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107

RESOLUTION NUMBER R- 307464

DATE OF FINAL PASSAGE MAY 22 2012

RESOLUTION ADOPTING A CONFLICT OF INTEREST
CODE FOR THE OVERSIGHT BOARD

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, the FPPC has determined that the Oversight Board is a local agency that must adopt a conflict of interest code to comply with the Political Reform Act; and

WHEREAS, based on direction provided by the FPPC in an advice letter dated April 25, 2012: (1) a conflict of interest code must be adopted for members of the Oversight Board, subject to approval of the City Council; and (2) upon the Council's adoption of a code, members of the Oversight Board will be required to complete and file Form 700 statements of economic interests in compliance with the code; and

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

WHEREAS, the Oversight Board found it in the public interest to adopt the standard conflict of interest code promulgated by the FPPC in Regulation 18730, and declared 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, in compliance with the Political Reform Act and the April 25, 2012 advice letter of the FPPC, the Oversight Board hereby submits its proposed conflict of interest code to the Council for review and approval; and

WHEREAS, as the City's code-reviewing body, the City Council also finds it in the public interest to adopt the standard conflict of interest code promulgated by the California Fair Political Practices Commission (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 each conflict of interest code for which the City Council has responsibility; and

WHEREAS, Government Code section 87303 provides that when a proposed conflict of interest code or amendment is approved by the code-reviewing body, it shall be deemed adopted, and, accordingly, this resolution is not subject to veto by the Mayor; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that a Conflict of Interest Code for the Oversight Board 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 Fair Political Practices Commission, with Appendix A showing designated positions, and Appendix B showing the disclosure categories.

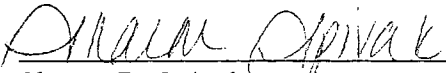
BE IT FURTHER RESOLVED, that a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Oversight Board as adopted be placed on file in the Office of the City Clerk as Document No. RR- 307464.

BE IT FURTHER RESOLVED, that the persons whose positions are designated in the Conflict of Interest Code for the Oversight Board shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political Practices Commission 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.

BE IT FURTHER RESOLVED, that the statements of economic interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction.

BE IT FURTHER RESOLVED, that the Conflict of Interest Code for the Oversight Board becomes effective upon the date of adoption of this resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Sharon B. Spivak
Deputy City Attorney

SBS:jdf
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