



Legislation Text

File #: 20-1582, **Version:** 1

County Counsel recommending the Board adopt and authorize the Chair to sign Resolution **192-2020**, adopting a revised County Conflict of Interest Code and rescinds Resolution 246-2018.

FUNDING: N/A

DISCUSSION / BACKGROUND

State law requires that each local public agency adopt its own local conflict of interest code, which must contain certain specified provisions, including a designation of specific employment positions with the public entity that make decisions which may have an effect on economic interests, and a description of the type of economic interest each designated employee must disclose on his or her statement of economic interest. To help identify potential conflicts of interest, the law requires public officials and employees holding designated positions in a conflict of interest code to report their financial interests on a form called Statement of Economic Interests (Form 700).

In order to simplify the process for local public entities, state law permits a local public entity to adopt a particular state regulation, Title 2, California Code of Regulations (2 CCR) §18730, as its conflict of interest code, and attach to it an appendix of designated employees and an appendix of disclosure categories for each of the designated employees. The incorporation of the state regulation into a county's code means that the code is automatically updated if the regulation is changed in the future. The County uses this process and has adopted the state regulation as the County's conflict of interest code.

To ensure the conflict of interest code remains current and accurate, each local public agency is required to review its conflict of interest code biennially in even-numbered years. As part of the updating process, the County Elections Department asked each Department Head to review the current list of designated employees in his or her department, and to indicate whether the list should be changed to take into account positions that have been eliminated, added, or revised, or a change in job duties for positions that no longer make or participate in making governmental decisions since the County's Conflict of Interest Code was last adopted in 2018. Each Department Head was also asked to review the disclosure categories for each designated employee in their department and to advise if the disclosure category should be changed. The attached Resolution incorporates the changes requested by the Department Heads.

Attached hereto are the following:

- (1) a proposed Resolution which adopts the revised conflict of interest code, (Attachment A)
- (2) the revised Appendix of Designated Positions and Disclosure Categories, (Attachment B) and
- (3) a copy of the state FPPC regulation that the code incorporates, 2 CCR §18730, updated to include the latest changes. (Attachment C).

ALTERNATIVES

If the Board does not approve the updated conflict of interest code, the county will be governed by its former adopted code that does not reflect changes to the designated positions and disclosure categories.

PRIOR BOARD ACTION

On December 11, 2018, Legistar item # 18-1821, the Board adopted and authorized the Chair to sign Resolution No. 246-2018, which adopted a revised County Conflict of Interest Code and rescinded Resolution No. 194-2016.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

N/A

CLERK OF THE BOARD FOLLOW UP ACTIONS

Board adoption of the attached Resolution enacts the revised code. No further action of the Board is necessary. The Elections Department will circulate the appropriate disclosure forms to the affected employees.

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

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