

Solano Consolidated Oversight Board

Agenda - Final

Thursday, July 12, 2018

9:00 AM

County Administration Center, 6th Floor, Conference Room 6003

BOARD MEMBERS:

***Jim Spering, Solano County Board of Supervisors
Bob Sampayan, Solano County City Selection Committee
H. Lee Tedder, Vacaville-Elmira Cemetery District
Tommy Welch, Solano County Office of Education
Rob Diamond, Solano Community College
Jerry Wilkerson, Member of the Public
Dave Feinstein, Successor Agency Employee***

Temporary parking permits for the County Parking Garage are available from the Board Secretary for visitors attending the Board meeting for more than 2 hours.

The Solano Consolidated Oversight Board does not discriminate against persons with disabilities and is an accessible facility. If you wish to attend this meeting and you will require assistance in order to participate, please call the Board Secretary at (707) 784-6125 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

Non-confidential materials related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection at the Solano County Government Center, Clerk of the Board of Supervisors, 675 Texas Street, Suite 6500, Fairfield, during normal business hours.

If you wish to address any item listed on the Agenda, or Closed Session, please submit a Speaker Card to the Board Secretary before the Board considers the specific item. Cards are available at the entrance to the Board chambers. Please limit your comments to three minutes. For items not listed on the Agenda, please see items from the public below.

AGENDA

CALL TO ORDER - 9:00 A.M.

ROLL CALL

PLEDGE OF ALLEGIANCE

INTRODUCTION AND OVERVIEW BY AUDITOR-CONTROLLER

PUBLIC COMMENT

This is your opportunity to address the Board on a matter not listed on the Agenda, but it must be within the subject matter jurisdiction of the Board. Please submit a Speaker Card before the first speaker is called and limit your comments to three minutes. The Board will hear public comments for up to fifteen minutes. Any additional public comments will be heard at the conclusion of the meeting. Items from the public will be taken under consideration without discussion by the Board and may be referred to staff.

ADDITIONS/DELETIONS TO THE AGENDA

APPROVAL OF THE AGENDA

REGULAR CALENDAR

- 1 [COB 18-5](#) Administer the Oath of Office for members of the Solano Consolidated Oversight Board
- 2 [COB 18-6](#) Consider nominating and electing one member to serve as Chairperson and one member to serve as Vice Chairperson to the Solano Consolidated Oversight Board
- 3 [COB 18-8](#) Consider adopting the Bylaws of the Solano Consolidated Oversight Board
Attachments: [A - Bylaws](#)
- 4 [COB 18-9](#) Consider a resolution adopting the Conflict of Interest Code for the Solano Consolidated Oversight Board
Attachments: [A - Resolution](#)
 [B - FPPC COI Code Regulations](#)
- 5 [COB 18-7](#) Consider establishing a schedule of meetings of the Solano Consolidated Oversight Board
Attachments: [A - Meeting Schedule](#)

BOARD COMMENTS

CLOSED SESSION

- 6 [COB 18-10](#) Public Employment Appointment: Solano Consolidated Oversight Board Attorney
Attachments: [A - Memorandum](#)

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

ADJOURNMENT:

*To the Solano Consolidated Oversight Board meeting of August 9, 2018 at 9:00 A.M.,
Board Chambers, 675 Texas Street, Fairfield, CA*

Solano Consolidated Oversight Board

Agenda Submittal

Agenda #:	1	Status:	Regular Calendar
Type:	COB - Miscellaneous	Department:	Auditor-Controller
File #:	COB 18-5	Contact:	Simona Padilla-Scholtens, 784-6287
Agenda date:	07/12/2018	Final Action:	
Title:	Administer the Oath of Office for members of the Solano Consolidated Oversight Board		
Governing body:	Solano Consolidated Oversight Board		
District:	All		
Attachments:			

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ___ No X
Public Hearing Required? Yes ___ No X

RECOMMENDATION:

Administer the Oath of Office for all members of the Solano Consolidated Oversight Board:

Jim Spering, Solano County Board of Supervisors
Skip Thomson, Solano County Board of Supervisors, alternate
Bob Sampayan, Solano County City Selection Committee
Ronald Kott, Solano County City Selection Committee, alternate
H. Lee Tedder, Vacaville-Elmira Cemetery District
Tommy Welch, Solano County Office of Education
Rob Diamond, Solano Community College
Jerry Wilkerson, Member of the Public
Dave Feinstein, Successor Agency Employee

Solano Consolidated Oversight Board

Agenda Submittal

Agenda #:	2	Status:	Regular Calendar
Type:	COB - Appointment	Department:	Auditor-Controller
File #:	COB 18-6	Contact:	Simona Padilla-Scholtens, 784-6287
Agenda date:	07/12/2018	Final Action:	
Title:	Consider nominating and electing one member to serve as Chairperson and one member to serve as Vice Chairperson to the Solano Consolidated Oversight Board		
Governing body:	Solano Consolidated Oversight Board		
District:	All		
Attachments:			

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ___ No X

Public Hearing Required? Yes ___ No X

RECOMMENDATION:

It is recommended the Solano Consolidated Oversight Board consider nominating and electing one member to serve as Chairperson and one member to serve as Vice Chairperson for the Board.

DISCUSSION:

A Chairperson of the Board should be selected to preside over the Board's meetings in order to conduct business. The Chairperson, as the presiding officer, essentially runs the meetings by maintaining order and keeping discussion on point with the agenda. A Vice Chairperson should also be selected to preside over the meeting when the Chairperson is unavailable. A Vice Chairperson typically performs the same duties as the Chairperson, when the Chairperson is absent.

Given the lack of a Chairperson or Vice Chairperson at this first meeting of the Board, staff will open and close nominations to the Board for Chairperson followed by a vote. Since the Board has seven members, four affirmative votes are needed to pass a motion as a simple majority. The process will be repeated for Vice Chairperson.

FINANCIAL IMPACT:

No financial impact is associated with this item.

ALTERNATIVES:

The Board may choose not to appoint a Chairperson and Vice Chairperson; however, this alternative is not recommended as a member must be appointed to be the presiding officer.

OTHER AGENCY INVOLVEMENT:

None.

Solano Consolidated Oversight Board

Agenda Submittal

Agenda #:	3	Status:	Regular Calendar
Type:	COB - Miscellaneous	Department:	Auditor-Controller
File #:	COB 18-8	Contact:	Simona Padilla-Scholtens, 784-6287
Agenda date:	07/12/2018	Final Action:	
Title:	Consider adopting the Bylaws of the Solano Consolidated Oversight Board		
Governing body:	Solano Consolidated Oversight Board		
District:	All		
Attachments:	A - Bylaws		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ___ No X

Public Hearing Required? Yes ___ No X

RECOMMENDATION:

It is recommended that the Solano Consolidated Oversight Board adopt a resolution approving the proposed Bylaws for the Board.

DISCUSSION:

Health & Safety Code §34179(j) establishes the Consolidated Oversight Board to oversee the activities of the six successor agencies in the Solano County area, thereby replacing all other successor agency oversight boards effective July 1, 2018.

The Bylaws, if adopted will facilitate the process of the meetings and establish rules of operation for the Board. Staff has prepared the attached proposed Bylaws (Attachment A) for the Board's consideration.

FINANCIAL IMPACT:

There is no financial impact in adopting this resolution or the bylaws.

ALTERNATIVES:

The Board may choose not to adopt the Bylaws; however, this alternative is not recommended as the Bylaws cover the essential operating guidelines of the Board.

OTHER AGENCY INVOLVEMENT:

The Secretary of the Solano Consolidated Oversight Board and Solano County Counsel participated in the compilation and review of the Bylaws.

BYLAWS OF THE SOLANO CONSOLIDATED OVERSIGHT BOARD OF SOLANO COUNTY

ARTICLE 1 – THE SOLANO CONSOLIDATED OVERSIGHT BOARD

Section 1: Name of Solano Consolidated Oversight Board

The official name shall be the “Solano Consolidated Oversight Board” (hereinafter referred to as “Board”).

Section 2: Purpose/Powers

The Board shall perform the duties described in California Health and Safety Code Division 24, Part 1.85, Chapter 4, Sections 34179, 34180, and 34181 in connection with the winding down of the affairs of the six Successor Agencies within Solano County.

A. Responsibilities

The tasks of the Board shall include the following:

- Establishment of new repayment terms for outstanding loans if the terms were not specified prior to the effective date of this legislation.
- Refunding of outstanding bonds or debts of former RDA in order to save on charges.
- Merging of project areas.
- Setting aside reserves as required by indentures.
- Continuing the acceptance of state/federal grants.
- Compensation agreements with the taxing entities on properties that are retained for future redevelopment activities.
- Establishment of the Recognized Obligation Payment Schedule (ROPS).
- Shall have fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from the distribution of property tax and other revenues.
- Approval of annual ROPS including SA administrative cost allowance.
- Approval of Last and Final ROPS.
- Approval of administrative budget of the six Successor Agencies.

B. Powers

The Board shall be vested with all rights, powers, duties, privileges, and immunities established by California Health and Safety Code Sections 34179, 34180, and 34181.

C. Review by State Department of Finance

The State Department of Finance (hereinafter "DOF") may review any action of the Board. The Board shall designate an official to be the point of contact between the Board and DOF, and shall provide his/her telephone and email contact information to DOF. Actions taken by the Board shall not be effective for five (5) business days, pending a request for review by DOF. In the event DOF requests review of an action taken by the Board, DOF shall have forty (40) days from the date of its request to approve the action or return it to the Board for reconsideration, with suggested modifications. In the event DOF returns the action to the Board for reconsideration, the Board shall consider the modified action, and resubmit the modified action to DOF for approval; the modified action shall not become effective until approved by DOF.

Section 3: Membership

A. Number and composition of Board members:

The total membership of the Board shall be seven (7). All Board members are appointed pursuant to the guidelines set forth in the California Health and Safety Code 34179(j). The members are appointed as follows:

- 1) One member may be appointed by the Solano County Board of Supervisors.
- 2) One member may be appointed by the Solano County City Selection Committee.
- 3) One member may be appointed by the Independent Special District Selection Committee.
- 4) One member may be appointed by the County Superintendent of Education (Solano County Superintendent of Schools).
- 5) One member may be appointed by the Chancellor of the California Community Colleges.
- 6) One member of the public may be appointed by the Solano County Board of Supervisors.
- 7) One member may be appointed by the recognized employee organization representing the largest number of Successor Agency employees.

B. Voting. Each member shall be entitled to one vote. An alternate member may attend a meeting and vote in place of the primary member upon the primary member's absence if an alternate appointment has been made by the appointing agency referenced in Section 3A.

Section 4: Duration

The Board shall remain established until the six Successor Agencies have been formally dissolved pursuant to Health and Safety Code section 34187.

ARTICLE II – OFFICERS

Section 1: Officers and Officials

The members of the Board shall elect one member to serve as the Chairperson and select one member to serve as the Vice Chairperson. The term of office for the Chairperson and Vice Chairperson shall be one year and renewed annually.

Section 2: Chairperson

The Chairperson of the Board shall preside at all board meetings; represent the position of the Board; act as spokesperson for the Board; and serve as the public contact for the Board.

Section 3: Vice Chairperson

The Vice Chairperson shall perform the duties of the Chairperson in his/her absence or when requested.

Section 4: Staff

Pursuant to Health and Safety Code section 34179(j), the Solano County Auditor-Controller (CAC) shall provide staff support to the Board. Under separate agreement, the CAC has contracted with the Solano County Clerk of the Board of Supervisors to serve as the Secretary to the Board.

The Secretary shall keep the records of the Board, record and maintain minutes of Board meetings (as action minutes) in a journal of proceedings to be kept for such purposes and perform all official duties incident to the office. In the absence of the Secretary, a Deputy Clerk of the Board of Supervisors will act as Secretary.

The Board may engage legal counsel as may be deemed necessary from time to time.

Section 5: Vacancies

When a seat of the Board becomes vacant, the position will be filled by a member appointed by the agency who originally appointed the former member. Such appointments are to take place within 60 days of the creation of the vacancy. The Governor may appoint individuals to fill a member position that remains vacant as of July 15, 2018, or for more than 60 days. The Board member serves until replaced.

Section 6: Compensation

Board members shall serve without compensation and without reimbursement for expenses.

ARTICLE III: MEETINGS

Section 1: Regular Meetings

Regular meetings of the Board will be held every 2nd Thursday of every month at 9:00 A.M. in the Board Chambers in the County Government Center at 675 Texas Street, Fairfield. All meetings shall be open sessions in the Board Chambers, except such closed sessions that the law permits. The Board shall adopt an annual meeting schedule to reflect these meeting dates and any alternate meeting dates due to holidays. The meetings will be noticed and advertised in accordance with the Ralph M. Brown Act, Government Code Section 54950 et seq., as it now exists or may hereafter be amended ("Brown Act"). All notices required by law for proposed actions by the Board shall also be posted physically on the Board Chambers bulletin board and electronically on the County's internet website www.solanocounty.com.

An agenda and other necessary documents shall be delivered to the members personally, by U.S. mail, electronic mail, or by posting on the Board website, at least seventy-two (72) hours prior to a regular meeting or twenty-four (24) hours in advance of a special meeting. The agenda shall also be available to the general public at the time it is delivered to the board members.

Section 2: Special Meetings

Special meetings may be held upon notice of the Chairperson, or by written request of at least a majority of the members of the Board, for the purpose of transacting any business designated in the notice, after notification of all members of the Board by written or electronic notice at least twenty-four (24) hours before the time specified in the notice for a special meeting. At such special meeting, no business other than that designated in the notice shall be considered. In calling special meetings, there shall be compliance with all procedures of the Brown Act.

Section 3: Adjourned Meetings

The Board may adjourn any meeting to a time and place specified in the order of adjournment. When an order of adjournment of any meeting fails to state an hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings. In adjourning any meeting, there shall be compliance with all procedures of the Brown Act.

Section 4: Quorum

A majority of the total membership of the Board shall constitute a quorum for the purpose of conducting the business of the Board, exercising its powers and for all other purposes, but less than that number may adjourn the meeting from time to time until a quorum is obtained. An affirmative vote by a majority (4) of the total membership (7) of the Board shall be required for approval of any questions brought before the Board.

Section 5: Minutes and Resolutions

Action minutes of the meetings of the Board shall be prepared in writing by the Secretary. Copies of the action minutes of each Board meeting shall be made available to each member of the Board and Successor Agencies. Approved action minutes shall be filed in the official book of the minutes of the Board.

All resolutions shall be in writing and designated by number, a reference to which shall be inscribed in the minutes and an approved copy of each resolution filed in the official book of resolutions of the Board.

Section 6: Public Participation

At the beginning of each regular meeting, the Board will hear public comments, designated as "Public Comment," for up to fifteen (15) minutes. As a general policy, each speaker shall be allowed three (3) minutes to comment on any subject matter within the jurisdiction of the Board and that is not an item on the agenda. Any additional speakers will be heard at the conclusion of the meeting and granted three (3) minutes each. A majority of the Board may refer any issues raised to staff for appropriate action and any Member may briefly comment on any issue brought up during this period. No other action may be taken by the Board at this time.

The Board will hear public comments on the Consent Calendar and Regular Calendar during the allotted time for those items. Each speaker shall be allowed three (3) minutes to comment.

The Chairperson may expand or limit the time for addressing any agenda item, including comments during the Public Comment portion of the agenda. All persons who wish to speak on any agenda item should fill out a Speaker Card and deliver it to the Clerk before the Board considers the particular item unless invited to speak by the Chairperson or a Member. Persons making comments shall first be recognized by the Chairperson and give their names for the record.

As a general policy, each speaker shall be limited to a three (3) minute comment, unless the agenda notes a different time limit for an item. The speaker's comments should be directed to the Chairperson and the Board as a whole and not to any particular Member or staff member.

Each speaker shall refrain from making defamatory, profane or personal remarks, using abusive or threatening language or engaging in any other disorderly conduct that willfully disrupts, disturbs or otherwise impedes the orderly conduct of any meeting. Each speaker shall refrain from unnecessary repetition of issues and points already raised by previous speakers.

Placards, banners, signs, flags, or other large objects designed to interrupt or disrupt the orderly conduct of the meeting are not permitted in the Chambers. In the event that any meeting of the Board is willfully interrupted or disrupted by a person or by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible, the Chairperson may recess the meeting or order the person, group or groups of persons willfully interrupting the meeting to leave the meeting or be removed from the meeting.

In the event that any meeting is willfully interrupted or disrupted by a person or by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of the person or persons willfully interrupting or disrupting the meeting, the Chairperson may recess the meeting or order the meeting room cleared and continue in session. Only matters appearing on the posted agenda may be considered in such a session.

Duly accredited representatives of the press or other news media and any member of the public, except those participating in the disturbance, shall be allowed to attend or remain in the meeting.

Section 7: Order of Business

A. Preparation of Agenda Items

The staff of the Successor Agencies shall be responsible for the preparation of the agenda items to be placed on the Consent Calendar or the Regular Calendar. The Board, by a majority vote, may direct a matter to be placed upon a future agenda.

B. Agenda.

The order of business of each meeting shall be as contained in the agenda prepared by the Secretary to the Board. The agenda shall be a listing by topic of the subjects which shall be taken up for consideration in the following order:

- (i) Call to Order
- (ii) Roll Call
- (iii) Closed Session (if applicable)
- (iv) Reconvene (if applicable)

- (v) Report of Action in Closed Session (if applicable)
- (vi) Pledge of Allegiance
- (vii) Public Comment
- (viii) Additions/Deletions to the Agenda
- (ix) Approval of Agenda
- (x) Public Comment on Consent Calendar
- (xi) Approval of Consent Calendar
- (xii) Consent Calendar
- (xiii) Regular Calendar
- (xiv) Board Comments
- (xv) Adjournment

C. Call to Order

The meeting of the Board shall be called to order by the Chairperson, or in his/her absence, by the Vice Chair. In the absence of both the Chair and the Vice Chairperson, the meeting shall be called to order by the Secretary and the board shall select a Temporary Chairperson, who shall preside over the meeting.

D. Roll Call

Before proceeding with the business of the Board, the Secretary shall call the roll of the board members and the names of those present shall be entered in the minutes. The order of roll call shall be alphabetical with the Chairperson called last.

E. Closed Session

The Solano County Auditor-Controller shall coordinate scheduling and notification of Closed Session meetings with the Secretary, all Board Members and the appropriate Successor Agency staff. Closed Session meetings will be listed on the agenda as needed.

F. Consent Calendar

Matters deemed to be of routine nature and non-controversial shall be placed on the Consent Calendar. All items may be approved by one blanket motion upon unanimous consent. Prior to approval of the Consent Calendar, any board member may request that any item be moved to the Regular Calendar for separate consideration.

G. Regular Calendar

Matters that require discussion shall be placed on the Regular Calendar for discussion and Board action.

Section 8: Motions during Meetings

A. Action of the Board shall be taken by motion. Any action of the Board may be proposed by the motion of any Member. Such a motion, if seconded by any Member, shall be on the floor and must be considered. If a motion is not seconded, the motion fails for lack of a second, and the Chairperson shall so declare.

B. A motion may be withdrawn by its maker at any time before adoption or rejection, with the consent of the second. Absent the consent of the second, the motion shall remain on the floor. The second to a motion may be withdrawn by the second at any time before adoption or rejection of the motion. Upon withdrawal of the second, the motion will be lost for lack of a second and so declared by the Chairperson unless seconded by another Member.

C. After a motion has been seconded, any Member may discuss the subject of the motion. When no Member wishes to discuss the motion further, the Chairperson shall call for a vote on the motion. At any time after a motion has been seconded, any Member who has the floor may call for the question. The Chairperson may call for the vote if it appears that further discussion will be repetitious or that a majority of the Members present concur in the call.

D. If a motion with a second contains two or more separable propositions, the Chairperson may, and on request of a Member shall, divide the motion.

E. When an "original motion" or question is under debate, no motion shall be received unless:

- 1) To adjourn;
- 2) To lay on the table;
- 3) To consider the previous question;
- 4) To postpone to a certain date;
- 5) To refer to committee;
- 6) To amend;
- 7) To postpone indefinitely.

These motions shall have preference in the above order.

F. A motion to adjourn or a motion to fix time of adjournment shall be decided with debate.

G. At any time after a motion has been seconded, any Member may move to table the motion. If the motion to table is seconded, the Chairperson shall forthwith call for a vote on such motion. A motion to table shall include all amendments to the original motion. A motion to table an item is not debatable and no further discussion or debate shall be permitted on either the original motion or the motion to table. If the motion to table does not pass, consideration of the original motion will continue. If the motion to table does pass, the original motion will remain on the floor but may not again be considered at that meeting unless a motion to remove the original motion from the table is passed. The original motion may then be considered and voted upon at the next regular meeting of the Board unless again tabled. If not considered at such meeting, it will be deemed lost. For the purposes of this subsection, an adjourned meeting shall be considered a separate meeting.

H. A motion to consider the previous question shall preclude all amendment from debate to the main question and shall be put in the form "shall the main question be put to a vote."

I. A motion to refer to committee shall specify the purpose of the committee, the length of time the committee shall serve, and the times and methods by which the committee shall report to the Board.

J. A motion on the floor may be amended by motion at any time before adoption or rejection. If the motion to amend fails, the original motion will be voted upon. If the motion to amend passes, the amendment is adopted and, thereafter, the original motion, as amended, will be voted upon.

K. A motion to reconsider any action taken by the Board, whether acting in a legislative or quasi-judicial capacity, may be made at the same meeting, at a recessed or adjourned session of that meeting, or at the next subsequent meeting; provided, however, that the Board may only reconsider a resolution or motion authorizing or relating to the approval of a contract before the actual execution of the contract. Only a Member who voted with the prevailing side may make the motion. After a vote on the motion, there shall be no other motion to reconsider the same question without the unanimous consent of the Board within that calendar year.

ARTICLE IV - CONFLICT OF INTEREST AND ETHICS TRAINING

All board members are subject to the provisions of California Government Code Title 9, Chapter 7 relative to Conflicts of Interest and must file a Statement of Economic Interests as required by the law. Board members must also complete ethics training every two years as required by California Government Code Title 5, Division 2, Part 1, Chapter 2, Article 2.4 and AB 1234.

ARTICLE V – REPRESENTATION BEFORE PUBLIC BODIES

Any official representation on behalf of the Board before the six Successor Agencies, the Solano County Auditor-Controller, the State Controller, DOF, or any other public body shall be made by the Chair.

ARTICLE VI – AMENDMENTS

These Bylaws may be amended upon an affirmative vote by a majority of the total membership of the Board, but no such amendment shall be adopted unless at least seven (7) days written notice thereof has previously been given to all members of the Board. Notice of the amendment shall identify the section or sections of these Bylaws proposed to be amended. The six Successor Agencies shall be notified of any amendments to these Bylaws.

CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify:

(1) That I am the duly elected and acting Secretary of the Board; and

(2) That the foregoing Bylaws comprising ten (10) pages, constitute the Bylaws of such Board as adopted by the members at a duly constituted meeting held on July 12, 2018.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this _____ day of July, 2018.

_____, Secretary

Solano Consolidated Oversight Board

Agenda Submittal

Agenda #:	4	Status:	Regular Calendar
Type:	COB - Resolution	Department:	Auditor-Controller
File #:	COB 18-9	Contact:	Simona Padilla-Scholtens, 784-6287
Agenda date:	07/12/2018	Final Action:	
Title:	Consider a resolution adopting the Conflict of Interest Code for the Solano Consolidated Oversight Board		
Governing body:	Solano Consolidated Oversight Board		
District:	All		
Attachments:	A - Resolution, B - FPPC COI Code Regulations		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ___ No X

Public Hearing Required? Yes ___ No X

RECOMMENDATION:

It is recommended that the Solano Consolidated Oversight Board adopt a resolution that adopts the Conflict of Interest Code for the Board.

DISCUSSION:

Health & Safety Code §34179(j) establishes the Solano Consolidated Oversight Board (Board) to oversee the activities of the six successor agencies in the Solano County area, thereby replacing all other successor agency oversight boards effective July 1, 2018. The Board is deemed a local entity for purposes of the Political Reform Act and 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. The proposed Conflict of Interest Code is attached to this item, as well as FPPC Regulation, Title 2, Division 6, §18730 Provision of Conflict of Interest Codes.

FINANCIAL IMPACT:

There is no financial impact in adopting this resolution or the Conflict of Interest Code.

ALTERNATIVES:

The Board may choose not to adopt the Conflict of Interest Code; however, this alternative is not recommended as the Conflict of Interest Code is a requirement under the Political Reform Act and state law.

OTHER AGENCY INVOLVEMENT:

The Secretary of the Solano Consolidated Oversight Board and Solano County Counsel participated in the compilation and review of the Conflict of Interest Code.

**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 Members.

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 determined 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.

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

AYES: _____

NOES: _____

ABSENT: _____

ATTEST:

Jeanette Neiger, Secretary
Solano Consolidated Oversight Board

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories

are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$470.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$470 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected

officer has been elected or over which that elected officer's agency has direction and control.

This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

- a. The date the loan was made.
- b. The date the last payment of \$100 or more was made on the loan.
- c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

- 1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
- 2. A loan that would otherwise not be a gift as defined in this title.
- 3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
- 4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
- 5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$470 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be

made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).
Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).
16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District,

nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of*

Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations.

Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

34. Redesignation of portions of subsection (b)(8)(A) as new subsections (b)(8)(B)-(D), amendment of subsections (b)(8.1)-(b)(8.1)(A), redesignation of portions of subsection (b)(8.1)(A) as new subsections (b)(8.1)(B)-(C) and amendment of subsection (b)(9)(E) filed 12-1-2016; operative 12-31-2016 pursuant to Cal. Code Regs. tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision,

April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2016, No. 49).

Solano Consolidated Oversight Board

Agenda Submittal

Agenda #:	5	Status:	Regular Calendar
Type:	COB - Report	Department:	Auditor-Controller
File #:	COB 18-7	Contact:	Simona Padilla-Scholtens, 784-6287
Agenda date:	07/12/2018	Final Action:	
Title:	Consider establishing a schedule of meetings of the Solano Consolidated Oversight Board		
Governing body:	Solano Consolidated Oversight Board		
District:	All		
Attachments:	A - Meeting Schedule		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

RECOMMENDATION:

It is recommended that the Solano Consolidated Oversight Board establish a schedule for the meetings of the Board as proposed in Attachment A.

DISCUSSION:

Health & Safety Code Section (H&S Code) 34179 requires the formation of a consolidated oversight board to the six successor agencies of the former redevelopment agencies. H&S Code 34179 (e) requires consolidated oversight board meetings to be conducted in accordance with the Brown Act. The Board should establish a schedule for its meetings to review and approve actions of the six Successor Agencies.

Therefore, staff is recommending the Board meetings be held on the second Thursday of each month, at 9:00 A.M. at the County Administration Center Board Chambers, 675 Texas Street, Fairfield, California. Staff will recommend the cancellation of meetings when there is no pressing need for the meeting. If additional meetings are needed, staff will schedule special meetings with approval of the Board.

FINANCIAL IMPACT:

No financial impact is associated with this item.

ALTERNATIVES:

The Board may choose not to establish monthly meetings; however, this alternative is not recommended as the Board is required to review and approve actions of the six Successor Agencies and establishing a consistent date and time allows for the six Successor Agencies to plan accordingly.

OTHER AGENCY INVOLVEMENT:

None.

Solano Consolidated Oversight Board Meeting Schedule

Attachment A

2018

January						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

October						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

May						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

March						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

September						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Successor Agency agenda submittal due to Auditor-Controller

Solano Consolidated Oversight Board Meeting Date (Proposed)

No meeting scheduled for December 2018

Solano Consolidated Oversight Board Meeting Schedule

Attachment A

2019

January						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

October						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

May						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

March						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

September						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Successor Agency agenda submittal due to Auditor-Controller

Solano Consolidated Oversight Board Meeting Date (Proposed)

Solano Consolidated Oversight Board

Agenda Submittal

Agenda #:	6	Status:	Closed Session
Type:	COB - Closed Session	Department:	Auditor-Controller
File #:	COB 18-10	Contact:	Simona Padilla-Scholtens, 784-6287
Agenda date:	07/12/2018	Final Action:	
Title:	Public Employment Appointment: Solano Consolidated Oversight Board Attorney		
Governing body:	Solano Consolidated Oversight Board		
District:	All		
Attachments:	A - Memorandum		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ___ No X
Public Hearing Required? Yes ___ No X

CLOSED SESSION MEMO

- A. LICENSE/PERMIT DETERMINATION (GC § 54956.7)
 - a. Number of applicants: _____
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (GC § 54956.8)
- C. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
- D. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION (GC § 54956.9)
 - a. Significant exposure to litigation pursuant to GC § 54956.9 (b):
 - b. Initiation of litigation pursuant to GC § 54956.9(c):
- E. LIABILITY CLAIMS-JOINT POWERS AUTHORITY (GC § 54956.95)
 - a. Claimant: _____
 - b. Agency against whom claim filed: _____
- F. THREAT TO PUBLIC SERVICES OR FACILITIES (GC § 54957)
 - a. Consultation with: _____
- G. PUBLIC EMPLOYEE APPOINTMENT
 - a. Title: Solano Consolidated Oversight Board Attorney
- H. PUBLIC EMPLOYMENT (GC § 54957)
 - a. Title:
- I. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GC § 54957)
 - a. Title:
- J. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (GC § 54957)
 - a. No information required
- K. CONFERENCE WITH LABOR NEGOTIATORS (GC § 54957.6):
- L. CASE REVIEW/PLANNING (GC § 54957.8)
- M. REPORT INVOLVING TRADE SECRET (GC § 54962, etc.)
 - a. Estimated year of public disclosure: _____
- N. HEARINGS
 - a. Subject matter: _____
 (nature of hearing, i.e. medical audit comm.,
 quality assurance comm., etc.)