



Live Well. Health Matters.

POLICY TITLE: CONFLICT OF INTEREST
POLICY NUMBER: 1020

COMMITTEE APPROVAL DATE: 11/13/2019 **WRITTEN/REVISED BY:** T. BAKALY
BOARD APPROVAL DATE: 11/20/2019 **SUPERSEDES:** 07/22/2015

POLICY:

1020 It is the policy of the Beach Cities Health District (“District”) to assure that the public has confidence and trust in the people and institutions responsible for exercising public authority by following conflict of interest guidelines.

1020.1 In administering the District's affairs, the District Board and staff are custodians of a publicly owned resource. Their role is that of a public agency mandated by District residents to manage District resources in ways that best serve the interests of District residents. The community interest requires that District business be conducted in a manner that justifies and inspires confidence.

1020.2 An ethically-based policy is designed to exclude or reduce the potential for actual and apparent improprieties in the form of conflict of interests.

GUIDELINES:

1020.3 While it is desirable and usual for District Board members to have many contacts in the community and be involved in various organizations, some of which have or will do business with the District, it is important that the business of the District be conducted effectively, objectively and without improper influence or the appearance of improper influence. District Board members and staff persons must be persons of integrity and must observe high standards of behavior including honesty, objectivity and impartiality. They must not engage in any conduct prejudicial to the District and must avoid conflicts of private interests with public duties and responsibilities. To ensure fairness and objectivity in the conduct of the District's business, the District Board has considered at length the need for an ethics policy and has also established a process for monitoring programs to avoid impropriety. The District Board therefore adopts the following conflict of interest policy.

1020.4 Appearances of Impropriety

District Board and staff members should avoid any action, whether or not specifically prohibited by this policy that might result in or create the appearance of:

1020.4.1 Using public office for private financial gain or undue or unfair political advantage.

1020.4.2 Acting with preference toward or bias against any person or organization.

1020.4.3 Losing independence or impartiality in the performance of their government duties.

1020.4.4 Affecting adversely the confidence of the public in the integrity of the District.

1020.5 Board members shall not vote on action items regarding any agency, grant or entity with which he/she has an affiliation.

1020.6 Board and staff members shall not participate in or attempt to influence, any action or vote of the District in which any of the following individuals has a substantial financial or self-serving interest:

1020.6.1 The Board or staff member himself/herself.

1020.6.2 Any member of a Board or staff member's family, including spouse, children, siblings and parents.

1020.6.3 A person with whom the Board or staff member serves as a partner or business associate.

1020.6.4 An organization in which the Board or staff member serves as an officer, director, board member, partner or employee.

1020.6.5 A person or organization with whom the District Board or staff member is negotiating for prospective employment or has an arrangement for prospective employment, or with respect to which the Board or staff member has an ownership interest.

1020.6.6 A person with whom the board or staff member has or has had a personal relationship that raises a reasonable question as to the member's ability to be impartial.

1020.7 Board and staff members shall not participate in or attempt to influence the hiring of members of their family.

1020.8 Board and staff members shall not be financially interested in any contract made by them in their official capacity. Or by any body or board of which they are members. Nor shall Board and staff members be purchasers at any sale or vendors at any purchase made by them in their official capacity.

1020.9 This policy shall not prevent Board members from making or participating in the making of a governmental decision to the extent his/her participation is legally required for the action or decision to be made (the fact that Board member's vote is needed to break a tie does not make his/her participation legally required).

1020.10 Promises and Commitments

Board and staff members shall not either directly or indirectly use or seek to use District resources (e.g., grants, contracts, purchases) to influence, or attempt to influence, the outcome of an election or any political process. Board and staff members shall not offer or promise any benefit from the District in return for political support, nor engage in any action that carries the appearance of offering such a benefit.

1020.11 Political Contributions

Candidates for District Office shall neither solicit nor accept political contributions from organizations and/or their owners or officers, that have or are reasonably expected to request a grant, contract or purchase from the District. Candidates shall not make pledges or promises with respect to prospective grants, contracts, or purchases from or with the District.

1020.12 Gifts and Favors

District Board and staff persons shall not directly or indirectly solicit or accept anything of significant monetary value that is not otherwise available to the general public, from representatives of organizations that maintain or seek a grant, contract or purchase from the District or from persons whom the District Board or staff member knows or should know are seeking to obtain a grant, contract or other business or financial relationship with the District or have interests that may be substantially affected by the performance or non-performance of the Board or staff member's official duties. Board and staff members shall not accept accommodations, subsistence, or travel (in cash or in kind) in connection with official travel from any source outside the District. Loans from banks or other financial institutions may be accepted on customary terms. The staff of the District shall notify persons and organizations who deal with the District of this policy and request their cooperation and support. Persons and organizations that offer improper gratuities after such notice may be subject to suspension from further business dealings.

1020.13 Compensation for Official Acts

Board and staff members shall not either directly or indirectly solicit, receive or accept anything of other than nominal value for or because of any official act the Board or staff member has performed or will perform. Board and staff members may not designate a person or an organization, including charitable or non-profit organizations, to accept any gift, that the Board or staff member is prohibited from accepting directly.

1020.14 Commercial Solicitation

District Board and staff members shall not, while in or on District-owned or leased property, or while in performance of their duties for the District, solicit contributions, engage in commercial soliciting and vending, display or distribute commercial advertisements, or collect private debts.

1020.15 Outside Consultation

No District Board or staff member shall accept employment or act as a consultant, whether paid or not, employee, or independent contractor with organizations that seek or maintain, or are expected to seek, a grant, contract or purchase from the District. No organization that engages a District Board or staff member as a paid consultant or

employee is eligible for a grant, contract or purchase from the District so long as the District Board or staff member is employed by the organization.

1020.16 Purchases of Goods and Services

The District shall not purchase any product or service from a District Board or staff member, nor from any organization in which the District Board or staff member has a substantial financial interest or participates as an officer, director, manager, employee or consultant, or with whom a District Board or staff person maintains a significant private business relationship.

1020.17 Other Boards

For a Board or staff member to hold office or be a trustee or Board member, or the chairman or member of a committee, in any organization which has or is seeking a grant, contract, or purchase with the District, the full Board must be notified or advised. Board members will disclose, on an annual basis, the name(s) of organization(s) they are involved with at a Board level.

1020.18 Independence of Staff Review

District Board members and supervisory staff shall not attempt to influence the staff review of a grant or contract proposal by indicating prior to, or in the course of, such a review their support for the proposal to the reviewing staff members or their supervisors. Staff is instructed to report repeated attempts to influence to the President of the Board of the District who shall take appropriate action.

1020.19 The District should not select or appoint as an advisor any person or representative of any organization whose personal, financial or social interests are liable to be affected by decisions based on the advice to be given.

1020.20 Photos of Board Members

Photos of District Board Members cannot be used by the District in a manner that is related to election or political activity, which is directed at influencing residents to vote for or against candidates and/or ballot initiatives. In addition, District Board members cannot use District-owned photos in a manner that is related to an election or political activity. Photos of board members can be used in BCHD publications or assets (website, social media, flyers, annual report, etc.) to promote District-related activities, including staff, volunteer, partner and grant recognition, promotion of program and services, and other non-election or political activity

1020.20 Conclusion

This policy has been adopted solely to serve as an internal guideline for the conduct of staff and Board members in the management of District affairs. It is not intended to confer any procedural or substantive rights on third parties and shall not be enforceable against the District or any of its Board or staff members by any third party. This policy may only be enforced through the action of a disinterested majority of the District Board.