
From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, July 15, 2014 3:30 PM
To: Sanchez, Rodzandra (COE)
Subject: Bianca Caviglia, Legislative Assistant, Commissioner Juan Zapata (Copnflct of Interest, Outside Employment) INQ 14-170

INQ 14-170

From: Caviglia, Bianca S. (DIST11)
Sent: Tuesday, July 15, 2014 2:05 PM
To: Centorino, Joseph (COE); Sanchez, Gerald (CAO)
Cc: Diaz-Greco, Gilma M. (COE)
Subject: RE: INQ- Bianca Caviglia, Legislative Assistant, Commissioner Juan Zapata (Copnflct of Interest, Outside Employment)

Thank you Mr. Centorino. I will follow your direction and remain disengaged from any participation or discussion on this item while it is being considered.

Bianca Caviglia

Director of Legislation and Policy
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Board of County Commissioners
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From: Centorino, Joseph (COE)
Sent: Tuesday, July 15, 2014 1:59 PM
To: Caviglia, Bianca S. (DIST11); Sanchez, Gerald (CAO)
Cc: Diaz-Greco, Gilma M. (COE)
Subject: INQ- Bianca Caviglia, Legislative Assistant, Commissioner Juan Zapata (Copnflct of Interest, Outside Employment)

Ms. Caviglia:

Assistant County Attorney Gerald Sanchez has inquired on your behalf concerning whether your position as Executive Director of a non-profit organization (Guitars Over Guns) would create a prohibited conflict of interest for you, where Guitar Over Guns is applying for County funding through a YEP grant administered through the County's Cultural Affairs Department. It is my understanding that you receive no compensation for your service as Executive Director of this organization.

The voting conflict provision of Section 2-11.1(d) of the County Ethics Code would prohibit you from voting on or participating in any matter involving Guns Over Guitars if you were a member of the County Commission because of your position as an officer of that organization and because its receipt of County funding would likely enhance you in some way. You are not covered by this provision since you are not a Commissioner, though your position does raise the same concern, particularly because of your position on a Commissioner's staff. Other provisions of the Code would not permit you to be involved in a matter in which you have financial interest. While your position may not actually involve a financial interest, my strong recommendation is that you refrain from participating in any way through your public position in any discussion or action concerning this organization. Your position as Executive Director would create a serious perception of impropriety if you were to do so.

Moreover, under Section 2-11.1(j) of the Code, you are prohibited from accepting outside employment which would impair your independence of judgment in the performance of your public duties. While your service as Executive Director of the organization is unpaid, the type of work you do for the organization is often compensated and could be considered outside employment. If this would involve some type of ongoing conflict with your public duties, you might not be able to continue in both positions. I do not find there to be such an ongoing conflict, where the organization's only connection to the County is its current application for funding. Therefore, if you were to completely disengage yourself from any participation or discussion on this item while it is being considered, I do not think that it is inappropriate for you to continue as CEO in the group.

Sincerely,

Joseph M. Centorino

Executive Director and General Counsel
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