

**AMENDMENTS APPROVED BY THE  
2008 CHARTER REVIEW COMMISSION  
TO HAVE BALLOT LANGUAGE PREPARED IN DRAFT FORM**

**QUESTION #3**

**A. Introduction:** This section of the Final Report regarding Question #3 pertains to the Charter Review Commission's decision to place a question on the ballot that would codify some of the recommendations of the Orange County Task Force for Ethics and Campaign Finance Reform and Orange County Ordinance 2008-15, adopted by the Orange County Board of County Commissioners. The proposed Charter amendment provides for the adoption of a Local Code of Ethics that shall contain certain provisions including the disclosure of financial and business relationships, restrictions on gifts to the board of county commissioners, post-employment restrictions for certain employees and enforcement provisions.

**B. Ballot Proposal:** The ballot title and question for Question #3 are as follows:

**AMENDMENT REQUIRING A LOCAL CODE OF ETHICS  
AND DISCLOSURE OF BUSINESS AND FINANCIAL RELATIONSHIPS  
(14 words)**

Shall the Orange County Charter be amended to require that a Local Code of Ethics be adopted that, among other things, shall contain provisions requiring the disclosure of financial and business relationships by elected officials and certain county employees, restricting gifts to the Mayor and Board of County Commissioners, restricting post-County employment for certain employees, providing for enforcement provisions and providing that the board and certain employees attend annual educational sessions on ethics? (73 words)

\_\_\_\_\_ Yes

\_\_\_\_\_ No

**C. Text Revisions:** Section 707 of the Orange County Charter is amended to read as follows:

**Section 707 – Code of Ethics**

A. The Local Code of Ethics shall be construed and interpreted in such a way to protect the public's trust and to promote open and accountable government in Orange County. Preserving the public's trust shall be paramount in enforcing the Local Code of Ethics, and

it shall be interpreted consistent with the purposes and intent of the Local Code of Ethics.

- B. The Citizens of Orange County are entitled to a government that embraces best ethical practices and full disclosure of conflicts of interest involving County employees or elected officials. All votes of the board, and actions of the Mayor, the County Commissioners and County employees, shall be made or taken in the best interests of the citizens of Orange County, free of any undisclosed conflicts of interest.
- C. In order to provide a higher level of transparency and ethical conduct under charter government, the board shall adopt a Local Code of Ethics applicable to the board of county commissioners and to those employees required to file financial disclosure under state law or who participate in the county procurement process. Such code, though more stringent than general law, shall not place the board of county commissioners or county employees in conflict with the state ethics code, or any other provision of federal or state law, and at a minimum shall provide for:
1. additional financial and business relationship disclosure;
  2. restrictions on gifts to the board of county commissioners;
  3. under the auspices of an apparent conflict of interest concerning matters involving a prior business associate of any member of the board, disclosure and abstention from voting for a reasonable period of time following termination of the business associate relationship;
  4. approval by the board on development related matters ordinarily subject to final approval by county staff where the applicant or any person having a beneficial interest in the outcome of the matter is a business associate, family member, or employer of a member of the board;
  5. reasonable post-employment restrictions for employees; and
  6. subject to the attainment of the same type of confidentiality provisions available to the State Commission on Ethics under general law, an enforcement process to provide for due process, penalties, and appeals, all within a reasonable time frame.

Implementation of the provisions of this subsection shall be by ordinance adopted either prior to the effective date of this provision or by no later than January 1, 2010.

- D. The board of county commissioners and those employees required to file financial disclosure under state law or who participate in the county procurement process shall be required to attend at least

annual educational sessions on best ethical practices and current trends in ethics issues.

- E. The State Code of Ethics, as provided by general law, shall have full effect on all employees and officeholders under the charter government. Penalty for violation of the State Code of Ethics shall be as provided by general law.
- F. Any Local Code of Ethics adopted prior to the effective date of this section shall, if necessary, be amended so as to comply with the provisions of this section.