

RESOLUTION NO: 2012-65

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE YUCAIPA REDEVELOPMENT AGENCY ADOPTING A CONFLICT OF INTEREST CODE CONTAINING DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES.

WHEREAS, the Political reform Act, Government Code Section 8100, et seq., requires the Oversight Board of the Successor Agency to the Yucaipa Redevelopment Agency to adopt a Conflict of Interest Code; and

WHEREAS, the Oversight Board of the Successor Agency for the dissolved Redevelopment Agency of the City of Yucaipa is a local entity subject to the Political Reform Act of 1974 per Health and Safety Code Section 34179(e); and

WHEREAS, the Oversight Board of the Successor Agency for the dissolved Redevelopment Agency of the City of Yucaipa is deemed a local entity for purposes of the Political Reform Act; and

WHEREAS, pursuant to the Political Reform Act and regulations promulgated thereunder by the Fair Political Practices Commission of the State of California, a newly established local entity is required to adopt a conflict of interest code.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Successor Agency to the Yucaipa Redevelopment Agency does hereby find, determine and declare as follows:


1. The Political Reform Act, Government Code Section 81000, et seq., requires the Oversight Board of the Successor Agency to the Yucaipa Redevelopment Agency to adopt a Conflict of Interest Code. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contain the terms of a standard Conflict of Interest Code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearing to conform to amendments in the Political Reform Act. Therefore, the term of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A and B, which contains designated positions and disclosure categories are set forth and shall constitute the Conflict of Interest Code for the Oversight Board of the Successor Agency to the Yucaipa Redevelopment Agency.

2. Persons holding designated positions listed in Appendix A shall file Statements of Economic Interest pursuant to the Conflict of Interest Code with the information required for the disclosure category assigned to them unless exempt from filing such Statements pursuant to the Conflict of Interest Code.

3. Pursuant to the Political Reform Act, a person holding a designated position listed in this Conflict of Interest Code that violates any provisions of this Code is subject to administrative, criminal and civil sanctions provided in the Political Reform Act. In addition, if a person who holds a designated position makes, participates in making or otherwise attempts to use his or her official position to influence a decision of the Oversight Board in which he or she has a financial interest, her or she may also be subject to additional administrative, criminal and civil sanctions and the decision may be set aside and voided pursuant to Government Code Section 91003.

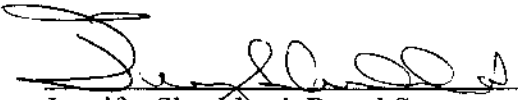
4. The Secretary of the Board shall certify to the passage and adoption of this Resolution and shall submit the Oversight Board's Conflict of Interest Code to the City Council for its approval as the Code Reviewing Body.

PASSED, APPROVED AND ADOPTED on this 27th day of September 2012.



Denise Work, Chairperson

ATTEST:



Jennifer Shankland, Board Secretary

APPENDIX A

**DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES
OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
TO THE
YUCAIPA REDEVELOPMENT AGENCY**

POSITIONS	DISCLOSURE CATEGORIES
Board Member	1*
Board Finance Officer	2
Board Secretary	2
Board Legal Counsel	1
Consultants	7

* Oversight Board Members who serve in a position of the City of Yucaipa and who are already required to report financial interests pursuant to the broadest disclosure categories under the City's Conflict of Interest Code are not required to prepare a Statement of Economic Interest (Form 700) for their position with the Board. Persons in this category are, however, subject to the disqualification provisions of this Code when acting in their official capacity for the Oversight Board of the Successor Agency to the Yucaipa Redevelopment Agency.

APPENDIX B DISCLOSURE CATEGORIES

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

1. Full Disclosure – Interests in real property located within the City or within two miles of the boundaries of the City or within two miles of any land owned or used by the City, as well as investments, business positions and sources of income, including gifts, loans and travel payments.

*Oversight Board Members who serve in a position of the City of Yucaipa and who are already required to report financial interests pursuant to the broadest disclosure categories under the City's Conflict of Interest Code are not required to prepare a Statement of Economic Interest (Form 700) for their position with the Board. Persons in this category are, however, subject to the disqualification provisions of this Code when acting in their official capacity for the Oversight Board of the Successor Agency to the Yucaipa Redevelopment Agency.
2. Persons holding designated positions which are assigned a disclosure category of "2" are not required to prepare a Statement of Economic Interest (Form 700) for their position with the Agency because they also hold positions which are already required to disclose and report under the Conflict of Interest Code of the City of Yucaipa. Persons in this category "2" are, however, subject to the disqualification provisions of this Code when acting in their official capacity for the Oversight Board of the Successor Agency to the Yucaipa Redevelopment Agency.
3. Reportable interests in real property in the jurisdiction. (Form 700, Schedule B)
4. Reportable income and business positions. (Form 700, Schedule C)
5. Reportable investments. (Form 700, Schedules A-1 and A-2)
6. Reportable gifts and travel gifts. (Form 700, Schedules D and E.)
7. For consultants who serve in a staff capacity with the Oversight Board, the consultant shall disclose based on the disclosure categories assigned elsewhere in this Code for that staff position.

The following disclosure categories shall be used for consultants who do not serve in a staff capacity:

Persons required to disclose in this category shall disclose pursuant to categories 3, 4, 5 and 6 above unless the Board Chair determines in writing that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to fully

comply with the disclosure requirements in categories 3, 4, 5 and 6. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Board Chair's determination is a public record and shall be retained for public inspection in the same manner and location as this code.