

ORANGE COUNTY REGISTER

Scope and cost of proposed O.C. ethics commission remain vague

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Voters are less than four months from deciding whether Orange County should create an ethics commission to police county officials, campaign donations and lobbyists, but the county's elected supervisors reiterated Tuesday that the cost and scope of the proposed body remain a mystery.

Unknown in the lead-up to the June 7 election is how often the commission would meet, whether its executive director would be full- or part-time and how much supporting staff the group would have.

Those uncertainties led Supervisor Michele Steel, who voted against the ballot measure's creation in November, to estimate the commission could have a five-person staff and cost the county upwards of \$1 million annually. But other supervisors balked at that price, instead envisioning a group costing much less, employees only part-time and working more during election cycles and less other times.

"There is a lot of time during the year and particularly in election years, that there is not going to be anything to do," said Supervisor Shawn Nelson, who recently signed the argument in support of the ethics measure. "You cannot attribute a bunch of benefited full-time positions to this effort. This would be bureaucracy gone haywire."

If the June ballot measure is approved, the county's five supervisors will each appoint an ethics commissioner and jointly appoint an executive director to assist that panel in investigating written complaints, tracking campaign contributions and providing quarterly reports. The commission would mostly oversee supervisors, seven other elected county officials, any candidates for those offices and local lobbyists interacting with those people.

Government watchdogs, unions and the Orange County Grand Jury have in recent years repeatedly called for the county to create an independent ethics panel similar to ones that already exist in Los Angeles, San Diego and San Francisco. But in 2013 and again in 2014, supervisors voted against creating that sort of commission, arguing it was redundant to the district attorney's office oversight required by the county's 1978 Time is Now, Clean Up Politics, or TINCUP, ordinance.

Shirley Grindle, who helped write TINCUP, disagreed, saying the county needed an independent watchdog group. And after Grindle announced plans in April to collect signatures for a ballot measure, supervisors decided to work collaboratively to pen the measure, forming a committee that helped create the upcoming June initiative.

Steel spurred Tuesday's discussion by asking the county's Auditor Controller to analyze how much the commission might cost the county. Voters have a right to know, she said.

But Supervisors Lisa Bartlett, Todd Spitzer and Nelson voted against that analysis, saying it would be misleading to guess the cost of a still-hazy ethics commission support staff.

“We don’t know (if staff will be) in house, outsourced, full-time or part-time,” Bartlett said, “and the numbers are dramatically different depending on the scenario.”

Representatives from other California ethics commissions did not immediately return phone calls asking why an oversight panel might warrant a large, small, part-time or full-time support staff.

When the Orange County Grand Jury in 2014 called for the county to create an ethics commission, it estimated the annual cost would be less than \$500,000.

“A staff of approximately three to five could hardly be called bureaucratic,” the grand jury wrote.

Grindle said she thinks the ethic commission should remain flexible. A full-time executive director might be warranted during the first few years, she said, in order to create the materials and classes required under the measure to educate candidates about campaign finance. But Grindle said a director might be needed only part-time after that.

Grindle doesn’t expect the ethics commission to meet often either.

“Over the last 20 years, there was probably only four to six times that I wished we had a commission,” she said. “Most candidates, when a violation is brought to their attention, it’s taken care immediately. And most of those are inadvertent acceptance of contributions over the (\$1,900) limit.”

But even with those few outliers as her motivator, Grindle said she still views an ethics commission as necessary.

“We need to get out of the mode of having county employees investigate county employees.”

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