

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

444A



FROM: County Counsel

SUBMITTAL DATE:
January 27, 2011

SUBJECT: Approval of the Conflict of Interest Code of the Palo Verde Healthcare District

RECOMMENDED MOTION: That the Board of Supervisors approves the Conflict of Interest Code submitted by Palo Verde Healthcare District.

BACKGROUND: 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)

L. Alexandra Fong

L. ALEXANDRA FONG, Deputy County Counsel
for PAMELA J. WALLS, County Counsel

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Denise C. Harden*
Denise C. Harden

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: February 8, 2011
xc: Co.Co., District, COB

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Dept's Recomm.:
Per Exec. Ofc.:

2.9

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 a healthcare district.

The Palo Verde 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 Palo Verde Healthcare District's Conflict of Interest Code as revised and that the Clerk of the Board notify the Agency of the action taken.

CONFLICT OF INTEREST CODE
OF THE
PALO VERDE
HEALTHCARE DISTRICT

CONFLICT OF INTEREST CODE FOR THE
PALO VERDE HEALTHCARE DISTRICT

(Adopted October 27, 2010)

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) which 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 it 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 officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the Palo Verde Healthcare District (the "District").

All officials and designated employees required to submit a statement of economic interests shall file their statements with the Executive Assistant as the District's Filing Officer. The Filing Officer 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 Filing Officer shall retain the originals of the statements filed by all other officials and designated employees and make all statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

APPENDIX

CONFLICT OF INTEREST CODE OF THE

PALO VERDE HEALTHCARE DISTRICT

(Adopted October 27, 2010)

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 Code, but are subject to the disclosure requirements of the Act. (Gov. Code, § 87200 et seq.). [2 Cal. Code of 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
Chief Executive Officer
Chief Financial Officer
Financial Consultant

¹ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC 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>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Business Office Manager	4
General Counsel	1, 2
Chief Nursing Officer	4
Controller	1, 2
Human Resources Manager	4
Manager, HIM	4
Manager, Information Systems	4
Manager, Laboratory	4
Manager, Materials & Purchasing	3
Manager, Nutritional Services	4
Manager, Pharmacy Services	4
Manager, Plant Operations	4
Manager, Quality Assurance/Risk Management	4
Materials Management Buyer	3
Plant Operations Coordinator	4

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultants²

²

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in this code subject to the following limitation:

The Chief Executive Officer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. 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.

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, including gifts, loans and travel payments, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments, business positions and sources of income, including gifts, loans and travel payments, that do business 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, business positions and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles, or equipment of a type utilized by the District.

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

FORM APPROVED COUNTY COUNSEL
BY: ALEXANDRA FONG 1/27/11 DATE