



Agenda Report

File #: 2019-666, **Version:** 1

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

SUBJECT:

2019 CONFLICT OF INTEREST CODE

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

Adopt Resolution No. OCSD 19-XX 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 last biennial review, and formal amendment, to the Orange County Sanitation District's Conflict of Interest Code was completed in April 2018. Although the Political Reform Act requires that every local agency review its Conflict of Interest Code biennially (which would bring forth the next amendment in 2020), staff is proposing this new amendment in order to reflect the current positions of 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 and due to reorganization of the agency, several positions have been 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 updated 2019 Conflict of Interest Code to reflect the following changes:

- Addition of the following new positions: Administration Manager, Administration Supervisor, Cost Estimator, Lead Source Control Inspector, Principal Buyer, and Principal Public Affairs Specialist
- Addition of Assistant Clerk of the Board (deletion of Deputy Clerk of the Board)
- Addition of Environmental Supervisor (deletion of Laboratory Supervisor)
- Addition of Purchasing and Contracts Manager (deletion of Contracts and Purchasing Manager)
- Deletion of the following eliminated positions: Facilities Manager, Information Technology Manager, and Senior Construction Inspection Supervisor

If approved by the Board, the newly approved code will be forwarded to the County of Orange for amendment approval.

TIMING CONCERNS

The changes in position control have taken place and therefore cannot wait until a future meeting.

RAMIFICATIONS OF NOT TAKING ACTION

Non-compliance with state law.

PRIOR COMMITTEE/BOARD ACTIONS

April 2018 - Board of Directors amended the Conflict of Interest Code and approved Resolution No. OCSD 18-04.

ATTACHMENT

The following attachment(s) are included in hard copy and may also be viewed on-line at the OCSD website (www.ocsd.com) with the complete agenda package:

- Resolution No. OCSD 19-XX
- 2019 DRAFT Conflict of Interest Code