

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

309A



FROM: County Counsel

SUBMITTAL DATE:
December 30, 2015

SUBJECT: Approval of the Amendment of the Conflict of Interest Code of the Desert Healthcare District; District 4 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Amendment to the Conflict of Interest Code submitted by Desert Healthcare District; and
2. Direct the Clerk of the Board to notify Desert Healthcare District of the action taken.

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.

GREGORY P. PRIAMOS
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 | |
| SOURCE OF FUNDS: N/A | | | | Budget Adjustment: N/A | |
| | | | | For Fiscal Year: N/A | |

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: 12/17/2013; 2.8

District: 4

Agenda Number:

2-3

BACKGROUND:

Summary (continued)

Government Code Section 82011 identifies the Board of Supervisors for the County of Riverside as the code reviewing body for a local government agency within its county. A local government agency, as defined by Government Code Section 82041, includes Desert Healthcare District.

Desert Healthcare District recently revised its Conflict of Interest Code (appendix) and has submitted it to the Board of Supervisors as the code reviewing body.

This office has reviewed the revised Conflict of Interest Code (appendix) and has found that it complies with statutory requirements. A copy of Desert Healthcare District's revised Conflict of Interest Code and Appendix is attached.

It is recommended that the Board of Supervisors approve Desert Healthcare District's 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 December 15, 2015)**

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 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, Regulation 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 incorporation page, Regulation 18730 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 their statements with the **Director of Community Relations** as the District's Filing Officer. The **Director of Community Relations** shall make and retain a copy of all statements filed by members of the Board of Directors and the Chief Executive Officer, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The **Director of Community Relations** 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 December 15, 2015)

PART "A"

Officials Who Manage Public Investments

District officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, 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 investments¹:

Members of the Board of Directors

¹ 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

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|--|-------------------------------------|
| 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 |
| Controller | 3 |
| Director, Nutrition Education & Obesity Prevention Program | 4, 5 |
| Director of Projects, Programs and Analytics | 4, 5 |
| General Counsel | 1, 2 |
| Program Manager | 1, 2 |

**MEMBERS OF BOARDS,
COMMITTEES & COMMISSIONS**

| | |
|-------------------|---|
| Program Committee | 5 |
|-------------------|---|

Consultants and New Positions²

² Individuals providing services as a Consultant defined in Regulation 18700.3 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.)

PART "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.³ "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the District.

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.

³ 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)

App. B-1-

BBK – November 2015

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FORM APPROVED COUNTY COUNSEL
BY Kristine Bell-Valdez 12/28/15
KRISTINE BELL-VALDEZ DATE