

RESOLUTION NO. 12-02

A RESOLUTION OF THE OVERSIGHT BOARD
OF THE SUCCESSOR AGENCY TO THE CITY
OF MONTCLAIR REDEVELOPMENT AGENCY
ADOPTING A CONFLICT OF INTEREST CODE
FOR THE OVERSIGHT BOARD

WHEREAS, the Oversight Board of the Successor Agency to the City of Montclair Redevelopment Agency has been appointed pursuant to the provisions of Health and 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 there under by the Fair Political Practices Commission ("FPPC"), a newly established local entity is required to adopt a conflict 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 that the Oversight Board of the Successor Agency of the City of Montclair Redevelopment Agency does hereby find and determine 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 Oversight Board adopts the model conflict 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 4 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 FPPC, 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 FPPC, 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 Oversight Board finds and determines that the persons holding the positions set forth in Section 3 make or participate in the making of decisions that may foreseeably have a material effect on financial interests.

Section 5. 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 regulation 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 6. Sections 3 and 5 of this Resolution constitute the Appendix referred to in subdivision (b)(2) of Section 18730 of Title 2 of the California Code of Regulations.

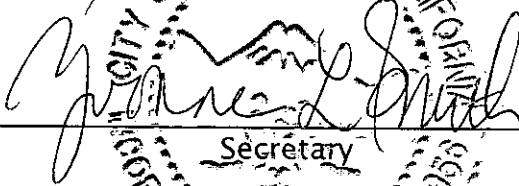
Section 7. Nothing contained in this Resolution is intended to modify or abridge the provisions of the Political Reform Act of 1974, Government Code Sections 87000 *et seq.*, or FPPC regulations, Title 2 of the California Code of Regulations including Sections 18700 *et seq.* The provisions of the Resolution 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 8. 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 on or more section, subsection, clause, or phrase be declared invalid.

APPROVED AND ADOPTED this 25th day of April, 2012.



ATTEST:





I, Yvonne L. Smith, Secretary of the Oversight Board to the Successor Agency of the City of Montclair Redevelopment Agency, DO HEREBY CERTIFY that Resolution No. 12-02 was duly adopted by the Oversight Board of Directors at a regular meeting thereof held on the 25th day of April, 2012, and that it was adopted by the following vote, to-wit:

AYES: Catlin, Erickson, Kulbeck, Richardson, Johnson, Ruh
NOES: None
ABSTAIN: None
ABSENT: Stallings

