



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

MONICA MONTGOMERY STEPPE
Fourth District

JIM DESMOND
Fifth District

DATE: December 10, 2024

24

TO: Board of Supervisors

SUBJECT

BIENNIAL REVIEW OF CONFLICT OF INTEREST CODES- APPROVAL OF THIRD BATCH OF CONFLICT OF INTEREST CODE AMENDMENTS RECEIVED THROUGH NOVEMBER 26, 2024: VARIOUS DEPARTMENTS AND AGENCIES (DISTRICTS: ALL)

OVERVIEW

The Board of Supervisors (Board) serves as the Code Reviewing Body for any local agency, other than cities, with jurisdiction wholly within the County, pursuant to Government Code Section 82011. Pursuant to Government Code Section 87306.5, the Clerk of the Board of Supervisors coordinated, on behalf of the Board, the Biennial Review of Conflict of Interest Codes for all County departments and local agencies. The recommended action would approve the proposed amendments to the Conflict of Interest codes as received through November 26, 2024 from the listed agencies as part of the Biennial Review of Conflict of Interest Codes.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Approve the Conflict of Interest Codes adopted by agencies where no changes were necessary (Attachment A)
2. Approve the amended Conflict of Interest Codes adopted by the following agencies (Attachment B):
 - Agriculture Weights and Measures
 - Bonsall Unified School District
 - Chief Administrative Office
 - Clean Energy Alliance
 - County Counsel
 - DCAO - Finance & General Government Group
 - DCAO - Health and Human Services Agency
 - DCAO - Land Use & Environment Group
 - DCAO – Public Safety Group
 - Deer Springs Fire Protection District
 - Elevate School
 - Guajome Park Academy
 - High Tech High

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- Jamul-Dulzura Union School District
- Lakeside Water District
- Local Agency Formation Commission (LAFCO)
- Metro Wastewater Joint Powers Authority
- National School District
- North County Transit District
- Oceanside Small Craft Harbor District
- Otay Water District
- Probation
- Purchasing and Contracting
- Rancho Santa Fe Fire Protection District
- Rancho Santa Fe School District
- Resource Conservation District of Greater San Diego County
- San Diego Board of Education and Superintendent of Schools
- San Diego County Employees Retirement Association (SDCERA)
- San Diego Unified School District
- San Elijo Joint Powers Authority
- San Miguel Consolidated Fire Protection District
- Sheriff
- Southwestern Community College District
- Sweetwater Authority
- Sweetwater Union High School District
- Tri-City Healthcare District
- Vallecitos Water District
- Valley Center Municipal Water District
- Vista Unified School District

EQUITY IMPACT STATEMENT

County government includes standing and special boards, commissions, committees and task forces formed to advise the Board of Supervisors and County staff on issues and policies and to serve as links to the community. Boards, commissions and committees provide an inter-relationship between the residents and the government of the County and as such must provide transparent, bias-free decision-making. The Board of Supervisors serves as the Code Reviewing Body for any local agency, other than cities, with jurisdiction wholly within the County, pursuant to Government Code Section 82011. Under the California Political Reform Act, a public official has a disqualifying conflict of interest in a governmental decision if it is foreseeable that the decision will have a financial impact on their personal finances or other financial interests. In such cases, there is a risk of biased decision-making that could sacrifice the public's interest in favor of the official's private financial interests. To avoid actual bias or the appearance of possible improprieties, the public official is prohibited from participating in the decision.

The recommended action would approve the amended Conflict of Interest codes. The Conflict of Interest codes in this Board Letter enables the County of San Diego to provide transparency and

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accountability to all individual residents, ensuring equitable operations of the government that are free from undue influence.

SUSTAINABILITY IMPACT STATEMENT

Under the Political Reform Act, all public agencies are required to adopt a Conflict of Interest code that designates positions that are required to file the Statement of Economic Interests (Form 700). Conflict of Interest codes must be maintained as updated and accurate to ensure that necessary public officials report their personal financial interests. These required filings provide public transparency about possible conflicts of interest and to ensure governmental decisions are made in the best interest of the public. This Board Letter supports the County of San Diego’s sustainability goal of, “Engaging the community to partner and participate in decisions that impact their lives and communities and transparently share results of outcomes.”

FISCAL IMPACT

There is no fiscal impact associated with this recommendation. There will be no change in General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The Board of Supervisors (Board) serves as the Code Reviewing Board for all County departments and some local agencies. Pursuant to Government Code Section 87306.5, the Clerk of the Board coordinated, on behalf of the Board of Supervisors, the Biennial Review of Conflict of Interest Codes for all County departments and local agencies.

On October 31, 2006 (21), the Board adopted Ordinance No. 9803 (N.S.), “County of San Diego Conflict of Interest Code.” This “global” County Conflict of Interest Code replaces each County department’s Conflict of Interest Code and serves as the County’s single official document representing the County of San Diego Conflict of Interest Code applicable to all County departments.

County departments and local agencies were required to review their Conflict of Interest Codes, including designated employees and disclosure categories. These departments and agencies were required to complete the Biennial Review Reply Form indicating if any amendments were necessary and return it to the Clerk of the Board by October 1, 2024. If amendments were required, the department/agency was to submit the necessary amendment documentation to the Clerk of the Board by October 18, 2024.

Recommendation 1 involves 182 agencies/departments that reported that their Codes accurately designated all positions which make or participate in government decisions and that disclosure

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categories assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions. The Code includes all other provisions required by the Government Code 87302. No further action is required from the Board of Supervisors. These agencies/departments are listed on **Attachment A**.

Recommendation 2 involves 39 agencies/departments that indicated amendments were required to their Codes, such as the addition of new designated positions, changes to the reportable sources of income, investments, business position or real property, changes or additional provisions required by Section 87302, or adoption of the standard Conflict of Interest Code.

Seventeen (17) agencies indicated that, in reviewing their Codes, amendments were necessary, and they were engaged in the process of effecting those changes. The Codes for these agencies will come before the Board at a future meeting. These agencies are listed on **Attachment D**.

Fourteen (14) agencies, listed on **Attachment E**, did not respond to the letters, reminder notices, phone calls, and e-mails regarding the 2024 Biennial Review.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed action to approve the Conflict of Interest Code supports the Transparency and Accountability Strategic Initiative in the County of San Diego's 2024-2029 Strategic Plan by promoting a culture of ethical leadership and decision making across the enterprise.

Respectfully submitted,



EBONY SHELTON
Chief Administrative Officer

ATTACHMENT(S)

Note: Due to the size of the attachments, the documents are available online through the Clerk of the Board's website at www.sandiegocounty.gov/content/sdc/cob/bosa.html.

- Attachment A: Biennial Review Responses – No Amendment
- Attachment B: Conflict of Interest Codes – Updated Versions
- Attachment C: Conflict of Interest Codes – Supporting Documents
- Attachment D: Biennial Review Responses – Currently Under Review by Agency
- Attachment E: List of Non-Responding Agencies/Departments