



County of San Mateo

Inter-Departmental Correspondence

Department: ASSESSOR-COUNTY CLERK-
RECORDER-ELECTIONS
File #: 23-30

Board Meeting Date: 1/17/2023

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Mark Church, Assessor-County Clerk-Recorder & Chief Elections Officer
Subject: Conflict of Interest Codes for San Mateo County Departments, School Districts, Special Districts, Boards and Commissions, and other Public Agencies

RECOMMENDATION:

Adopt a resolution approving amendments to the Conflict of Interest Codes for select San Mateo County Departments, School Districts, Special Districts, Boards and Commissions, and other public agencies.

BACKGROUND:

State law requires each local public agency to adopt a Conflict of Interest Code designating employees, members, and consultants who must file annual conflict of interest statements. The Board of Supervisors, as the code-reviewing body for all local agencies in San Mateo County, except for cities and city agencies, must approve each such local agency's Conflict of Interest Code.

Every two years, state law requires the County Clerk to notify each local agency that the agency must review its Conflict of Interest Code to address any changed circumstances. If the agency determines that it needs to modify the Code to add or delete a position or duties described, or any other changes or modifications, it must submit an amended Code to the Board of Supervisors for review and approval.

In addition, when a new County Department is established, the County's Conflict of Interest Code must be amended to include adoption of the new Department's Conflict of Interest Code setting forth its designated positions required to file Statements of Economic Interests ("Form 700") and the disclosure categories specifying the required disclosure interests (e.g., income, investments, business positions, real property) for such designated positions.

Finally, the County's Conflict of Interest Code, as it pertains to the County's Boards and Commissions, was adopted on February 26, 2008, and has been amended from time to time to reflect the addition and deletion of various County Board and Commissions.

DISCUSSION:

The attached amendments reflect the changes to existing Conflict of Interest Codes for County Departments and other public agencies in the County that have amended their respective Codes.

Further, during the current review cycle, the County's Department of Public Safety Communications, Department of Agriculture/Weights & Measures, Office of Sustainability, and Department of Emergency Management all became stand-alone County Departments. The Board of Supervisors previously amended the County's Conflict of Interest Code on September 13, 2022 to include adoption of the Department of Public Safety Communications' Conflict of Interest Code, and it is recommended that the County's Conflict of Interest Code be further amended to include adoption of the Conflict of Interest Codes for the County's Department of Agriculture/Weights & Measures, Office of Sustainability, and Department of Emergency Management.

It is also recommended that the County's Conflict of Interest Code, as it pertains to Boards and Commissions, be amended to include the San Mateo County Arts Commission.

Those occupying designated positions in newly-adopted Conflict of Interest Codes (the Department of Agriculture/Weights & Measures, Office of Sustainability, Department of Emergency Management, and Arts Commission) will be required to file a Form 700 within 30 days of adoption by the Board of Supervisors and then file a Form 700 each subsequent year, upon leaving office, and should they be removed from the list of filing officers. All Form 700s for the newly-adopted Conflict of Interest Codes will be filed with the designated filing official, who shall make and retain a copy of and forward the original to the County Clerk, the filing officer.

The County Attorney's Office has reviewed and approved the Resolution as to form.

FISCAL IMPACT:

There is no fiscal impact.