

**STAFF REPORT**

**TO:           OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE  
DISSOLVED GROVER BEACH IMPROVEMENT AGENCY**

**FROM:       ROBERT PERRAULT, CITY MANAGER**

**SUBJECT:   REVIEW OF CONFLICT OF INTEREST CODE FOR THE OVERSIGHT BOARD**

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**BACKGROUND**

The Political Reform Act of 1974 as amended requires every local government agency to review its Conflict of Interest Code by October 1<sup>st</sup> of even-numbered years and determine whether it is up-to-date or in need of revision. The Conflict of Interest Code sets out those positions and/or classifications within the agency that are decision-making positions, but are not among those positions mandated by state law to file Statements of Economic Interest (Form 700). Such designated positions are then included in the Oversight Board's Conflict of Interest Code. Individuals identified as holding those positions would be required to file Statements of Economic Interests with the Clerk for the Grover Beach Successor Agency (City Clerk), who will be responsible for distributing and receiving the statements.

**DISCUSSION**

The Oversight Board adopted a Conflict of Interest Code at its initial meeting in April 2012 that identified Members of the Board as those positions required to file Statements of Economic Interest (Form 700). No changes have been made to the Oversight Board since its inception; therefore, no revision to the Oversight Board's Conflict of Interest Code is required at this time.

**ALTERNATIVES**

The Board has the following alternatives available to it:

1. Confirm no amendment is required to the Conflict of Interest Code and authorize the City Manager to complete the 2014 Local Agency Biennial Notice to forward to the Grover Beach City Council; or
2. Provide staff with additional direction.

**RECOMMENDED ACTION**

1) Confirm no amendment is required to the Conflict of Interest Code; and 2) authorize the City Manager to complete the 2014 Local Agency Biennial Notice to forward to the Grover Beach City Council.

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**APPROVED FOR FORWARDING**

  
**ROBERT PERRAULT  
CITY MANAGER**

**Please Review for**

**Potential Conflict of Interest:**

- |  |                                   |
|--|-----------------------------------|
| <input checked="" type="checkbox"/> None Identified by Staff | <input type="checkbox"/> Vacant   |
| <input type="checkbox"/> Laferriere                          | <input type="checkbox"/> Green    |
| <input type="checkbox"/> Jarvis                              | <input type="checkbox"/> Hill     |
|  | <input type="checkbox"/> Mesa     |
|  | <input type="checkbox"/> Peterson |

**Meeting Date: September 22, 2014**

**Agenda Item No. 1b**

**Public Notification**

The agenda was posted in conformance with the Brown Act.

**ATTACHMENT**

1. Local Agency Biennial Notice
2. Resolution No. OB-12-01: Conflict of Interest Code for the Oversight Board

## 2014 Local Agency Biennial Notice

Name of Agency: Oversight Board to the Successor Agency of the Dissolved Grover Beach Improvement Agency

Mailing Address: 154 South Eighth Street, Grover Beach, CA 93433

Contact Person: Donna McMahon, City Clerk Phone No: (805) 473-4567

E-Mail: dcmcmahon@grover.org

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict of interest code and has determined that (check one box):

**An amendment is required. The following amendments are necessary:**

*(Mark all that apply.)*

- Include new positions (including consultants) that must be designated
- Revise disclosure categories
- Revise the titles of existing positions
- Delete positions that no longer make or participate in making governmental decisions
- Other *(describe)* \_\_\_\_\_

**The code is currently under review by the code reviewing body.**

**No amendment is required.** (If your code is more than five years old, amendments may be necessary.)

### Verification

*This agency's conflict of interest code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions. The code includes all other provisions required by Government Code Section 87302.*

\_\_\_\_\_  
Signature of Chief Executive Officer

\_\_\_\_\_  
Date

Complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2014**, or by the date specified by your agency, if earlier, to:

*(PLACE RETURN ADDRESS OF THE CODE REVIEWING BODY HERE)*

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC**

**RESOLUTION NO. OB-12-01**

**A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF GROVER BEACH, CALIFORNIA, ADOPTING A REVISED STANDARDIZED CONFLICT OF INTEREST CODE FOR THE OVERSIGHT BOARD**

**WHEREAS**, the Oversight Board to the Successor Agency to the dissolved Redevelopment Agency of the City of Grover Beach has been appointed pursuant to the provisions of Health and Safety Code Section 34179; and

**WHEREAS**, the Political Reform Act of 1974, California Government Code Sections 87300 et. seq., requires that governmental entities in the State of California adopt and promulgate Conflict of Interest Codes; and

**WHEREAS**, said Act requires that local governmental entities include within the provisions of Conflict of Interest Codes certain employees, commissioners, and committee members who make or participate in the making of decisions which may foreseeably have a material effect on financial interests; and

**WHEREAS**, California Code of Regulations, Section 18730 et. seq., contains provisions for the body of the Conflict of Interest Code which are applicable to all agencies; and

**WHEREAS**, incorporating Section 18730 et. seq., by reference as the body of the Oversight Board's Conflict of Interest Code would mean that all changes to the financial disclosure provisions of the Political Reform Act and Section 18730 et. seq., would automatically be a part of the Oversight Board's Code; and

**WHEREAS**, the Oversight Board's Code would always be up-to-date and in compliance with the law; and

**WHEREAS**, the Fair Political Practices Commission gives notice of all changes to Section 18730 et. seq., and the Oversight Board would be given an opportunity to comment on the changes before adoption by the Commission.

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

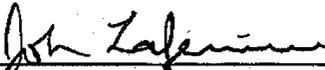
1. The terms of 2 California Code of Regulations, Section 18730 et. seq., duly adopted by the Fair Political Practices Commission and "Attachment A", are hereby incorporated by reference and with the attached Appendix shall constitute the Conflict of Interest Code of the Oversight Board to the Successor Agency to the Dissolved Redevelopment Agency of the City of Grover Beach.

2. The Secretary shall certify to the adoption of this Resolution.

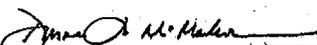
Upon motion of Board Member Hill, seconded by Board Member Evans, and on the following roll-call vote, to wit:

AYES: Board Members Evans, Hill, Mesa, Shoals, Vice Chair Jarvis, and  
Chair Laferriere.  
NOES: Board Members – None.  
ABSENT: Board Members – None (Note: 7<sup>th</sup> Board Member position is vacant).  
ABSTAIN: Board Members – None.

the foregoing Resolution was **PASSED, APPROVED, and ADOPTED** this 30<sup>th</sup> day of April  
2012.

  
\_\_\_\_\_  
JOHN LAFERRIERE  
BOARD CHAIR

ATTEST:

  
\_\_\_\_\_  
DONNA L. McMAHON  
BOARD SECRETARY

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY  
TO THE DISSOLVED GROVER BEACH IMPROVEMENT AGENCY  
CONFLICT OF INTEREST CODE**

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 Cal. Code of Regulations, Section 18730) which contains the terms of a standard conflict of interest code, and which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of Title 2, Division 6, California Code of Regulations, Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference, and the Oversight Board Members who are designated to report in every disclosure category, constitute the conflict of interest code of the Oversight Board to the Successor Agency to the Dissolved Redevelopment Agency of the City of Grover Beach.

All Oversight Board Members shall file statements of economic interests with the Successor Agency who will make the statements available for public inspection and reproduction (Gov. Code Section 81008). Upon receipt of the statements of the Oversight Board Members, the agency shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission.

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