

RESOLUTION OF THE SANTA BARBARA COUNTY  
PSYCHIATRIC HEALTH FACILITY  
GOVERNING BOARD  
ADOPTING A CONFLICT OF INTEREST CODE

No: 2017-1

- a. The Political Reform Act, Government Code Sections 81000 et seq. ("Political Reform Act") requires state and local government agencies, with final decision making authority, to adopt and promulgate a conflict of interest code;
- b. The Political Reform Act implementing regulations are adopted by the Fair Political Practices Commission ("FPPC") and are located at Title 2 Sections 18109-18997, of the California Code of Regulations ("CCR");
- c. A conflict of interest code designates the positions within an agency that involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest. Government Code Section 87302(a);
- d. The designated public officials must periodically disclose certain investments, interests in real property, sources of income, gifts, loans and business positions, based on the disclosure requirements and disclosure categories adopted by their agency. The disclosures are submitted on Statements of Economic Interests, also known as Form 700;
- e. A conflict of interest code and all amendments are effective once approved by the local "code reviewing body". The Board of Supervisors is the code reviewing body for conflict of interest codes adopted by dependent local agencies in Santa Barbara County. Government Code Section 82011(b). A conflict of interest code must be reviewed, and amended as necessary, at least every two years;
- f. The Santa Barbara County Clerk, Recorder and Assessor ("Clerk, Recorder and Assessor"), at the direction of the Santa Barbara County Board of Supervisors ("Board of Supervisors"), adopted a Single Comprehensive Conflict of Interest Code ("Single Code"), which is a compilation of the conflict of interest codes of all County departments and dependent commissions, boards, agencies and special districts ("Member Agencies"). The Single Code incorporates by reference the Model Standard Conflict of Interest Code which includes the required basic provisions for a conflict of interest code. Title 2 CCR Section 18730;
- g. The designated positions within each Member Agency are required to file their Form 700 disclosure statements, electronically using eDisclosure, with the Clerk, Recorder and Assessor. The Single Code is intended to help ensure timely amendments by each Member Agency, and to facilitate the filing of Form 700's;

Resolution by the PHF Governing Board

h. On August 30, 2016, the Santa Barbara County Psychiatric Health Facility Governing Board (“PHF Governing Board”) was established by the Board of Supervisors, to serve as the governing body of the County’s Psychiatric Health Facility in accordance with state and federal law. The PHF Governing Board, in exercising its authority and responsibility for the conduct of the facility, makes final decisions about credentials and privileges of PHF management and medical staff, and has final approval over medical staff bylaws and PHF policies and procedures. Thus the PHF Governing Board would be considered to be an agency with final decision-making authority, which would require them to adopt a conflict of interest code;

i. Based on this history, the PHF Governing Board desires to adopt a conflict of interest code by being added to the County's Single Code. The PHF Governing Board members hold the designated positions that will be required to file Statements of Economic Interests (Form 700). See, attached Exhibit C. The PHF Governing Board members will be required to provide disclosures in accordance with Disclosure Category 1 of the Single Code. A copy of the Single Code Disclosure Categories is attached as Exhibit B.

NOW, THEREFORE BE IT RESOLVED BY THE PHF GOVERNING BOARD THAT:

1. The PHF Governing Board adopts a conflict of interest code by requesting that it be added to the County’s Single Code. The PHF Governing Board’s designated positions and disclosure categories are set forth in Exhibit C – Designated Positions, and Exhibit B – Disclosure Categories.

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_ 2017, by the following vote:

Yes:

No:

Abstain:

PSYCHIATRIC HEALTH FACILITY  
GOVERNING BOARD

\_\_\_\_\_  
Chair

## **EXHIBIT “B” – STANDARD DISCLOSURE CATEGORIES**

### **A. APPROPRIATE FORMS**

**Designated employees/officials shall file FPPC form 700s based on the corresponding disclosure categories specified in Exhibit C.**

### **B. STANDARD DISCLOSURE CATEGORIES**

**When a designated employee or official is required to disclose investments, business positions or sources of income, he or she need only disclose investments and business positions in business entities and sources of income which do business, plan to do business or have done business in the last two (2) years in the County of Santa Barbara. When a designated employee or official is required to disclose real property he or she need only disclose real property located in the County of Santa Barbara, or within two miles of the County of Santa Barbara.**

#### **Category 1**

All investments; business positions; interests in real property; sources of income including receipt of loans, gifts and travel payments. (Must file FPPC Form 700 with all schedules.)

#### **Category 2**

Interests in real property. (Must file FPPC Form 700 with schedule that discloses interests in real property).

#### **Category 3**

Investments, business positions, interests in real property and sources of income, including receipt of loans, gifts, and travel payments, subject to the regulatory, permit or licensing authority of the designated employee/officer’s Code Agency. (Must file FPPC Form 700 schedules disclosing interests in investments, real property, business positions, income of loans, gifts and travel payments)

#### **Category 4**

Investments in business entities and sources of income, including receipt of loans, gifts, and travel payments, from sources of the type that engage in land development, construction or the acquisition of real property. (Must file FPPC Form 700 schedules disclosing interests in investments, real property, business positions, income of loans, gifts and travel payments)

#### **Category 5**

Investments in business entities and sources of income, including receipt of loans, gifts, and travel payments, from sources of the type that contracts with the County of Santa Barbara to provide services, supplies, materials, machinery or equipment to any County department or agency. (Must file FPPC Form 700 schedules disclosing interests in investments, real property, business positions, income of loans, gifts and travel payments)

**Category 6**

Investments in business entities and sources of income, including receipt of loans, gifts, and travel payments, from sources of the type that contracts with the County of Santa Barbara to provide to the designated employee's Code Agency, services, supplies, materials, machinery or equipment. (Must file FPPC Form 700 schedules disclosing interests in investments, real property, business positions, income of loans, gifts and travel payments)

**Category 7 – Specific to Consultants, Interim positions, New Positions.**

Shall disclose pursuant to Category 1, subject to the following limitation:

With respect to consultants, interim positions and new positions, the County Executive Officer of the County may determine in writing that a particular consultant, interim position or a new position, although a "designated position," is hired to perform a range of duties that is 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, interim position or a new position, duties and, based upon that description, a statement of the extent of disclosure requirements. Such determination shall be a public record and shall be retained for public inspection in the same manner and locations as this conflict of interest code.

**EXHIBIT C-**  
**SANTA BARBARA COUNTY**  
**PSYCHIATRIC HEALTH FACILITY (PHF)**  
**GOVERNING BOARD**

Persons occupying the following positions are “designated employees”. A “designated employee” must disclose financial interests in the category or categories assigned to their position. The Disclosure Categories are defined in Exhibit “B: Standard Disclosure Categories” of the current County Single Comprehensive Code.

A “designated employee” is anyone within the above-mentioned agency who is an officer, employee, member or consultant who is designated in this Code because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest. (Government Code § 82019)

**Designated Employee Positions:**

**Disclosure Categories for Positions**

1. Members of the  
Santa Barbara County  
Psychiatric Health Facility  
Governing Board

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The term “designated employee” does not include any officer identified in Government Code § 87200, i.e., members of planning commissions, members of the board of supervisors, district attorneys, county counsel, county treasurers, chief administrative officers and other public officials who manage public investments. The financial disclosure requirements for those positions are set forth in Government Code Sections 87200 et seq.