

COUNTY OF SAN DIEGO

2019 NOV 25 PM 3: 04

CLERK OF THE BOARD
OF SUPERVISORS

**CONFLICT OF INTEREST CODE OF THE
CLEAN ENERGY ALLIANCE**

Incorporation of FPPC Regulation 18730
(2 California Code of Regulations, Section 18730) by Reference

The Political Reform Act (Government Code § 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 Regs § 18730) that contains the terms of a standard conflict of code which can be incorporated by reference in an agency's code. After public notice and hearing, Section 18730 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 incorporation page, Regulation 18730 and the attached Appendices designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Clean Energy Alliance ("Alliance").

The most current version of 2 Cal. Code of Regulations Section 18730 is available on the website of the Fair Political Practices Commission.

All Officials and Designated Positions required to submit a statement of economic interests shall file their statements with the Secretary, as the Alliance's Filing Officer. The Alliance's Filing Officer shall retain the originals of the statements of all Officials and Designated Positions and shall make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: 11/14/2020	Minute Order No. 17
By: 	Date: 11/21/2020
Deputy Clerk of the Board Supervisors	

Clean Energy Alliance Joint Powers Authority (Attachment A)

**CLEAN ENERGY ALLIANCE
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APPENDIX "A"

DESIGNATED POSITIONS

<u>DESIGNATED POSITIONS</u>	<u>DISCLOSURE CATEGORY</u>
Board of Directors	1
Board of Directors (Alternates)	1
Executive Director	1
Treasurer and Chief Financial Officer	1
General Counsel	1
Consultants and New Positions	3

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APPENDIX "B"

DISCLOSURE CATEGORIES

Designated positions must report financial interests in accordance with the assigned disclosure categories.

CATEGORY 1: Persons in this category shall disclose:

(a) investments and business positions in business entities, and income (including gifts, loans, and travel payments) from sources that contract with the Authority, or that provide, plan to provide, or have provided during the previous two years, facilities, goods, technology, equipment, vehicles, machinery, or services, including training or consulting services, of the type utilized by the Authority; and

(b) all interests in real property located in whole or in part within the jurisdiction of the Clean Energy Alliance, or within two miles of the borders of any of the parties to the Joint Powers Agreement for the Authority, or within two miles of any land owned or used by the Authority.

Persons not required to disclose a residence, such as a home or vacation cabin, used exclusively as a personal residence; however, a residence in which a person rents out a room or for which a person claims a business deduction may be reportable.

CATEGORY 2: Persons in this category shall disclose investments and business positions in business entities and income (including gifts, loans, and travel payments) from sources that contract with the Authority, or that provide, plan to provide, or have provided during the previous two years, facilities, goods, technology, equipment, vehicles, machinery, or services, including training or consulting services, of the type utilized by the Authority.

CATEGORY 3: Individuals providing services as a Consultant as defined by the Political Reform Act, or in a new position created since this Code was last approved that makes or participates in making decisions that may foreseeably have a material effect on any financial interest of the position-holder shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitations:

The Chief Executive Officer or his or her designee may determine in writing that a particular consultant or new position, although a "designated position", is hired to perform a range of duties that is limited in scope and thus not required to fully comply with disclosure

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requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer or his or her designee's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Section 81008.)

Within 90 days of the creation of a new position that must file Statements of Economic Interests, the Authority shall update this conflict of interest code to add the actual position title in its list of designated positions, and submit the amended conflict of interest code to the County of San Diego for code-reviewing body approval by the County Board of Supervisors. (Gov. Code Section 87306.)