



DRAFT Regional Advisory Committee (RAC) Policy Conflict of Interest and Incompatible Activities

PURPOSE: To provide guidelines for the San Diego Integrated Regional Water Management (IRWM) Regional Advisory Committee (RAC) on conflict of interest and incompatible activities.

BACKGROUND: The Regional Water Management Group (RWMG) formed the RAC in 2007 to provide recommendations on the IRWM Plan and project selection for grant funding under the IRWM. When grant opportunities are available, the RAC forms a Project Selection Workgroup (Workgroup) that develops a recommended funding package based on criteria developed and approved by the RAC. The RAC reviews the workgroup recommendations and develops a final recommendation for funding that is presented to the San Diego County Water Authority Board of Directors. As lead agency for managing IRWM funding, the Water Authority Board makes the final decision on projects selected for submittal in a grant application to the Department of Water Resources. Because the RAC plays a significant role in the selection of projects, it is important that RAC members avoid a personal conflict of interest and incompatible activities.

SCOPE: This policy applies to RAC members and members of the Workgroup and is intended to provide guidance that will ensure the integrity of the RAC.

POLICY: It is the policy of the RAC that the following activities are incompatible with membership on the RAC or the Workgroup and so are prohibited:

1. Any activity that would use the prestige or influence of the RAC or the Workgroup for private gain.
2. Employment that would impair the RAC or Workgroup member's independence of judgment, other than employment by the public agency or nongovernmental organization that they represent on the RAC. RAC members may vote on a funding package that includes projects that benefit the public agency or non-governmental organization that they represent on the RAC, but they may not advocate for that entity's project during the project selection process.
3. Private consulting by the individual RAC or Workgroup member, or a private firm employing that member, on projects recommended by the RAC or Workgroup and selected for funding by the Water Authority and DWR. The exception to this is if the RAC or Workgroup member discloses his/her personal interest and fully recuses himself/herself from participating in the Workgroup selection process and from voting on the funding package.

RAC MEMBER RESPONSIBILITIES:

1. RAC or Workgroup members shall not perform work that might compromise or appear to compromise the integrity of the RAC or Workgroup, consistent with RAC policy.
2. RAC or Workgroup members shall disclose at the RAC and/or Workgroup meeting:
 - a. Any activity in which he/she or members of his/her immediate family have a direct financial interest.
 - b. Any proposed project that the RAC or Workgroup member is engaged in through his/her employment by the entity he/she represents on the RAC.
 - c. Any other activity that could compromise his/her objectivity as a RAC or Workgroup member.
3. RAC or Workgroup members shall not present themselves as a representative of the RAC when soliciting any private work.
4. RAC or Workgroup members shall not benefit directly from any project selected for IRWM funding by the Water Authority or DWR.
5. RAC or Workgroup members shall not seek or accept personal loans, gifts, gratuities, business, compensation (outside of employment compensation they receive from the entities they represent on the RAC) or favors from any entity that seeks to benefit from recommendations of the RAC or Workgroup.
6. RAC or Workgroups members are responsible to comply with any legal requirements relating to conflict of interest or incompatible activities and should consult their own attorney or employer's attorney for any legal advice.