

GOVERNING BOARD

AP 2712 CONFLICT OF INTEREST CODE

References:

Government Code Section 87100 – 87500;
Title 2 Section 18730

The Political Reform Act (Government Code Sections 87100 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 (Title 2 California Code of Regulations Section 18730) which contains the terms of a standard conflict of interest code, and which can be incorporated by reference as the local agency's conflict of interest code. Whenever the Fair Political Practices Commission adopts any changes or amendments to Section 18730, they are automatically adopted without further action by any local agency which has incorporated Section 18730 as the agency's conflict of interest code. Therefore, the Palomar Community College District ("District") hereby adopts Section 18730 and incorporates it by reference as its conflict of interest code. This replaces and supersedes any prior conflict of interest code after approval by the San Diego County Board of Supervisors.

Designated employees who are required to file statements of economic interest are set forth in Appendix "A." Those designated employees are classified as either "Government Code Section 87200 Filers" or "Code Filers." Government Code Section 87200 Filers shall file their statements of economic interest with the San Diego County Board of Supervisors with the District retaining a copy. Code Filers will file their statements of economic interest with the District which will retain the originals.

Approved and/or authorized by the
Board of Supervisors of the County of San Diego.
Meeting Date: 12/11/18 Minute Order No. 21
By: *[Signature]* Date: 1/28/19
Deputy Clerk of the Board Supervisors

APPENDIX "A"

Government Code Section 87200 Filers

The following designated employees manage public investments and shall file a full statement of economic interest for all disclosure categories listed below.

- Governing Board Members
- Superintendent/President
- Assistant Superintendent/Vice President for Finance and Administrative Services

Code Filers

The following designated employees shall file statements of economic interest for the disclosure categories shown after their titles.

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| • Assistant Superintendent/Vice President
for Human Resource Services | Category 6 |
| • Assistant Superintendent/Vice President
for Instruction | Categories 5, 6 |
| • Assistant Superintendent/Vice President
for Student Services | Categories 5, 6 |
| • Director, Fiscal Services | Categories 4, 5 |
| • Deans | Category 6 |
| • Director, Business Services | Categories 1, 4, 5 |
| • Director, Facilities | Categories 1, 2, 3, 4 |
| • Police Chief | Categories 5, 6 |
| • Consultant* | Categories 1, 2, 3, 4, 5, 6 |

*Consultants must be included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this Code subject to the following limitation: The Superintendent/President or designee may determine in writing that a particular consultant, although a "designated position" is hired to perform a range of duties that were limited in scope and thus not required to comply fully with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based on that description, a statement of the extent of disclosure requirements. The Superintendent/President's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the designated employees must disclose for each disclosure category to which he/she is assigned.

Category 1: All investments and business positions and sources of income from business entities that do business with the District or own real property within the boundaries of the District, plan to do business or own real property within the boundaries of the District within the next year, or have done business with or owned real property within the boundaries of the District within the past two years.

Category 2: All interests in real property which is located in whole or in part within, or not more than two miles outside, the boundaries of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District, plan to engage in such activities within the jurisdiction of the District within the next year, or have engaged in such activities within the jurisdiction of the District within the past two years.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles, or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, materials, machinery, vehicles, or equipment of a type purchased or leased by the designated employee's Department.

Office of Primary Responsibility: Superintendent/President

Botin, Leah S

From: Doerfler, Debra <ddoerfler@palomar.edu>
Sent: Wednesday, October 03, 2018 3:43 PM
To: Botin, Leah S
Subject: RE: Palomar College RE: 2018 Biennial Review Of COI Code
Attachments: J-27 Procedures.pdf; 2017-12-12_Minutes.pdf; 2014-05-13 final scanned minutes.pdf; J-19 Administrative Procedures - INFO.pdf

Hi Leah,

It was a pleasure speaking with you this morning. To follow up on your email below please note that Palomar's AP 2712 Conflict of Interest Code does NOT itself require any changes. To clarify our discussion, the District did review it's Conflict of Interest Code on December 12, 2017 and made no changes to the content of the document. However, it is Palomar's practice to records the dates we review or amend in the footers our policies/procedures. Thus, the ONLY change is in the footer itself.

I have attached a copy of the December 12, 2017 Governing Board minutes (page 15 relevant) as well as the corresponding exhibit (J-27) which is the "red-line" version (pages 21-23 relevant).

As you can see from the most current version (that I sent previously) the District also reviewed (but made no changes) in 2014. The May 13, 2014 minutes and corresponding exhibit J-19 are also attached.

At the 2015 biennial review we responded that no amendments were necessary (since the content was not changed.) However, because of that, the item on the County site has since then not been updated – which I think it should be (even though the content of our Conflict of Interest Code has not been amended since 2012.) Does this make sense?

Debra Doerfler

Sr. Executive Assistant to the
President & Governing Board

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