



Monterey County Board of Supervisors

168 W. Alisal Street, 1st Floor
Salinas, CA 93901
831.755.5066
www.co.monterey.ca.us

Board Order

Adopted Resolution No. 19-191

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Mary L. Adams to:

Adopt a Resolution to approve amendment of the Conflict of Interest Code of the Health Department of Monterey County.

PASSED AND ADOPTED on this 21st day of May 2019, by the following vote, to wit:

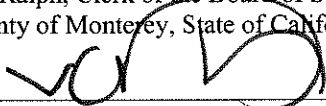
AYES: Supervisors Alejo, Adams, Parker, Lopez and Phillips

NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting May 21, 2019.

Dated: May 24, 2019
Legistar File ID No. RES 19-045
Agenda Item No. 21

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California
By: 
Valerie Ralph, Clerk of the Board

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. 19-191

Approving amendment of the Conflict of Interest)
Code of the Health Department of Monterey)
County.....)

WHEREAS, the Political Reform Act of 1974 (Government Code sections 810000, et. Seq.), requires state and local government agencies to adopt Conflict of Interest codes to and periodically review their codes and make necessary changes to these codes; and

WHEREAS, pursuant to Government Code sections 87300 and 87301, the Monterey County Department of Health has adopted a Conflict of Interest Code;

WHEREAS, On October 9, 2001, September 24, 2002, September 21, 2004, and December 16, 2014, the Monterey County Board of Supervisors, as the code reviewing body, approved amendments to the Health Department of Monterey County’s Conflict of Interest Code; and

WHEREAS, since December 16, 2014, position and title changes have occurred, and the Monterey County Department of Health has thus amended its Conflict of Interest Code as necessitated by changed circumstances; and

WHEREAS, the amended Conflict of Interest Code of the Monterey County Department of Health is attached hereto as Attachment A and is incorporated by reference; and

WHEREAS, pursuant to Government Code section 87303, the Board of Supervisors as the code reviewing body may approve the Code as submitted, may revise the proposed Code and approve it as revised, or may return the proposed Code to the Department for revision and resubmission; and

WHEREAS, the amended Code is lawful under the Political Report Act of 1974;

NOW, THEREFORE BE IT RESOLVED that the Monterey County Board of Supervisors does hereby approve the amended Conflict of Interest Code of the Health Department of Monterey County, attached as Attachment A; and directs the Clerk of the Board of Supervisors to notify the Health Department of Monterey County of the approval.

PASSED AND ADOPTED this 21st day of May 2019, upon motion of Supervisor Alejo, seconded by Supervisor Adams by the following vote, to-wit:

AYES: Supervisors Alejo, Adams, Lopez, Parker and Phillips
NOES: None
ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on May 21, 2019.

Dated: May 28, 2019
Legistar File ID No. RES 19-045
Agenda Item No. 21

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By  _____
Valerie Ralph, Clerk of the Board

**CONFLICT OF INTEREST CODE
OF THE
Monterey County Health Department**

The Political Reform Act of 1974 (Government Code sections 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, section 18730 of Title 2 of the California Code of Regulations, which contains the terms of a standard conflict of interest code that can be incorporated by reference in a Department's code. After public notice and hearing, the Fair Political Practices Commission may amend the standard code to conform to amendments of the Political Reform Act. Therefore, the terms of section 18730 of title 2 of the California Code of Regulations and any amendments to it duly adopted by the Fair Political Practices Commission together with the attached Appendices designating positions and establishing disclosure categories are hereby incorporated by reference and together constitute the Conflict of Interest Code of the **Health Department** (hereafter "Department").

Individuals holding designated positions shall file their statement of economic interests with the **Health Department**, which will make the statements available for public inspection and reproduction pursuant to Government Code section 81008. Statements for designated positions shall be retained by the Department.

Attachments: Appendix A: Designated Positions
Appendix B: Disclosure Categories

Amended: **May 21, 2019**
December 16, 2014
September 21, 2004
September 24, 2002
October 1, 2001

APPENDIX A: DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Assigned Disclosure Category</u>
Assistant Bureau Chief	1
Associate Personnel Analyst	1
Behavioral Health Service Manager I/II	1
Behavioral Health Unit Supervisor	1
Bureau Chief	1
Business Technology Analyst II, III, IV	1
Chronic Disease Prevention Coordinator	1
Chronic Disease Prevention Specialist II	1
Department Human Resources Manager	1
Departmental Information Systems Manager II	1
Deputy Director, Behavioral Health	1
Deputy Public Guardian	1
Director of Health	1
Director of Public Health Laboratory	1
Director of Public Health Nursing	1
EMS Analyst	1
Environmental Health Program Manager	1
Finance Manager I/II/III	1
Health Educator	1
Health Program Coordinator	1
Management Analyst I/II/III	1
Management Specialist – Animal Services	1
Operations Manager	1
Outpatient Services Manager I/II	1
Public Health Program Manager I/II	1
Senior Health Educator	1
Senior Personnel Analyst	1
Consultants ¹	1

¹ Consultants are included in the list of designated positions. For purposes of this Code, "consultant" has the same meaning as set forth in 2 Cal. Code Regs., tit. 2, section 18700.3(a), as follows:

"Consultant" "means an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
 1. Approve a rate, rule, or regulation;
 2. Adopt or enforce a law;
 3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
 4. Authorize the agency to enter into, modify, or renew a contract

APPENDIX B: DISCLOSURE CATEGORIES

General Provisions Applicable to All Categories

When an individual who holds a designated position is required to disclose investments and sources of income, he or she shall disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction.

When an individual who holds a designated position is required to disclose sources of income, he or she shall include gifts received from donors located inside as well as outside the jurisdiction.

When an individual who holds a designated position is required to disclose interests in real property, he or she shall disclose the type of real property described below if it is located within the jurisdiction, or not more than two miles outside the boundaries of the jurisdiction, or within two miles of any land owned or used by Agency.

When an individual who holds a designated position is required to disclose business position, he or she shall disclose positions in business entities that do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years.

For purposes of this Conflict of Interest Code, the jurisdiction of the Health Department of

provided it is the type of contract which requires agency approval;

5. Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;

6. Grant agency approval to a plan, design, report, study, or similar item;

7. Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

(B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in Regulation 18704(a) and (b) or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code under Section 87302."

Consultants to the Health Department shall be subject to disclosure under Category 1, subject to the following limitation: The Director of the Health Department may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements of Category 1. In such cases, the Director of the Health Department may designate a different disclosure requirement. Such determination must be made in writing and shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the consultant's disclosure requirements. Such determination by the Director of the Health Department is a public record and shall be retained for public inspection in the same manner and location as the Health Department's Conflict of Interest Code.

Monterey County is the County of Monterey.

Category 1

A designated position in this category must report all investments, business positions, interests in real property, and sources of income, including gifts, loans, and travel payments.