

Orange Countywide Oversight Board

August 7, 2018

Agenda Item No. 6

To: Oversight Board Members

Recommended Action:

Approve resolution adopting conflict of interest code.

As a newly-established governmental body, the Orange Countywide Oversight Board does not have a Conflict of Interest Code specifying the disclosure categories for Statement of Interest (Form 700) filers.

This resolution would establish the Conflict of Interest Code for the Orange Countywide Oversight Board.

Adoption of this resolution would also enable Oversight Board Members to file their Form 700 Annual Statement electronically each Spring.

Resolution No. 18-_____

A RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD
ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act of 1974, Government Code Section 81000 et. seq. (“the Act”), requires a local government agency to adopt a Conflict of Interest Code pursuant to the Act; and

WHEREAS, the Orange Countywide Oversight Board has not previously adopted a Conflict of Interest Code; and

WHEREAS, amendments to the Act have in the past and foreseeably will in the future require conforming amendments to be made to the Conflict of Interest Code; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, Title 2, California Code of Regulations, Section 18730, which contains terms for a standard model Conflict of Interest Code, which, together with amendments thereto, may be adopted by public agencies and incorporated by reference to save public agencies time and money by minimizing the actions required of such agencies to keep their codes in conformity with the Political Reform Act.

NOW THEREFORE, BE IT RESOLVED:

Section 1. The terms of Title 2, California Code of Regulations, Section 18730 (Attachment A) and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, together with Exhibits A and B in which members and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Orange Countywide Oversight Board.

Section 2. The Filing Official is hereby authorized to forward a copy of this Resolution to the Clerk of the Orange County Board of Supervisors for review and approval by the Orange County Board of Supervisors as required by California Government Code Section 87303.

ATTACHMENT A

CONFLICT OF INTEREST CODE FOR THE ORANGE COUNTYWIDE OVERSIGHT BOARD

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 18730) which contains the terms of a standard Conflict of Interest Code, which may be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Orange Countywide Oversight Board.

Designated employees shall file statements of economic interests with the Orange Countywide Oversight Board Political Reform Act Filing Officer, the Orange County Auditor-Controller, who will make the statements available for public inspection and reproduction (Government Code Section 81008).

Upon receipt of the statements of a Board Member, the Board's Filing Officer shall make and retain a copy and forward the original of these statements to the Clerk of the Orange County Board of Supervisors as the Filing Officer for these designated positions.

Statements for all other designated employees will be retained by the Board's Filing Officer.

Conflict of Interest Code EXHIBIT A

Agency: Orange Countywide Oversight Board

Position	Disclosure Category	Files With
Board Member	OC-01	COB
Counsel	OC-30	Agency
Consultant	OC-30	Agency

Disclosure Descriptions

EXHIBIT B

Agency: Orange Countywide Oversight Board

Disclosure Category	Disclosure Description
OC-01	All interests in real property in Orange County, the authority or the District as applicable, as well as investments, business positions and sources of income (including gifts, loans and travel payments).
OC-30	Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest category in the code subject to the following limitation: The Auditor-Controller may determine that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure required. The determination of disclosure is a public record and shall be filed with the Form 700 and retained by the Filing Officer for public inspection.