

NOTICE OF INTENTION TO ADOPT AMENDMENTS TO  
THE CONFLICT OF INTEREST CODE OF THE SONOMA CLEAN POWER AUTHORITY

NOTICE IS HEREBY GIVEN that the Sonoma Clean Power Authority (SCPA), pursuant to the authority vested in it by section 87306 of the Government Code, proposes to adopt an amended conflict of interest code. A comment period has been established commencing on Friday, June 16, 2017 and closing on Monday, August 1, 2017. All inquiries should be directed to the contact listed below.

The SCPA proposed conflict of interest code includes employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The code adoption carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

A copy of the proposed code is attached. Additional copies of the proposed code may be obtained by request at the address below.

Any interested person may submit written comments relating to the proposed code by submitting them no later than August 1, 2017, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than Monday, July 17, 2017.

All questions this proposed code adoption and any communication required by this notice should be directed to: Steven S. Shupe, General Counsel, 50 Santa Rosa Avenue, Fifth Floor, Santa Rosa, CA 95404, (707) 890-8485, or via email at [sshupe@sonomacleanpower.org](mailto:sshupe@sonomacleanpower.org).

Dated June 16, 2017  
Santa Rosa, California

# SONOMA CLEAN POWER AUTHORITY

## CONFLICT OF INTEREST CODE

(Draft June 16, 2017)

The Political Reform Act (Government Code Section 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 California Code of Regulations Section 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, the standard code 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 and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of **Sonoma Clean Power Authority (Authority)**.

Individuals holding designated positions shall file their statements of economic interests with the **Authority**, which will make the statements available for public inspection and reproduction. (Government Code Section 81008.) All statements will be retained by **Authority**.

**Sonoma Clean Power Authority  
Appendix A to the Conflict of Interest Code**

**Designated Positions**

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Community Advisory Committee Members	1, 2, 3, 4
General Counsel	1, 2, 3, 4
Director of Public Affairs	5
Director of Customer Service	1
Director of Power Services	1, 3, 4
Internal Operations Manager	1, 3, 4
Director of Programs	1, 3, 4
Compliance Analyst	1, 3, 4
Regulatory Affairs Manager	1, 3, 4
Programs Manager	1, 3, 4
Power Services Manager	1, 3, 4
Consultants/New Positions	*

\*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Chief Executive Officer, following consultation with the General Counsel, 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 is not required to fully comply with the disclosure requirements described in this section. Such 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’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).

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The following positions are NOT covered by the Conflict of Interest Code because they must file under Government Code Section 87200 and, therefore, are listed for informational purposes only:

Board Members and Alternates  
Chief Executive Officer

An individual 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 Government Code Section 87200.

**Sonoma Clean Power Authority  
Appendix B to the Conflict of Interest Code**

**Disclosure Categories:**

1. Investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the Authority.
2. Interests in real property located within the jurisdiction of the Authority or within two miles of the boundaries of the jurisdiction of the Authority, or within two miles of any land owned or used by the Authority.
3. Investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources that engage in the design, development, construction, sale, or the acquisition of facilities that generate electricity, including, wind, solar, geothermal, hydroelectric, ocean, garbage, and biomass.
4. Investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources that are energy or environmental consultants, research firms, or engineering firms, entities that design, build, manufacture, sell, distribute, or service equipment of the type that is utilized by electric power suppliers or providers of energy efficiency, demand response, or fuel shifting programs, or any entity that is, or within the past 12 months has been, party to a proceeding before any local, state, or regional regulatory or judicial entity in which the Authority is also a party.
5. Investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources that are involved in marketing, communications, advertisements, public relations, and media relations.