

OVERSIGHT BOARD RESOLUTION NUMBER OB-2012-5

A RESOLUTION OF THE OVERSIGHT BOARD FOR
CITY OF SAN DIEGO REDEVELOPMENT
SUCCESSOR AGENCY ADOPTING A PROPOSED
CONFLICT OF INTEREST CODE FOR THE
OVERSIGHT BOARD AND AUTHORIZING ITS
SUBMISSION TO THE CODE-REVIEWING BODY
FOR FINAL APPROVAL.

WHEREAS, the former Redevelopment Agency of the City of San Diego (Former RDA) administered the implementation of various redevelopment projects, programs, and activities within designated redevelopment project areas throughout the City of San Diego (City); and

WHEREAS, in accordance with Assembly Bill x1 26 (AB 26), the Former RDA dissolved as of February 1, 2012, at which time the City of San Diego, solely in its capacity as the designated successor agency to the Former RDA (Successor Agency), assumed the Former RDA's assets and obligations; and

WHEREAS, AB 26 provides for the appointment of a seven-member oversight board (Oversight Board) with specific duties to approve and direct certain actions of the Successor Agency pursuant to California Health and Safety Code sections 34180 and 34181; and

WHEREAS, California Health and Safety Code section 34179(e) confirms that the Oversight Board is deemed to be a local entity for purposes of the Political Reform Act of 1974, set forth at California Government Code section 81000 et seq. (Political Reform Act); and

WHEREAS, the Fair Political Practices Commission (FPPC) enforces the provisions of the Political Reform Act and related regulations; and

WHEREAS, California Government Code sections 87300 and 87302 require local agencies to adopt conflict of interest codes designating positions that involve the making or participation in making of decisions which may foreseeably have a material effect on financial interests, and for each position, the financial interests which are reportable; and

WHEREAS, based on written guidance provided by the FPPC in a letter dated April 25, 2012, a conflict of interest code must be adopted for members of the Oversight Board, subject to approval of the San Diego City Council, and all members of the Oversight Board must be required to complete and file statements of economic interests in accordance with the code and must comply with all applicable ethics laws; and

WHEREAS, a proposed conflict of interest code has been prepared to meet the requirements of the Political Reform Act, taking into account the specific duties of the Oversight Board; and

WHEREAS, the Oversight Board finds it in the public interest to adopt the standard conflict of interest code promulgated by the FPPC in Regulation 18730, and hereby declares its intention to incorporate by reference the terms of FPPC Regulation 18730 and any amendments to that regulation duly adopted by the FPPC as part of its conflict of interest code; and

WHEREAS, upon approval by the Oversight Board, the proposed conflict of interest code will be submitted to the code-reviewing body, namely the San Diego City Council (Council), for review and approval.

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board as follows:

4. A Conflict of Interest Code for the Oversight Board (OB Code) is hereby adopted, consisting of standard language embodied in title 2, section 18730 of the California Code of Regulations, and any amendments to that regulation duly adopted by the FPPC, with Appendix A showing designated positions and their duties, and Appendix

B showing the disclosure categories. A copy of the OB Code shall be filed in the Oversight Board's records with the San Diego City Clerk as Document No. D-
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5. The proposed OB Code will be submitted to the Council, in its capacity as the code-reviewing body, for review and final approval.

6. Upon the Council's approval of the OB Code, the persons whose positions are designated in the OB Code shall file their statements of economic interests with the San Diego City Clerk in compliance with the schedule set forth in California Government Code section 87302(b) and FPPC Regulation 18730, or any amendments thereto, which set forth the deadlines for the filing of initial statements, assuming office statements, annual statements, and leaving office statements.

7. Once the OB Code is approved by the Council in its capacity as the code-reviewing body, the statements of economic interests filed by designated persons will be retained by the San Diego City Clerk and be made available for public inspection and reproduction.

PASSED AND ADOPTED by the Oversight Board at a duly noticed meeting of the Oversight Board held on May 11, 2012.



Chair, Oversight Board

