



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

NATHAN FLETCHER
Fourth District

JIM DESMOND
Fifth District

DATE: November 15, 2022

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TO: Board of Supervisors

SUBJECT

BIENNIAL REVIEW OF CONFLICT OF INTEREST CODES- APPROVAL OF SECOND BATCH OF CONFLICT OF INTEREST CODE AMENDMENTS RECEIVED THROUGH SEPTEMBER 25, 2022: VARIOUS DEPARTMENTS AND AGENCIES (DISTRICTS: ALL)

OVERVIEW

The Board of Supervisors serves as the Code Reviewing Body for any local agency, other than city agencies, with jurisdiction wholly within the County, per 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 September 25, 2022 from respective agencies as part of the Biennial Review of Conflict of Interest Codes.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Approve the amended Conflict of Interest Codes adopted by the following agencies (Attachment A):

- Air Pollution Control District
- Alpine Union School District
- Bonita-Sunnyside Fire Protection District
- Buena Sanitation District
- Clean Energy Alliance Joint Powers Agency
- Del Mar Union School District
- Encina Wastewater Authority
- Encinitas Union School District
- Escondido Union School District
- Fallbrook Public Utility District
- First 5 Commission of San Diego County
- Grossmont Healthcare District
- King-Chavez Academy of Excellence Inc.
- La Mesa-Spring Valley School District
- Lemon Grove School District

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- Mira Costa Community College District
- Oceanside Small Craft Harbor District
- Palomar Community College District
- Pauma Valley Community Services District
- San Diego Community Power
- San Diego County Citrus Pest Control District
- San Diego County Employee Retirement Association (SDCERA)
- San Diego County Regional Airport Authority (SDCRAA)
- San Diego County Water Authority
- San Diego Unified School District
- San Miguel Consolidated Fire Protection District
- San Ysidro School District
- Solana Beach School District
- Sweetwater Authority
- Tri-City Healthcare District
- Upper San Luis Rey Resource Conservation District
- Urban Discovery Schools
- Valley Center Municipal Water District
- Vista Irrigation District
- Vista Unified School District
- Warner Springs Community Sponsor Group

EQUITY IMPACT STATEMENT

County government includes standing and special citizen 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 city agencies, 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 submitted Conflict of Interest codes. The Conflict of Interest codes in this Board Letter enable the County of San Diego to provide transparency and accountability to individual residents, ensuring equitable operations of the government that are free from undue influence.

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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

The funding source for administration of this task is included in the Fiscal Year 2022-2023 Adopted Budget for the Clerk of the Board of Supervisors.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The Board of Supervisors 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 3, 2022. If amendments were required, the department/agency was to submit the necessary amendment documentation to the Clerk of the Board by October 17, 2022.

The recommendation above involves 36 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.

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LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

The approval of Conflict of Interest Codes fulfills the Strategic Initiative of Operational Excellence in the County of San Diego Strategic Plan 2018-2023 for promoting a culture of ethical leadership and decision making across the enterprise.

Respectfully submitted,



HELEN N. ROBBINS-MEYER
Chief Administrative Officer

ATTACHMENT(S)

Attachment A: Conflict of Interest Codes – Updated Versions

Attachment B: Conflict of Interest Codes - Supporting Documents