

MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

November 9, 2016

**Amendment to Item 40**

On January 12, 2016, the Board deliberated on the co-authored motion by Supervisors Mark Ridley-Thomas and Hilda Solis entitled: "Development and Composition of a Civilian Oversight Commission." The motion provided an overview of the recommendations of the Working Group and proposed revisions to certain provisions of the proposed ordinance submitted by the Working Group, among other things. On that day, the Board also considered and approved a number of amendments by me as well as Supervisors Kuehl and Knabe.

One of my amendments concerned the conflict of interest provision in the proposed ordinance (Section 3.79.080). The provision stated, *"The commission, working with County Counsel, shall develop a comprehensive conflict of interest policy and a code of conduct policy to be approved by the Board of Supervisors. Each commission member must sign conflict of interest and code of conduct statements certifying compliance."*

The Board unanimously approved my amendment which deleted the following words: *"The commission, working with."* By doing so, the Board members affirmed their desire to have this provision remain in the ordinance which serves our shared interest in advancing transparency, consistent with one of the primary reasons for establishing the Commission. It also expressed the Board's desire to approve said policies.

Inclusion of the conflict of interest provision in the Commission's ordinance is not unique or unprecedented. Examples include: 1) Policy Roundtable for Child Care and Development, Ordinance Section 3.75.050 – Conflict of Interest; 2) Employee Relations Commission, Ordinance Section 5.04.180 – Conflict of Interest; 3) HIV Commission, Ordinance Section 3.29.046 – Conflict of Interest; and, 4) Community Health Center Board, Ordinance Section 3.77.090 – Conflict of Interest.

MOTION

RIDLEY-THOMAS \_\_\_\_\_

KUEHL \_\_\_\_\_

KNABE \_\_\_\_\_

ANTONOVICH \_\_\_\_\_

SOLIS \_\_\_\_\_

Since the Civilian Oversight Commission is within the Board's Executive Office, it is appropriate for the Executive Officer, in consultation with County Counsel, to develop said policies, drawing upon existing county policies, including those used for the Citizen's Commission on Jail Violence as well as what is used in other jurisdictions where similar civilian oversight/advisory commissions exist.

I, THEREFORE, MOVE THAT the Board of Supervisors direct:

1. The Board's Executive Officer and County Counsel to develop a comprehensive conflict of interest policy and a code of conduct policy to be approved by the Board of Supervisors in two weeks. Each commission member must sign the conflict of interest and code of conduct statements certifying compliance; and,
2. County Counsel to add the following provision in the ordinance establishing the Civilian Oversight Commission: "The Board's Executive Officer and County Counsel shall develop a comprehensive conflict of interest policy and a code of conduct policy to be approved by the Board of Supervisors. Each commission member must sign the conflict of interest and code of conduct statements certifying compliance."

MDA:amp