



Monterey County

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Upon motion of Supervisor Salinas, seconded by Supervisor Armenta and carried by those members present, the Board of Supervisors hereby:

Adopted **Resolution No. 14-368** to approve the amendments to the Conflict of Interest Code of the Health Department of Monterey County.

PASSED AND ADOPTED on this 16th day of December 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter
NOES: None
ABSENT: None

I, Gail T. Borkowski, 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 77 for the meeting on December 16, 2014.

Dated: December 23, 2014
File Number: 14-1251

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Donise Hancock
Deputy

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

Resolution No. 14-368

- Resolution by the Monterey County Board of Supervisors to:
a. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Health Department of Monterey; and
b. Approve and order the proposed amendments to the Conflict of Interest Code of 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 and periodically review and amend any changes to this code; and

WHEREAS, On October 9, 2001, the Monterey County Board of Supervisors, as the code reviewing body, approved an amendment to "Exhibit A: Designated Positions" to the Health Department of Monterey County Conflict of Interest Code; and

WHEREAS, On September 24, 2002, the Monterey County Board of Supervisors, as the code reviewing body, approved an amendment to "Exhibit A: Designated Positions" to the Health Department of Monterey County Conflict of Interest Code; and

WHEREAS, On September 21, 2004, the Monterey County Board of Supervisors, as the code reviewing body, approved an amendment to "Exhibit A: Designated Positions" to the Health Department of Monterey County Conflict of Interest Code; and

WHEREAS, since 2004, numerous position and title changes have occurred thus requiring "Exhibit A: Designated Positions" be amended to reflect these changes;

NOW, THEREFORE BE IT RESOLVED that the Monterey County Board of Supervisors hereby:

- a. Adopts a Resolution to approve the amendments to the Conflict of Interest Code of the Health Department of Monterey; and
b. Approves and orders the proposed amendments to the Conflict of Interest Code of Health Department of Monterey County.

PASSED AND ADOPTED upon motion of Supervisor Salinas, seconded by Supervisor Armenta and carried this 16th day of December 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter
NOES: None
ABSENT: None

I, Gail T. Borkowski, 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 77 for the meeting on December 16, 2014.

Dated: December 23, 2014
File Number: 14-1251

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock Deputy

**CONFLICT OF INTEREST CODE
OF THE
HEALTH DEPARTMENT OF MONTEREY COUNTY**

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 an agency'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 of Monterey County** (hereafter "Agency").

Individuals holding designated positions shall file their statement of economic interests with the **Health Department of Monterey County**, which will make the statements available for public inspection and reproduction pursuant to Government Code section 81008. Upon receipt of the statements for the **Director of Health**, the Agency shall make and retain copies and forward the original of the statements to the code reviewing body. Statements for all other designated positions shall be retained by the Agency.

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

Adopted: DECEMBER 16, 2014
Amended: November 25, 2014

APPENDIX A: DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Assigned Disclosure Category</u>
Assistant Bureau Chief, Public Health	1
Associate Personnel Analyst	1
Behavioral Health Service Manager I/II	1
Bureau Chief	1
Business Technology Analyst II, 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
EMS Analyst	1
Environmental Health Program Manager	1
Finance Manager I/II/III	1
Health Educator	1
Health Officer	1
Health Program Coordinator	1
Management Analyst I/II/III	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

Consultants¹

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 18701(a)(2), 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 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 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.

Consultants to the **Health Department of Monterey County** shall be subject to disclosure under Category 1, subject to the following limitation:

The **Director of Health** 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 Health** 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 Health** is a public record and shall be retained for public inspection in the same manner and location as the Agency's Conflict of Interest Code.

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 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.