



Yolo County Housing

Lisa A. Baker, Executive Director

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BOARD OF COMMISSIONERS

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DATE: March 11, 2010
TO: YCH Board of Commissioners
FROM: Lisa A. Baker, Executive Director
PREPARED BY: Janis Holt, Resource Administrator
SUBJECT: Review and Approve Resolution Amending the YCH Conflict of Interest Code

RECOMMENDED ACTION

That the Board of Commissioners Adopt the Resolution Amending the YCH Conflict of Interest Code.

BACKGROUND / DISCUSSION

Under the Political Reform Act (the "Act"), Government Code Section 81000, et seq., all public agencies are required to adopt a Conflict of Interest Code ("Code"). A Code designates positions required to file Statements of Economic Interests (Form 700), and assigns disclosure categories specifying the types of interests to be reported. The Form 700 is a public document intended to alert public officials and members of the public to the types of financial interests that may create conflicts of interests. The Act also requires every government agency to review its Code biennially to determine if it is accurate or, alternatively, that the code must be amended. However, under the Act, any amendments made to the Code will not be effective until they have been approved by the agency's code reviewing body, in YCH's case, that body is the Yolo County Board of Supervisors.

As required by the Act, the Board of Commissioners adopted a Conflict of Interest Code for Yolo County Housing on May 9, 1995 through Resolution No. 602. Yolo County Housing has made changes to its organizational structure that requires that modifications be made to the list of designated positions and disclosure categories of the Code. The attached Resolution will update Appendix A of the Code to reflect those changes, but the Code will not be effective until it has been approved by the Yolo County Board of Supervisors.

FISCAL IMPACT

There could be financial impact for non-reporting of Form 700 Statement of Economic Interests by designated employees of up to \$10 per day past the filing deadline of April 1, 2010 up to a maximum of \$100.

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CONCLUSION

Staff recommends that the Board Adopt the Resolution Amending the YCH Conflict of Interest Code.

Attachment: Resolution

YOLO COUNTY HOUSING

RESOLUTION NO. 10- _____

(Resolution Approving Amendments to the Conflict of Interest Code)

WHEREAS, the Political Reform Act, Government Code Section 81000 et seq., requires that conforming amendments be made to conflict of interest codes adopted and promulgated pursuant to its provisions; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a model conflict of interest code that can be incorporated by reference, and which the Fair Political Practices Commission periodically amends to conform to amendments to the Political Reform Act; and

WHEREAS, the Board of Commissioners of the Housing Authority of the County of Yolo ("Yolo County Housing") has previously adopted Resolution No. 602 incorporating the Fair Political Practices Commission's model conflict of interest code; and

WHEREAS, the Yolo County Housing is required to review its Conflicts of Interest Code on a periodic basis as required by the Political Reform Act; and

WHEREAS, this Board now desires to restate the provisions of Yolo County Housing's Conflict of Interest Code, particularly to make changes necessitated by changed circumstances such as the creation or abolition of positions and reassignment of duties.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the County of Yolo as follows:

1. Yolo County Housing adopts and incorporates by reference the provisions of Section 18730 of Title 2 of the California Code of Regulations and any amendments to it duly adopted by the Fair Political Practices Commission.
2. The standard conflict of interest code, together with the Appendix of Designated Positions (Appendix A) and the Appendix of Disclosure Categories (Appendix B) shall constitute the conflict of interest code of Yolo County Housing.
3. Persons holding designated positions shall file statements of economic interests with the Resource Administrator of Yolo County Housing. Upon receipt of statements of economic interests from Governing Board members and the Executive Director, the Resource Administrator shall cause a copy to be made and retained and shall forward the originals to the Yolo County Clerk-Recorder. Upon receipt of statements of economic interest from all other designated employees, the Resource Administrator shall file and retain such statements at the Yolo County Housing Administration Office.

4. Yolo County Housing's Conflict of Interest, including amendments made thereto, shall become effective upon the date of approval by the Yolo County Board of Supervisors, the code reviewing body.

5. All previously adopted resolutions establishing a conflict of interest code for Yolo County Housing are hereby rescinded.

PASSED AND ADOPTED, by the Board of Commissioners of the Housing Authority of the County of Yolo, State of California, this 11th day of March, 2010 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Matt Rexroad, Chair
Board of Commissioners of the
Housing Authority of the County of Yolo

Approved as to Form:

By _____
Sonia Cortés, Agency Counsel

Attest:
Julie Dachtler, Clerk
Board of Commissioners of the
Housing Authority of the County of Yolo

By _____

APPENDIX A
DESIGNATED POSITIONS/EMPLOYEES
CONFLICT OF INTEREST CODE
YOLO COUNTY HOUSING

The positions listed below constitute the list of designated position required by Yolo County Housing’s Conflict of Interest Code (2 Cal. Code of Regulations Section 18730). The individual occupying each position is deemed to make, or participate in the making of, decisions which may foreseeably have a material effect on a financial interest of that individual. The individuals occupying the designated positions shall disclose their economic interests in accordance with the corresponding disclosure categories, defined in Appendix B (Disclosure Categories).

<u>DESIGNATED POSITIONS/EMPLOYEES</u>	<u>DISCLOSURE CATEGORIES</u>
Member, Governing Board	1
Executive Director	1
Director of Finance	1
Director of Operations	1
Facilities Administrator	1
Resource Administrator	1
Information Technology Manager	1
Agricultural Programs Supervisor	2
Real Estate Services Programs Supervisor	2
Housing Assistance Programs Supervisor	2

The Resource Administrator shall furnish to each Designated Employee upon his/her appointment, annually and upon termination, a Form 700 – Statement of Economic Interest. The Form is to be returned to the Resource Administrator.

APPENDIX B
DISCLOSURE CATEGORIES FOR DESIGNATED POSITIONS
CONFLICT OF INTEREST CODE
YOLO COUNTY HOUSING

CATEGORY 1: Broad Responsibilities. Full Disclosure

Persons in this category shall disclose all applicable investments, business positions, and sources of income, including gifts, loans and travel payments. Persons in this category shall further disclose applicable interests in real property located in the County of Yolo.

CATEGORY 2: Purchasing Responsibilities

Persons in this category shall disclose all applicable investments, business positions, and income, including loans and gifts, from sources which provide services, supplies, materials, machinery, or equipment of the type used by Yolo County Housing.

CATEGORY 3 - Consultants

Consultants shall disclose pursuant to Category 1 subject to the following limitation:

The Executive Director and/or the Director of Finance of Yolo County Housing may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. Such determination shall be a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.