



BOARD OF DIRECTORS

Agenda Report

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File #: 2021-2034

Agenda Date: 1/26/2022

Agenda Item No: 5.

FROM: James D. Herberg, General Manager
Originator: Kelly A. Lore, Clerk of the Board

SUBJECT:

2022 CONFLICT OF INTEREST CODE

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Adopt Resolution No. OC SAN 22-04 entitled, "A Resolution of the Board of Directors of Orange County Sanitation District adopting a Conflict of Interest Code which supersedes all prior Conflict of Interest Codes and amendments previously adopted".

BACKGROUND

The Political Reform Act requires that every local agency review its Conflict of Interest Code biennially (which brings forth the review and amendment in 2022). The last biennial review was completed with a formal amendment to the Orange County Sanitation District's Conflict of Interest Code in August 2020. Staff is proposing this amendment to reflect an addition to those designated employees that are required to file statements of economic interests.

RELEVANT STANDARDS

- Political Reform Act, Government Code Sections 81000, et seq.
- California Government Code Sections 87300-87306
- Fair Political Practices Commission (2 Cal. Code of Regs. Section 18100, et seq.)

PROBLEM

During the last budget cycle, positions were added, reclassified, or eliminated. These positions are required to file statements of economic interests and the updated Conflict of Interest Code must be adopted.

PROPOSED SOLUTION

Staff recommends that the Board of Directors adopt the draft 2022 Conflict of Interest Code which reflect the following changes:

- Addition of the following new positions: Environmental Services Manager, Principal Environmental Specialist, and Principal Information Technology Analyst.

If approved by the Board, the newly approved code will be forwarded to the Orange County Board of Supervisors for review and approval, as required by California Government Code Section 87303.

TIMING CONCERNS

The changes in position control have taken place and should not wait until a future meeting.

RAMIFICATIONS OF NOT TAKING ACTION

Non-compliance with state law.

PRIOR COMMITTEE/BOARD ACTIONS

August 2020 - Board of Directors amended the Conflict of Interest Code and approved Resolution No. OCSD 20-08.

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- Resolution No. OC SAN 22-04
- 2022 Draft Conflict of Interest Code