

RESOLUTION NO. 2024-05

**A RESOLUTION OF THE BOARD OF DIRECTORS OF SAN DIEGO
COMMUNITY POWER ADOPTING A REVISED CONFLICT OF INTEREST
CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest that potentially affect all officers, employees, and consultants of the San Diego Community Power ("SDCP") Governing Board (the "Governing Board"), and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in SDCP being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, the Board of Directors has previously adopted a Conflict of Interest Code on April 23, 2020, amended such Code on August 25, 2022, and now desires to amend said Code; and

WHEREAS, notice of the time and place of a public meeting, and of consideration by the Board of Directors, of the proposed Conflict of Interest Code was provided to each designated position, and publicly posted for review at the offices of SD Community Power; and

WHEREAS, a public meeting was held upon the proposed Conflict of Interest Code at a regular meeting of the Board of Directors on August 22, 2024, at which all present were given an opportunity to be heard on the proposed Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of San Diego Community Power that the Board of Directors does hereby adopt the proposed Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Clerk of the Board, and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED that the said Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Code shall become effective 30 days after the Board of Supervisors approves the proposed Conflict of Interest Code as submitted.


APPROVED AND ADOPTED this 22nd day of August 2024.

**AYES: CHAIR LACAVA, DIRECTORS AGUIRRE, MCCANN, PARENT,
YAMANE AND ALTERNATE KRANZ**

NOES:

ABSENT: VICE CHAIR LAWSON-REMER

ABSTAIN:



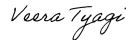
Joe LaCava Chair, Board of Directors
San Diego Community Power

ATTEST:

APPROVE AS TO FORM:



Maricela Hernandez, MMC, CPMC
Clerk of the Board of Directors
San Diego Community Power



Veera Tyagi, General Counsel
San Diego Community Power

CONFLICT OF INTEREST CODE

OF

SAN DIEGO COMMUNITY POWER

CONFLICT OF INTEREST CODE OF SAN DIEGO COMMUNITY POWER

(Adopted August 22, 2024)

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 (Community Power)**.

All officials and designated positions required to file a Statement of Economic Interests shall file their statements with the Clerk of the Board as Community Power's Filing Officer, unless the official is required to file their statements directly with the Clerk of the Board of Supervisors of the County of San Diego. The Clerk of the Board shall retain a copy of all statements filed with the Clerk of the Board of Supervisors of the County of San Diego. The Clerk of the Board 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 22, 2024)

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 Community Power’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

Chief Financial Officer/Deputy Chief Executive Officer

General Counsel

Chief Operating Officer

Chief Commercial 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

DESIGNATED POSITIONS' TITLE OR FUNCTION

DISCLOSURE CATEGORIES ASSIGNED

Department	Designated Position	Disclosure Categories
Clerk of the Board	Assistant Clerk of the Board	5
	Clerk of the Board	5
Data Analytics and Customer Operations	Account Services Analyst	5
	Account Services Manager	5
	Data Analytics Manager	5
	Data/EDI Engineer	5
	Data Engineer	5
	Data Scientist	5
	Director of Data Analytics and IT	1
	IT Manager	5
	IT Systems Engineer	5
	Key Account Services Manager	5
	Rates Analyst	5
	Senior Director of Data Analytics and Customer Operations	1
	Senior Key Account Analyst	5
	Senior Rates and Strategy Manager	5
Senior Cyber Security and Compliance Analyst	5	
Finance	Director of Finance	1
	Financial Analyst	5
	Procurement Manager	5
	Projects and Programs Finance Manager	5
	Risk Manager	5
	Senior Financial Analyst	5
Human Resources	Director of People	1
	Human Resources Coordinator	5
	Human Resources Manager	5
	Human Resources Assistant	5
Legal	Legal Counsel	1

Operations	Executive Assistant	5	
	Office Manager/Administrative Assistant	5	
	Senior Executive Assistant	5	
Power Services	Compliance Analyst	5	
	Contract Management Associate	5	
	Director of Portfolio Management	5	
	Director of Power Contracts	5	
	Origination Manager	5	
	Portfolio Manager	5	
	Portfolio Analyst	5	
	Senior Load Forecast Analyst	5	
	Senior Local Development Manager	5	
	Senior Manager of Origination	5	
	Senior Quantitative Energy Analyst	5	
	Senior Settlements Analyst	5	
	Senior Settlements Manager	5	
	Senior Portfolio Manager	5	
Programs	Director of Programs	1	
	Program Manager	5	
	Senior Program Associate	5	
	Senior Program Manager	5	
	Programs Operations and Proposal Manager	5	
Public Affairs	Community Engagement Associate	5	
	Digital Media Coordinator	5	
	Director of Public Affairs	1	
	Local Government Affairs Manager	5	
	Marketing Manager	5	
	Programs Marketing Manager	5	
	Public Outreach Coordinator	5	
	Senior Marketing & Communications Manager	5	
	Senior Community Engagement Manager	5	
	Senior Manager Strategic Partnerships	5	
Strategic Initiatives Manager	5		
Regulatory Affairs	Director of Regulatory & Legislative Affairs	1	
	Regulatory Manager	5	
	Senior Legislative Manager	5	
	Senior Policy Manager	5	
	Senior Regulatory Manager	5	

Consultants and New Positions²

DESIGNATED MEMBERS OF BOARDS, DISCLOSURE CATEGORIES
COMMITTEES & COMMISSIONS:

Community Advisory Committee 1, 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 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 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'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.)

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 the designated position 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 **Community Power**.

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 **COMMUNITY POWER**, including any leasehold, beneficial or ownership interest or option to acquire property.

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 **COMMUNITY POWER**.

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 **COMMUNITY POWER**.

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.

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)