

Conflict of Interest Code:

San Diego Community Power

CONFLICT OF INTEREST CODE OF SAN DIEGO COMMUNITY POWER

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: <u>11/15/22</u>	Minute Order No. <u>23</u>
By: <u>[Signature]</u>	Date: <u>11/15/22</u>
Deputy Clerk of the Board Supervisors	

BBK – August 2022

CONFLICT OF INTEREST CODE OF SAN DIEGO COMMUNITY POWER

(Adopted August 25, 2022)

The Political Reform Act (Gov. 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 of Regs. § 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 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 regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of **San Diego Community Power (SDCP)**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the Board Secretary as SDCP's Filing Officer. The Board Secretary shall make and retain a copy of all statements filed by the Board of Directors and Executive Officer, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The Executive Officer shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX

CONFLICT OF INTEREST CODE

OF

SAN DIEGO COMMUNITY POWER

(Adopted August 25, 2022)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Officials who manage public investments, as defined by 2 Cal. Code of Regs. §18700.3(b), are NOT subject to SDCP's Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)]

It has been determined that the positions listed below are Officials who manage public investments¹. These positions are listed here for informational purposes only.

Board of Directors

Chief Executive Officer / Interim Executive Officer

Treasurer/Chief Financial Officer

Investment Consultant

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Account Services Analyst	5
Chief Operating Officer	4
Clerk of the Board	5
Data and Systems Analyst	5
Director/Manager of Procurement/Power Services	4
Director/Manager of Marketing & Communications	5
Director/Manager of External Affairs	5
Director of Data Analytics and Account Services	4
Director of Programs	4
Finance Manager	4
Director of Regulatory & Legislative Affairs	4
Executive Assistant to CEO/Assistant Board Clerk	5
General Counsel	1, 2
Portfolio Manager	4
Power Contracts Manager	5
Power Settlements Manager	5
Program Manager	5
Senior Portfolio Manager	4
Consultants and New Positions ²	

² Individuals serving as a consultant as defined in FPPC Reg. 18700.3(a) or in a new position created since this Code was last
App. B-2

PART "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned. ³ "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of **SDCP**.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the boundaries of **SDCP**.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of **SDCP**.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by **SDCP**.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The Chief Executive Officer / Interim Executive Officer may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The Chief Executive Officer / Interim Executive Officer'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 Sec. 81008.)

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)