the required disclosure categories. The Board of Supervisors is the “code reviewing body” for the Single Code. Government Code Section 87303.

The Community Corrections Partnership (“CCP”) was established in 2011, as an advisory body to the Board of Supervisors, pursuant to the Public Safety Realignment Act of 2011 (“Act”). The Act transferred responsibility for specified lower level inmates and parolees from the California Department of Corrections and Rehabilitation to counties. The CCP is responsible for developing a plan to implement the Act.

Typically, an advisory body, such as the CCP would not be required to adopt a conflict of interest code. However, an advisory body may evolve into a “decision making” body and be required to adopt a conflict of interest code, if over an extended period of time, it makes substantive recommendations that have been regularly approved without significant amendment or modification by the agency it is advisory to. 2 CCR 18700(c)(2).

Over time some of CCP’s substantive recommendations have been regularly approved without significant amendment or modification by the Board of Supervisors. On October 2, 2015, in compliance with the Political Reform Act, the CCP took action to create a conflict of interest code by designating covered positions, identifying corresponding disclosure categories and by requesting that it be included in the Single Code.

The Clerk-Recorder-Assessor received the CCP request and has amended the Single Code by adding the CCP as a member. The Clerk-Recorder-Assessor requests that the Board approve this amendment as the Code Reviewing Body. (See Attachment B – Action by Clerk-Recorder-Assessor).

All other provisions of the Single Code that are not addressed in this amendment remain in effect.

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Fiscal and Facilities Impacts:

Budgeted: ☒ Yes ☐ No

Special Instructions:

Please forward a copy of the minute order reflecting the Board's action to the Elections Division, Attn: Sheila Hess, and to Melanie Davis, Clerk of the CCP.

Attachments:

Attachment A – Board Resolution approving the addition of the CCP to the Single Code.

Attachment B – Action by Clerk-Recorder-Assessor adding the CCP to the Single Code

cc: Billie Alvarez, Renee Bischof,
Guadalupe Rabago, Chief Probation Officer