

OVERSIGHT BOARD RESOLUTION NUMBER OB-2014-78

A RESOLUTION OF THE OVERSIGHT BOARD FOR
THE CITY OF SAN DIEGO REDEVELOPMENT SUCCESSOR
AGENCY AUTHORIZING AND DIRECTING THE OVERSIGHT
BOARD CHAIR TO EXECUTE AND FILE
A LOCAL AGENCY BIENNIAL NOTICE PERTAINING TO THE
BOARD'S CONFLICT OF INTEREST CODE WITH
THE SAN DIEGO CITY CLERK

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 Redevelopment Agency (Successor Agency), assumed the former RDA's assets and obligations; and

WHEREAS, the Successor Agency is winding down the former RDA's affairs in accordance with AB 26, enacted on June 28, 2011, and Assembly Bill 1484 (AB 1484), enacted on June 27, 2012 (collectively, the Dissolution Laws); and

WHEREAS, pursuant to Health & Safety Code (Code) Section 34179, an Oversight Board composed of seven members has been formed to oversee certain actions and decisions of the Successor Agency in accordance with the Dissolution Laws; and

WHEREAS, pursuant to Subsection (e) of Section 34179, the Oversight board is a local entity subject to the provisions of the Political Reform Act (the "Act"); and

WHEREAS, Government Code Sections 87300 and 87302, which are found in the Act, require local agencies to adopt Conflict of Interest Codes designating those positions within the agencies that involve the making or participation in the making of decisions which may foreseeably

have a material financial effect on the persons occupying those positions, and identifying the financial interests that are reportable for each position; and

WHEREAS, on May 11, 2012, pursuant to Resolution No. OB-2012-5, the Oversight Board adopted a Conflict of Interest Code requiring that Oversight Board Members and consultants shall file a Form 700 Statement of Economic Interests disclosing those financial interests identified in designated disclosure categories, and directing that the Conflict of Interest Code be submitted to the San Diego City Council, in its capacity as code reviewing body, for approval; and

WHEREAS, ON May 22, 2012, pursuant to Resolution No. R-307464, the City Council approved the Oversight Board's Conflict of Interest Code; and

WHEREAS, Section 87306.5 of the Regulations of the Fair Political Practices Commission provides that no later than July 1 of each even-numbered year, the code reviewing body shall direct every local agency which has adopted a Conflict of Interest Code to review its Code, and if a change in its Code is necessary, submit an amended Code to its code reviewing body, or upon review of its Code, if no change in the Code is required, the local agency head shall submit a written statement to that effect to the code reviewing body no later than October 1 of the same year; and

WHEREAS, the San Diego City Clerk, on behalf of the City Council, has requested that the Oversight Board review its Conflict of Interest Code and amend the Code as necessary, or if no amendment is required, report that fact in the Local Agency Biennial Notice; and

WHEREAS, the Oversight Board has reviewed its Conflict of Interest Code. In undertaking its review and making its determination as to whether an amendment to its Conflict of Interest Code is necessary, the Oversight Board finds that its existing Code is less than five years old; that there have not been any substantial changes to the Board's organizational structure since its last Code was approved; that no positions in the Board have been eliminated or re-named since the last Code was

approved; that no new positions have been added to the Board since the last Code was approved; that there have not been any substantial changes in duties or responsibilities for any position in the Board since the last Code was approved; and that no other circumstances are present that would necessitate an amendment to the existing Conflict of Interest Code; and

WHEREAS, the Oversight Board further finds that its existing Conflict of Interest Code accurately designates all positions that make or participate in the making of governmental decisions; that the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those holding the designated positions; and that the existing Conflict of Interest Code includes all other provisions required by Government Code Section 87302; and

WHEREAS, the Oversight Board further finds that no amendments to its existing Conflict of Interest Code, approved pursuant to Resolution No. OB-2012-5, are necessary.

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board that the Chair is hereby authorized and directed to execute and file a Local Agency Biennial Notice with the San Diego City Clerk, indicating that the Oversight Board has reviewed its Conflict of Interest Code and determined that no amendments to the Code are necessary.

PASSED AND ADOPTED by the Oversight Board at a duly noticed meeting of the Oversight Board held on September 11, 2014.



Chair, Oversight Board