

COUNTY OF SAN DIEGO
2020 DEC 16 AM 9:37
CLERK OF THE BOARD
OF SUPERVISORS

EXHIBIT A

**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 Appendix designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Clean Energy Alliance (“CEA”).

All Officials and Designated Positions required to submit a statement of economic interests shall file their statements with the Secretary, as CEA’s Filing Officer. CEA’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: 1/26/2024 Minute Order No. 12
By: [Signature] Date: 1/27/2024
Deputy Clerk of the Board Supervisors

**APPENDIX
CONFLICT OF INTEREST CODE of the
Clean Energy Alliance
Amended on November 19, 2020**

PART A

**DESIGNATED POSITIONS
GOVERNED BY THE CONFLICT OF INTEREST CODE**

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
Board of Directors	1, 2, 3,
Board of Directors (Alternates)	1, 2, 3,
Chief Executive Officer	1, 2, 3,
Treasurer	1, 2, 3,
General Counsel	1, 2, 3,
Members of Community Advisory Committee	1, 2, 3
Consultants and New Positions ¹	4

¹ Individuals providing services as a Consultant defined in Regulation 187300.3(a)(2), or in a new position created since this Code was last approved that makes or participates in making decisions 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 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.)

CLEAN ENERGY ALLIANCE
CONFLICT OF INTEREST CODE

PART B

DISCLOSURE CATEGORIES

Officials and designated positions must report financial interests in accordance with the assigned disclosure categories.

CATEGORY 1:

Persons in this category shall disclose all interests in real property within the jurisdiction of CEA. Real property shall be deemed to be within the jurisdiction if the property or any part of it is located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by CEA.

Persons are 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 all income (including gifts, loans and travel payments) from sources that contract with CEA, or that provide, plan to provide, or have provided during the previous two years, facilities, goods, commodities, technology, equipment, vehicles, machinery, or services, including training or consulting services of the type utilized by CEA.

CATEGORY 3:

Persons in this category shall disclose all business positions and investments in business entities that contract with CEA or that provide, plan to provide, or have provided during the previous two years, facilities, goods, commodities, technology, equipment, vehicles, machinery, or services, including training or consulting services of the type utilized by CEA.

CATEGORY 4:

Individuals who perform under contract the duties of any designated position shall be required to file Statements of Economic Interests disclosing reportable interests in the categories assigned to that designated position.

In addition, individuals who, under contract, participate in decisions which affect financial interests by providing information, advice, recommendation or counsel to CEA which could affect their financial interests shall be required to file Statements of Economic Interests, unless they fall within the Political Reform Act's exceptions to the definition of consultant. The level of disclosure shall be determined by the Chief Executive Officer or his or her designee. (See footnote in Part A for clarification.)

CLEAN ENERGY ALLIANCE

RESOLUTION NO. 2020-006

A RESOLUTION OF THE CLEAN ENERGY ALLIANCE BOARD OF DIRECTORS
AMENDING THE CONFLICT OF INTEREST CODE TO ADD MEMBERS OF THE COMMUNITY
ADVISORY COMMITTEE AND CLARIFYING THE DISCLOSURE CATEGORIES

WHEREAS, Government Code Section 87300 requires state and local government agencies to adopt conflict of interest codes; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. § 18730), which contains the terms of a standard conflict of interest code, which may be incorporated by reference in an agency's code; and

WHEREAS, the Clean Energy Alliance ("CEA") is a joint powers authority subject to Government Code Section 87300 code-filing requirement; and

WHEREAS, on November 5, 2019, the Board of Directors of the CEA ("Board") adopted a Conflict of Interest Code by Resolution No. 2019-001 in accordance with the requirements of state law, and this Conflict of Interest Code was subsequently approved by the San Diego County Board of Supervisors as its code reviewing body; and

WHEREAS, the Board desires to amend the Conflict of Interest Code in order to add the members of the newly established Community Advisory Committee and to clarify the scope of the disclosure categories for all designated positions.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Clean Energy Alliance, as follows:

Section 1. The Board hereby rescinds Resolution No. 2019-001 and adopts an amended Conflict of Interest Code, a copy of which is attached hereto as Exhibit A, and shall be on file with the Secretary of CEA, and available to the public for inspection and copying during regular business hours.

Section 2. The amended Conflict of Interest Code shall be submitted to the Board of Supervisors of San Diego County for approval and said Code shall become effective 30 days after the Board of Supervisors approves the proposed amended Conflict of Interest Code as submitted.

Section 3. Any violation of any provision of the Conflict of Interest Code is subject to the administrative, criminal, and civil sanctions provided in the Political Reform Act, Government Code Section 81000 *et seq.*

The foregoing Resolution was passed and adopted this 19th day of November 2020, by the following vote:

AYES: BOARD MEMBERS SCHUMACHER, BECKER, HAVILAND

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

APPROVED:

DocuSigned by:
Ellie Haviland
9D315D82ADE3488

E. Haviland, Chairperson

ATTEST:

DocuSigned by:
Sheila Cobian
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Sheila Cobian, Secretary

Clean Energy Alliance

JOINT POWERS AUTHORITY

November 30, 2020

Mr. Andrew Potter
Clerk of the Board of Supervisors
County of San Diego
1600 Pacific Coast Highway, Room 402
San Diego, CA 92101


Dear Mr. Potter:

As the San Diego Board of Supervisors (BOS) is the code reviewing body for the adopted and BOS approved Conflict of Interest Code of the Clean Energy Alliance, please find attached the updated and adopted code adding the members of the newly established Community Advisory Committee and clarifying the disclosure categories for all designated positions.

The amended Clean Energy Alliance Conflict of Interest Code is hereby submitted for approval. Please let me know if you have any questions and I look forward to receiving status of approval in the near future.

If you have any questions, please email me at Secretary@TheCleanEnergyAlliance.org.

Sincerely,

DocuSigned by:

235FDA07850242B
Susan Caputo, MMC
Interim Board Clerk
Clean Energy Alliance