

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



ITEM: 2.13
(ID # 20420)

MEETING DATE:

Tuesday, November 29, 2022

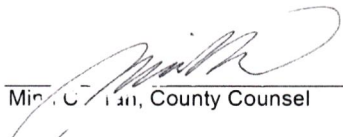
FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of the Amendment to the Conflict of Interest Code of the San Gorgonio Memorial Healthcare District [District 5] [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Amendment to the Conflict of Interest Code of the San Gorgonio Memorial Healthcare District; and
2. Direct the Clerk of the Board to notify the San Gorgonio Memorial Healthcare District of the action taken.

ACTION:

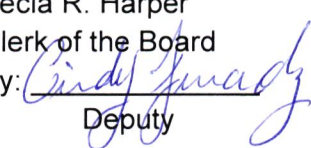

Min. C. 110, County Counsel 11/21/2022

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Hewitt, and Perez
Nays: None
Absent: None
Date: November 29, 2022
xc: Co.Co., COBAB/LW, San Gorgonio Memorial Healthcare District

Kecia R. Harper
Clerk of the Board

By: 
Deputy

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

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost |
|-----------------------------|-----------------------------|--------------------------|---------------------------|---------------------|
| COST | N/A | N/A | N/A | N/A |
| 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: [CEO use]

BACKGROUND:

Summary

The Political Reform Act prohibits a public official from using his or her position to influence a government decision in which he or she has a financial interest. Government Code section 87300 requires local government agencies to adopt and promulgate a Conflict of Interest Code identifying officials and employees required to file statements of economic interest based on the positions they hold. A local government agency, as defined by Government Code section 82041, includes the San Gorgonio Memorial Healthcare District.

Each even-numbered year, Government Code section 87306.5 requires local government agencies to review their Conflict of Interest Code, make appropriate revisions, if necessary, and submit an amended Conflict of Interest Code to the code reviewing body. Government Code section 82011(b) identifies the Board of Supervisors for the County of Riverside as the code reviewing body for a local government agency within its county.

The San Gorgonio Memorial Healthcare District recently amended its Conflict of Interest Code on July 5, 2022 to include new positions, revise titles of existing positions, and delete titles of positions that have been abolished that participate in making governmental decisions. The Board of Directors for San Gorgonio Memorial Healthcare District has adopted Resolution No. 2022-06, amending its Conflict of Interest Code. The San Gorgonio Memorial Healthcare District has submitted its amended Conflict of Interest Code for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the Conflict of Interest Code of the San Gorgonio Memorial Healthcare District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the San Gorgonio Memorial Healthcare District is attached.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the San Gorgonio Memorial Healthcare District and direct the Clerk of the Board to notify the San Gorgonio Memorial Healthcare District of the action taken.

Impact on Residents and Businesses

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

N/A

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

ATTACHMENT A: Resolution 2022-06

ATTACHMENT B: Conflict of Interest Code


Stacy Orton 11/21/2022

RESOLUTION NO. 2022-06

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN GORGONIO
MEMORIAL HEALTHCARE DISTRICT AMENDING THE CONFLICT OF
INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees, and consultants of the San Gorgonio Memorial Healthcare District (the "District"), and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the "Code") in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the District have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the District's Code; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of the District, the proposed amended Code was provided each affected designated employee and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Directors on July 5, 2022, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Gorgonio Memorial Healthcare District that the Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Executive Assistant and available to the public for inspection and copying during regular business hours;

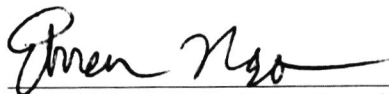
BE IT FURTHER RESOLVED that the said amended Code shall be submitted to the Board of Supervisors of the County of Riverside for approval and said Code shall become effective 30 days after the Board of Supervisors approves the proposed amended Code as submitted.

APPROVED AND ADOPTED this 5th day of July 2022



Dennis Tankersley, Chair, Board of Directors
San Gorgonio Memorial Healthcare District

ATTEST:



Ehren Ngo, Vice Chair, Board of Directors
San Gorgonio Memorial Healthcare District

CONFLICT OF INTEREST CODE

OF THE

SAN GORGONIO MEMORIAL

HEALTHCARE DISTRICT

July 5, 2022

CONFLICT OF INTEREST CODE
OF THE
SAN GORGONIO MEMORIAL HEALTHCARE DISTRICT
(Amended July 5, 2022)

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 2 Cal. Code of Regs. Section 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 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 (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the San Gorgonio Memorial Healthcare District (the "District")

All Officials and Designated Employees required to submit a statement of economic interests shall file their statements with the District Secretary as the District's Filing Officer within 30 days of taking office, annually, and within 30 days of leaving office. The Filing Officer shall make and retain a copy of all statements filed by Board of Directors and Chief Executive Officer, and forward the originals of such statements to the Clerk of the Board of Supervisors. The Filing Officer shall retain the originals of the statements of all other Designated Employees. The Filing Officer will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008.)

CONFLICT OF INTEREST CODE
OF THE
SAN GORGONIO MEMORIAL
HEALTHCARE DISTRICT

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. (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:

Board of Directors

Chief Executive Officer

Chief Financial Officer

Financial Consultants

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 EMPLOYEES'</u> <u>TITLE OR FUNCTION</u> | <u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u> |
|--|---|
| Hospital Chief Executive Officer | 1, 2 |
| Hospital Chief Financial Officer | 1, 2 |
| General Counsel | 1, 2 |
| Chief Nursing Officer | 4 |
| Chief Human Resources Officer | 4 |
| Chief Medical Officer | 4 |
| Compliance Officer | 5 |
| Controller | 4 |
| Director, Behavioral Health Center | 5 |
| Director, Case Management | 5 |
| Director, Clinical Laboratory | 5 |
| Director, Construction Management | 4 |
| Director, Diagnostic Imaging | 5 |
| Director, Dietary Services | 5 |
| Director, Emergency Department Nurse | 5 |
| Director, Environmental Safety/Security/Emergency Preparedness | 5 |
| Director, Environmental Services | 5 |
| Director, Foundation | 5 |
| Director, ICU/DOU | 5 |
| Director, Infection Control | 5 |
| Director, Information Technology | 5 |
| Director, Materials Management | 4 |
| Director, Medical Staff Services | 5 |

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

| | |
|---|---|
| Director, Medical Surgical | 5 |
| Director, Nursing Resources & Cardio Pulmonary Services | 5 |
| Director, Obstetrical/GYN Services | 5 |
| Director, Patient Access | 5 |
| Director, Performance Improvement | 5 |
| Director, Pharmacy | 5 |
| Director, Physical Therapy | 5 |
| Director, Plant Operations | 5 |
| Director, Surgical Services | 5 |

MEMBERS OF BOARDS,
COMMITTEES AND COMMISSIONS

| | |
|---|------|
| Healthcare District & Hospital Board of Directors | 1, 2 |
| Measure A Community Oversight Committee | 3, 5 |
| Measure H Community Oversight Committee | 3, 5 |

Consultant²

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 described 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 and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, 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, and sources of income, including gifts, loans and travel payments that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and 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 District.

Category 5: All investments and 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.