

RESOLUTION NO. 2016-06

A RESOLUTION OF THE BOARD OF DIRECTORS OF **MARIN CLEAN ENERGY**
MARIN CLEAN ENERGY UPDATING
THE CONFLICT OF INTEREST CODE

**THE BOARD OF DIRECTORS OF MARIN CLEAN ENERGY DOES HEREBY
FIND, RESOLVE, AND ORDER AS FOLLOWS:**

Section 1. On March 5 2009, Marin Clean Energy (then, Marin Energy Authority) approved Resolution 2009-02, duly adopting a Conflict of Interest Code as required by the Political Reform Act (Government Code Section 81000, *et seq.*). On June 7, 2012, Marin Clean Energy (then, Marin Energy Authority) approved resolution 2012-12, duly amending the Conflict of Interest Code.

Section 2. Marin Clean Energy (MCE) wishes to amend Appendix A of its Conflict of Interest Code, which establishes economic disclosure categories for certain positions in Marin Clean Energy, and will update official employee designations, include added positions that require disclosure, and enumerate the appropriate disclosure categories to all designated positions listed.

Section 3. Accordingly, the amended designated positions and assigned disclosure categories described in Appendix A, are hereby incorporated into the MCE Conflict of Interest Code by reference.

Section 4. All officials and employees required to submit a statement of economic interests pursuant to Appendix A shall file their statements with the Chief Executive Officer or his or her designee. The Chief Executive Officer shall make and retain a copy of all statements filed and forward the originals of such statements to the Executive Office of the Board of Supervisors of Marin County. All retained statements, original or copied, shall be available for public inspection and reproduction (Government Code Section 81008).

Section 5. MCE hereby directs the General Counsel to coordinate the preparation of a revised Conflict of Interest Code in succeeding even-numbered years in accordance with the requirements of Government Code Sections 87306 and 87306.5. The revised Code should reflect any changes in official employee designations and/or disclosures. If no revisions to the Code are required, MCE shall submit a report to the Executive Office of the Board of Supervisors of Marin County no later than October 1st of the same year, stating that amendments to the Code are not required.

ADOPTED AND APPROVED BY MARIN CLEAN ENERGY, this 18th day of August, 2016 by the following vote, to wit:

	AYES	NOES	ABSTAIN	ABSENT
City of American Canyon	✓			
City of Belvedere				✓
City of Benicia				✓
City of Calistoga	✓			
Town of Corte Madera				✓
City of El Cerrito	✓			
Town of Fairfax	✓			
City of Lafayette	✓			
City of Larkspur				✓
County of Marin	✓			
City of Mill Valley	✓			
City of Napa	✓			
County of Napa	✓			
City of Novato	✓			
City of Richmond				✓
Town of Ross				✓
Town of San Anselmo	✓			
City of San Pablo	✓			
City of San Rafael				✓
City of Sausalito	✓			
City of St. Helena	✓			
Town of Tiburon	✓			
City of Walnut Creek	✓			
Town of Yountville	✓			

Kate Sears
 CHAIR, MCE BOARD

ATTEST:
David [Signature]
 SECRETARY, MCE BOARD

APPROVED

AUG 18 2016

MARIN CLEAN ENERGY

**MARIN CLEAN ENERGY
CONFLICT OF INTEREST CODE**

APPENDIX A

<u>Designated Positions</u>	<u>Disclosure Categories</u>
General Counsel	1, 2, 3, 4
Director of Power Resources	1, 2, 3, 4
Director of Customer Programs	1, 2, 3, 4
Director of Internal Operations	1, 2, 3, 4
Director of Public Affairs	5
Finance and Project Manager	1, 2, 3, 4
Consultant/New Positions	*

*Definition of Consultant and Note Regarding Disclosure Categories for Consultants/New positions:

This category of designated positions includes consultants who make (not just recommend) governmental decisions, such as whether to approve a rate, rule, or regulation involving electric generation, adopt or grant MCE approval to design, develop, construct, sell, purchase, or acquire facilities that generate electricity, or adopt or grant MCE approval of policies, standards, or guidelines for MCE. Such consultants shall disclose at the same level as the comparable designated position identified elsewhere in the Code.

This category also includes all new/future positions that would include the performance of comparable, the same, or substantially all the same duties for MCE that are being performed by an individual holding a designated position in MCE's Conflict of Interest Code. Such new positions shall disclose at the same level as the comparable designated position identified elsewhere in the Code.

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:

Members of the Board of Directors
Members of the Board of Directors (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.

