

RESOLUTION NO. 2012-2

A RESOLUTION OF THE OVERSIGHT BOARD TO THE  
SUCCESSOR AGENCY TO THE DISSOLVED IRVINE  
REDEVELOPMENT AGENCY ADOPTING A CONFLICT OF  
INTEREST CODE FOR THE OVERSIGHT BOARD

WHEREAS, the Oversight Board to the Successor Agency to the dissolved Irvine Redevelopment Agency has been appointed pursuant to the provisions of Health & Safety Code Section 34179; and

WHEREAS, the Oversight Board 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 ("FPPC"), a newly established local entity is required to adopt a conflict of interest code; and

WHEREAS, the Oversight Board finds and determines that it is appropriate to adopt as its conflict of interest code the model conflict of interest code promulgated by the FPPC as set forth in this Resolution;

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

SECTION 1. Pursuant to the Political Reform Act of 1974, Government Code Section 87300 et seq., and Section 18730 of Title 2 of the California Code of Regulations, the Board adopts the model conflict of interest code promulgated by the Fair Political Practices Commission of the State of California as set forth in Section 18730 of Title 2 of the California Code of Regulations, which model conflict of interest code is incorporated herein by reference, and which, together with the list of designated positions and the disclosure categories applicable to each designated position as set forth in Sections 3 and 5 of this Resolution, collectively constitutes the Board's conflict of interest code. As the model conflict of interest code set forth in Section 18730 of Title 2 of the California Code of Regulations is amended from time to time by State law, regulatory action of the Fair Political Practices Commission, or judicial determination, the portion of the Board's conflict of interest code comprising the model conflict of interest code shall be deemed automatically amended without further action to incorporate by reference all such amendments to the model conflict of interest code so as to remain in compliance therewith. Nothing in this Resolution shall supersede the independent applicability of Government Code Section 87200.

SECTION 2. The definitions contained in the Political Reform Act of 1974 and in the regulations of the Fair Political Practices Commission, and any amendments to either of the foregoing, are incorporated by reference into this conflict of interest code.

SECTION 3. The following are the designated Board positions, the holders of which shall be required to file statements of economic interests: Oversight Board members.

SECTION 4. The code reviewing body for this conflict of interest code shall be the Board of Supervisors of the County of Orange. This conflict of interest code shall be promptly submitted after its adoption by the Acting Secretary to the Clerk of the Board of Supervisors. Statements of economic interests shall be filed by Oversight Board members with the Clerk of the Board of the Supervisors of the County of Orange.

SECTION 5. The Board finds and determines that the persons holding the positions set forth in Section 3 make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

SECTION 6. Each person holding a designated position set forth in Section 3 shall report in every disclosure category set forth in the statement of economic interests promulgated by the FPPC to the extent such category is applicable to such person pursuant to the rules and regulations of the FPPC. The disclosure categories as promulgated by the FPPC may be amended from time to time and such amendments shall not require an amendment to this code or Resolution.

SECTION 7. Sections 3 and 6 of this Resolution constitute the Appendix referred to in subdivision (b)(2) of Section 18730 of Title 2 of the California Code of Regulations.

SECTION 8. Nothing contained in this Resolution is intended to modify or abridge the provisions of the Political Reform Act of 1974, Government Code Section 87000 et seq., or FPPC the regulations, Title 2 California Code of Regulations including Sections 18700 et seq. The provisions of this Resolution are additional to the Political Reform Act and FPPC Regulations. This Resolution shall be interpreted in a manner consistent with the Political Reform Act and FPPC regulations. In the event of any inconsistency between the provisions of this Resolution, on the one hand, and the Political Reform Act and/or the FPPC regulations, on the other hand, the provisions of the Political Reform Act and FPPC regulations shall govern.

SECTION 9. If any section, subsection, sentence, clause, or phrase of this Resolution is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared invalid.

PASSED AND ADOPTED by the Oversight Board at the first regular meeting held on the 21<sup>st</sup> day of March, 2012.

  
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CHAIR, OVERSIGHT BOARD

ATTEST:

  
ACTING SECRETARY

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS  
CITY OF IRVINE )

I, SHARIE APODACA, Acting Secretary to the Oversight Board, hereby certify that the foregoing resolution was duly adopted at the first regular meeting of the Oversight Board, held on the 21<sup>st</sup> day of March, 2012.

AYES: 7 BOARD MEMBERS: BERGESON, COMPTON, DOLLESCHEL,  
DUNN, FITZSIMONS, FOGARTY AND  
LANDERS

NOES: 0 BOARD MEMBERS:

ABSENT: 0 BOARD MEMBERS:

  
ACTING SECRETARY

**RESOLUTION NO. 2012-2 AMENDMENT**

**OVERSIGHT BOARD**

**TO THE SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDVELOPMENT AGENCY**

**THE CONFLICT OF INTEREST CODE FOR THE OVERSIGHT BOARD AS SET FORTH IN RESOLUTION NO. 2012-2 WAS APPROVED BY THE CITY COUNCIL ON APRIL 24, 2012 SUBJECT TO A REVISION TO SECTION 4 OF THE RESOLUTION AS NOTED BELOW. THE OVERSIGHT BOARD RATIFIED THE CITY COUNCIL'S APPROVAL OF THE CODE ON MAY 10, 2012**

SECTION 4. The code reviewing body for this conflict of interest code shall be the City Council of the City of Irvine. This conflict of interest code shall be promptly submitted after its adoption by the Acting Secretary to the City Council of the City of Irvine. Statements of economic interests shall be filed by Oversight Board members with the City Clerk of the City of Irvine.