



2020 ORANGE COUNTY CHARTER REVIEW COMMISSION (CRC)

Committee Summary Report

Ethics Concerning Lobbyists Committee

September 18, 2019
Comptroller's 4th Floor Conference Room
9:15 p.m.

Committee Members:

Lee Steinhauer, Chair
Camille Evans
Matthew Klein
Jeffrey Miller
Samuel Vilchez Santiago
Clifford Shepard, CRC Attorney
Jessica Vaupel, Assisting CRC as Staff
Anissa Mercado, Assisting CRC as Staff

The Ethics Concerning Lobbyists Committee meeting was held to further identify related issues and to address any member questions.

Public Comment

The following person addressed the committee: Eugene Stoccardo.

Updates by CRC Attorney

CRC Attorney Shepard provided remarks concerning the lobbyist/lobbying definitions memorandum he previously provided to the committee members. Member Miller thanked CRC Attorney Shepard for providing the memorandum as well as the chart of lobbying activities. Member Miller questioned what the committee was being asked to consider; were they being asked to consider a prohibition for lobbyists to serve on advisory boards or to strengthen or tighten the prohibited activities. Discussion ensued.

Committee Chair Steinhauer questioned whether provisions currently exist that relate to general conflicts of interest within the County. CRC Attorney Shepard explained prohibitions do exist, however, they apply to elected officials and not advisory boards, and further, explained that general prohibitions do exist that apply to lobbyists. Discussion ensued.

CRC Chair Evans referred to the public records request discussed by the members at the August 22, 2019 committee meeting. Ms. Vaupel advised the committee members that CRC staff requested the records from the County following the last committee meeting and is waiting to receive the requested records as they pertain to registered lobbyists serving in an appointed position within the County.

Member Miller asked whether present disclosure requirements exist, if you are lobbyist, before being appointed to an advisory board. CRC Attorney Shepard advised it is dependent upon the County's application process. Discussion ensued.

Member Steinhauer referred to the pros and cons list discussed by the members at the August 22, 2019 committee meeting. CRC Attorney Shepard contributed to the discussion. Member Miller questioned whether any other jurisdictions have adopted a Code of Ethics or any code regarding lobbyist participation. CRC Attorney Shepard advised he can post the question on an attorney forum regarding lobbyist participation within local governments.

Members Open Discussion

Member Miller provided remarks concerning lobbyist prohibition from advisory boards if no business concerning the lobbyist's activities comes before that particular board. Member Miller reiterated issues of transparency and disclosure and recommended the committee focus on those issues. Discussion ensued.

Member Vilchez Santiago suggested that the committee consider the recommendation to create an Ethics Commission. CRC Attorney Shepard recommended that the committee bring the topic back to the full CRC to either create a new committee or expand this committee to consider an Ethics Commission. Discussion ensued.

Motion/Second: Member Klein / Member Vilchez Santiago

AYE (roll call vote): CRC Chair Evans; Members Klein, Steinhauer, Miller and Vilchez Santiago

Action: The Ethics Concerning Lobbyists Committee approved placing a request on the next CRC agenda to enlarge the scope of the subcommittee to study an Ethics Commission.

Future Action Plan

CRC Attorney Shepard will survey local governments regarding lobbyist participation as well as request copies of resolutions establishing an Ethics Commission within their jurisdiction. CRC Attorney Shepard will provide the members with any responses.

Committee Chair Steinhauer will draft a written proposal, on behalf of the committee, to enlarge the scope of the committee to study an Ethics Commission.

The next scheduled committee meeting will be held on Thursday, October 10, 2019 at 9:15 a.m. Supporting materials, including the meeting notice, agenda, audio and summary report, may be found by visiting <https://www.occompt.com/clerk-of-the-bcc/charter-2020/meetings/>.