

RESOLUTION NO. 2018 - 1

RESOLUTION OF THE SOLANO CONSOLIDATED OVERSIGHT BOARD ADOPTING A CONFLICT OF INTEREST CODE FOR THE OVERSIGHT BOARD

Whereas, the Solano Consolidated Oversight Board ("Oversight Board") has been appointed pursuant to the provisions of Health and Safety Code §34179(j); 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.

Resolved, the Oversight Board does hereby resolve as follows:

Section 1. The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation, 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, shall constitute the conflict of interest code of the Solano Consolidated Oversight Board (Oversight Board). As the model conflict of interest code set forth in Section 18730 of Title 2 of the regulatory action of the FPPC or judicial determination, the portion of the Oversight 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 Oversight Board positions, the holders of which shall be required to file statements of economic interests: Solano Consolidated Oversight Board Member.

Section 4. Oversight Board Members shall file Statements of Economic Interest with the Secretary of the Solano Consolidated Oversight Board.

Section 5. The Oversight 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 18370 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. The provisions of this Resolution are addition 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 and the Political Reform Act and/or the FPPC regulations, 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 Oversight 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.

Section 10. The Secretary shall certify to the adoption of this Resolution.

Passed and adopted by the Solano Consolidated Oversight Board at its regular meeting on July 12, 2018 by the following vote:

AYES: Feinstein, Sampayan, Tedder, Thomson, Welch

NOES: None.

ABSENT: Diamond, Wilkerson


BOB SAMPAYAN, Chairperson
Solano Consolidated Oversight Board

ATTEST:


Jeanette Neiger, Secretary
Solano Consolidated Oversight Board

I CERTIFY that the foregoing resolution was passed and adopted by the Solano Consolidated Oversight Board at its regular meeting on July 12, 2018.


Jeanette Neiger, Secretary
Solano Consolidated Oversight Board