

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

721A



**FROM:** County Counsel

**SUBMITTAL DATE:**  
December 4, 2013

**SUBJECT:** Approval of the Conflict of Interest Code of the Desert Healthcare District

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approves the Conflict of Interest Code submitted by Desert Healthcare District.


**BACKGROUND:**

**Summary**

Government Code section 87306.5 requires that all local agencies review their Conflict of Interest Code, and the listings of designated positions for employees who must disclose along with the types of disclosure required, and make appropriate amendments to each as required.

(Continued)

Departmental Concurrence

  
TAWNY V. LIEU, Deputy County  
Counsel for PAMELA J. WALLS,  
County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	

<b>SOURCE OF FUNDS:</b>	Budget Adjustment:	N/A
	For Fiscal Year:	N/A

**C.E.O. RECOMMENDATION:**

APPROVE

BY:   
Denise C. Harden

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: 11/30/10; 2.13 | District: 4 | Agenda Number:

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**FORM 11: Approval of Conflict of Interest Code of the Desert Healthcare District**

**DATE: December 4, 2013**

**PAGE: 2 of 2**

**BACKGROUND:**

**Summary (continued)**

Government Code Section 82011 identifies the Board of Supervisors for the County, within which a local government agency (as defined by Government Code Section 82041) is located. A local government agency, as defined by Government Code Section 82041, includes this type of entity.

The Desert Healthcare District recently revised its Conflict of Interest Code and has submitted it for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the revised code and has found that it complies with statutory requirements. It is recommended that the Board of Supervisors approve Desert Healthcare District's Conflict of Interest Code as revised and that the Clerk of the Board notify the Agency of the action taken.

**Impact on Citizens and Businesses**

N/A

**CONFLICT OF INTEREST CODE**  
**OF**  
**DESERT HEALTHCARE DISTRICT**

**CONFLICT OF INTEREST CODE  
OF  
DESERT HEALTHCARE DISTRICT  
  
(Amended September 24, 2013)**

The Political Reform Act of 1974 (Gov. Code, § 81000 et seq.) requires each state and local government agency to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs., § 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the **Desert Healthcare District** (the "**District**"). All officials and designated positions required to submit a statement of economic interests shall file statements with the **Secretary** of the Desert Healthcare District. Upon receipt of the statements of the members of the Board of Directors and the Chief Executive Officer, the **Secretary** shall make and retain copies and forward the originals of these statements to the Clerk of the Riverside County Board of Supervisors. The **Secretary** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

# APPENDIX

## CONFLICT OF INTEREST CODE OF DESERT HEALTHCARE DISTRICT (Amended September 24, 2013)

### EXHIBIT "A"

#### Officials Who Manage Public Investments

District officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Conflict of Interest Code, but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3).] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments:<sup>1</sup>

Members of the Board of Directors

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<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

**Designated Positions Governed by the Conflict of Interest Code**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Categories</u></b>
Chief Executive Officer	1, 2
Chief Financial Officer/Chief Operating Officer	1, 2
Chief Grants Officer	4, 5
Community Relations Director/Clerk of the Board	4, 5
General Counsel	1, 2
Program Manager	1, 2

**MEMBERS OF BOARDS,  
COMMITTEES & COMMISSIONS**

Program Committee	5
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Consultants and New Positions<sup>2</sup>

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<sup>2</sup> Individuals providing services as a Consultant defined in Regulation 18701 or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Chief Executive Officer may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

## EXHIBIT "B"

### Disclosure Categories

The disclosure categories listed below identify the types of economic interests that the Designated Position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup>

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, that do business in or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles, or equipment of a type purchased or leased by the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles, or equipment of a type purchased or leased by the Designated Position's department, unit or division.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a nonprofit organization, if the source is of the type to receive grants or other monies from or through the District.

FORM APPROVED COUNTY COUNSEL  
BY:  12-4-13  
TAWNY V. LIEW DATE

<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)