



Children & Families
Commission of Orange County

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Agenda Item No. 1

CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

May 7, 2008 Meeting

DATE: May 7, 2008

TO: Children and Families Commission of Orange County

FROM: Michael M. Ruane, Executive Director

SUBJECT: Conflict of Interest Code Biennial Review

SUMMARY:

Pursuant to the California Government Code, every local agency must adopt a Conflict of Interest Code, and must update it as specified. The Board of Supervisors is the Code-Reviewing Body for County boards and commissions, and for approximately 90 independent boards and commissions, including the Children and Families Commission of Orange County.

The responsibilities of the Code-Reviewing Body include the review and approval of local agency conflict of interest codes, and code amendments. The Code-Reviewing Body is also required to send notice to all local agencies by July 1 of each even-numbered year to review their conflict of interest codes and submit amendments if changes in the code are necessitated by changed circumstances. By statute, changes must be submitted to the Code-Reviewing Body by October 1 of the same year.

Shortly, the Clerk of the Board of Supervisors will distribute the prescribed notice instructing each agency to review its code and add, delete or modify designated positions and disclosure categories. The list of Designated Positions has been updated and includes the Commission's three standing committees, all required staff positions, and consultant rosters. The updated list of Designated positions and Resolution (Attachment 1) has been reviewed and approved by General Counsel, and will be filed with the Board of Supervisors after adoption by your Commission.

Amending the Commission's Conflict of Interest Code as proposed will not require designated filers to resubmit Statements of Economic Interest already filed on April 1, 2008 for calendar year 2007.

STRATEGIC PLAN & FISCAL SUMMARY:

The recommended actions have been specifically reviewed in relation to the Commission's Strategic Plan and are consistent with applicable outcome goals. There is no funding request associated with this item.

PRIOR COMMISSION ACTION:

On September 6, 2006, the Commission approved the amended Conflict of Interest Code for the 2006 Conflict of Interest Code Biennial Review.

RECOMMENDED ACTIONS:

1. Adopt Resolution (Attachment 1) approving the amended Conflict of Interest Code.
2. Direct the Clerk of the Commission to forward a copy of the adopted Resolution to the Clerk of the Board of Supervisors.

Attachment:

1. Resolution approving amended Conflict of Interest Code

Contact: Steve Kozak, COO

CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY

RESOLUTION NO. 08-___ C&FC

May 7, 2008

**A RESOLUTION OF THE CHILDREN AND FAMILIES
COMMISSION OF ORANGE COUNTY AMENDING THE
CONFLICT OF INTEREST CODE EXHIBIT A AS
REQUESTED BY THE CLERK OF THE BOARD OF
SUPERVISORS**

WHEREAS, pursuant to the Political Reform Act of 1974, California Government Code Section 81000, *et seq.*, ("PRA") the Commission adopted its Conflict of Interest Code by resolution in September 1999; and

WHEREAS, by resolutions on October 4, 1999, December 6, 2000, January 2, 2002, February 5, 2003, December 1, 2004, December 7, 2005, September 6, 2006, and May 2, 2007, the Commission amended its Conflict of Interest Code to adopt the Fair Political Practices Commission ("FPPC") Model Code, to list designated Commission officials who are subject to the Conflict of Interest Code as set forth in Exhibit A to the Code, and to establish disclosure categories for those designated positions; and

WHEREAS, the Commission Conflict of Interest Code enumerates the designated positions within the agency which involve participation in the making of decisions which may foreseeably have a material financial affect on a personal financial interest of an incumbent official, specifies the disclosure category, (that is which financial interests may be affected by the official's decisions,) and requires all such interests to be disclosed by such officials; and

WHEREAS, the Commission Conflict of Interest Code Exhibit A lists as designated positions all Commissioners, certain designated employees, members of the Technical Advisory Committee, members of the Pediatric Health Services Committee, members of the Investment Oversight Committee, Commission Counsel, and consultants, subject to certain limitations, who are all required to provide full disclosure pursuant to the broadest disclosure category in the PRA; and

WHEREAS, the Clerk of the Board of Supervisors, on behalf of the Code-Reviewing Body, has requested all County and non-County boards and commissions to review and revise their codes, if appropriate, and to identify on Exhibit A the Reporting Schedules that their respective designated employees are required to complete; and

WHEREAS, the Commission desires to amend Exhibit A of the Commission Conflict of Interest Code.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

Section 1. Recitals Incorporated. The Commission finds and determines the foregoing Recitals are true and correct and are a substantive part of this Resolution.

Section 2. Exhibit A, List of Designated Positions. Exhibit A to the Commission Conflict of Interest Code is hereby amended to include the reporting of real property interests and to identify the reporting schedules associated with each disclosure category.

Section 3. Amended Exhibit A Attached. Exhibit A to the Commission Conflict of Interest Code, as amended by this Resolution, is attached to this resolution as Exhibit A and is fully incorporated by this reference. The Commission Conflict of Interest Code hereby includes Exhibit A, as amended, as a part thereof.

Section 4. Filings by Designated Officials. The designated positions set forth in Exhibit A shall file statements of economic interest with the Commission Clerk, who serves as the designated filing officer for the Commission under the Conflict of Interest Code. The Commission Clerk shall make the statements available for public inspection and copying. Upon receipt of the statements of economic interest, the Commission Clerk shall make and retain copies and forward the originals of these statements to the Clerk of the Orange County Board of Supervisors.

Section 5. Certification of Resolution. The Clerk of the Commission shall certify to the adoption of this Resolution.

Section 6. Forward of Resolution to Board of Supervisors. The Commission Clerk is hereby directed to forward a copy of this Resolution to the Clerk of the Orange County Board of Supervisors as required by California Government Code Section 87303.

The foregoing resolution was passed and adopted by the following vote of the Children and Families Commission of Orange County on _____, 20____ to wit:

AYES Commissioners:

NOES: Commissioner(s):

EXCUSED: Commissioner(s):

ABSTAINED:Commissioner(s):

CHAIRMAN

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, DARLENE J. BLOOM, clerk of the Children and Families Commission of Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Commission and that the above and foregoing Resolution was duly and regularly adopted by the Children and Families Commission of Orange County.

IN WITNESS WHEREOF, I have hereto set my hand and seal.

DARLENE J. BLOOM
Clerk of the Commission, Children and Families Commission
of Orange County, County of Orange, State of California

Resolution NO.: _____ C&FC

Agenda Date: _____, 20____

Item No.: _____

I certify that the foregoing is a true and correct copy of the Resolution adopted by the

DARLENE J. BLOOM, Clerk of the Commission,

By: _____
Deputy

**CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY
CONFLICT OF INTEREST CODE
LIST OF DESIGNATED POSITIONS**

<u>Designated Positions</u>	<u>Disclosure Category</u>	<u>Schedules Associated</u>
Commissioners	1	All
Alternate Commissioners	1	All
Members of the Commission Technical Advisory Committee	1	All
Members of the Commission Pediatric Health Services Committee	1	All
Members of the Commission Investment Oversight Committee	1	All
Commission Counsel	1	All
Commission Executive Director	1	All
Chief Operations Officer	1	All
Director of External Affairs	1	All
Director of Finance	1	All
Financial Manager	1	All
Director of Program Development & Evaluation	1	All
Director of Contract Administration	1	All
Director of Program Operations	1	All
Program Officer	1	All
Administrative Manager / Program Management & Evaluation	1	All
Administrative Manager – Contracts	1	All
Consultants (*See Note below)	1*	All

***Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:**

The Executive Director of the Commission (or the Commission, as requested by the Executive Director) may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties or provide certain services that are limited in scope, term of service, or amount of compensation and that do not involve direct participation in the making of decision(s) which may foreseeably have a material financial effect on a personal financial interest, and thus such consultant is not required to comply with the disclosure requirements set forth herein. Such written determination by the Executive Director (or, as applicable, the Commission) shall explain the basic reason(s) for excluding a particular consultant. The Executive Director's (or, as applicable, the Commission's) determination is a public record and shall be retained for public inspection by the Commission filing officer with an information copy provided to the Commissioners.

**CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY
CONFLICT OF INTEREST CODE
DISCLOSURE CATEGORIES**

Designated Employees in Disclosure Category 1 Must Report:

All investments in, business positions with, or income received from entities or individuals engaged in the direct or indirect provision of early development services to or for children. As used herein, "early development services" means the services, which the Commission is required by statute to promote, support and improve. All investments in real property in Orange County.

Designated Employees in Disclosure Category 2 Must Report:

All investments in, business positions with, or income received from entities doing business in Orange County.