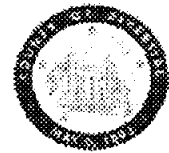


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

828A



**FROM:** County Counsel

**SUBMITTAL DATE:**  
March 10, 2011

**SUBJECT:** Approval of the Conflict of Interest Code of the Mission Springs Water District

**RECOMMENDED MOTION:** That the Board of Supervisors approves the Conflict of Interest Code submitted by Mission Springs Water District.

**BACKGROUND:** Government Code section 87306.5 requires that all local agencies review their Conflict of Interest Code, and the listings of designated positions for employees who must disclose along with the types of disclosure required, and make appropriate amendments to each as required.

(Continued)

*L. Alexandra Fong*

L. ALEXANDRA FONG, Deputy County Counsel  
for PAMELA J. WALLS, County Counsel

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

Departmental Concurrence

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b>	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE  
BY: *Denise C. Harden*  
Denise C. Harden  
**County Executive Office Signature**

- Consent
- Policy
- Consent
- Policy

Dept's Recomm.:  
Per Exec. Ofc.:

Government Code Section 82011 identifies the Board of Supervisors for the County, within which a local government agency (as defined by Government Code Section 82041) is located. A local government agency, as defined by Government Code Section 82041, includes a water district.

The Mission Springs Water District revised the appendix to its Conflict of Interest Code, via Resolution No. 2009-1, and has submitted it for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the revised appendix and has found that it complies with statutory requirements. It is recommended that the Board of Supervisors approve Mission Springs Water District's Appendix to its Conflict of Interest Code as revised and that the Clerk of the Board notify the Agency of the action taken.

**RESOLUTION NO. 2009-1**

**BOARD OF DIRECTORS OF THE MISSION SPRINGS WATER DISTRICT  
AMENDING ITS CONFLICT OF INTEREST CODE AND  
RESCINDING RESOLUTION NO. 2007-01**

**WHEREAS**, the Political Reform Act, Government Code Section 81000 et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes; and

**WHEREAS**, the Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code which may be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act;

**NOW THEREFORE**, be it resolved as follows:

**Section 1. Adoption of Code by Reference**

The Political Reform Act (Government 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) which 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 it 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 '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 "A" and B" designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code for the Mission Springs Water District.

**Section 2. Place of Filing**

Designated employees shall file a statement of economic interests with the Secretary to the Board of Directors. Upon receipt of the statements of the Board of Directors, the Secretary to the Board shall make and retain a copy and forward the original of these statements to the County of Riverside. Statements for all other designated employees shall be retained by the District.

**Section 3. Violations**

This Code has the force and effect of law. Designated employees violating any provision of this Code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 through 91014. In addition, a decision in relation to which a violation of the disqualification provisions of this Code or Government Code Sections 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

**Section 4. Repeal of Resolutions**


The Board of Directors of the Mission Springs Water District does hereby repeal Resolution No. 2007-01 in its entirety and adopt the foregoing as the Mission Springs Water District Conflict of Interest Code.

**APPROVED AND ADOPTED** January 20, 2009

AYES: Brown, Duncan, Furbee, Gibson, Wright  
NOES: None  
ABSENT: None

  
\_\_\_\_\_  
President of Mission Springs Water District  
and its Board of Directors

ATTEST:

  
\_\_\_\_\_  
Secretary of Mission Springs Water District  
and its Board of Directors

# APPENDIX A

## DESIGNATED FILERS

### DESIGNATED FILERS

### DISCLOSURE CATEGORIES

Administrative Officer	All (1-3)
<del>Director of Maintenance</del>	<del>All (1-3)</del>
Director of Operations <u>and Maintenance</u>	All (1-3)
District Engineer	All (1-3)
Engineering Manager	All (1-3)
Executive Assistant	All (1-3)
Senior Project Manager	All (1-3)
Legal Counsel	All (1-3)
Consultants*	

### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below manage public investments and will file a Statement of Economic Interests pursuant to Government Code Section 87200:

Board of Directors  
General Manager  
Director of Finance

- \* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitations:

The General Manager may determine in writing that a particular consultant, although a "designated position" is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager'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.

The designated position of Consultants includes special legal counsel retained by the District as a position subject to the foregoing specialized disclosure category.

## APPENDIX B

### DISCLOSURE CATEGORIES

This Code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200. Such persons are covered by this Code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in Appendix A specify which kinds of financial interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in Appendix A. It has been determined that the financial interests set forth in a designated employee's disclosure categories are the kinds of financial interests which he or she foreseeably can affect materially through the conduct of his or her office.

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property, which the designated employee must disclose for each disclosure category to which he or she is assigned.

Category 1: Interest in Real Property.

Category 2: All investments and business positions in any business entity and income from any sources which are (1) a private water company; or (2) an entity or person engaged in farming or real estate development or an owner of real property.

Category 3: Investment and business positions in business entities, and sources of income, which provide services, supplies, materials, machinery, or equipment of the type utilized by the District.

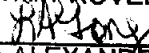


DECLARATION OF THE GENERAL MANAGER  
MISSION SPRINGS WATER DISTRICT

The Conflict-of-Interest Code (Mission Springs Water District Resolution NO. 2009-01) specifically enumerates each of the positions within the agency which involve the making or participation in the making of decisions which may foreseeably have a material financial effect on any financial interests. The agency has satisfied all of the requirements of Title 2, Division 6 of the California Code of Regulations §18750.1 preliminary to approval of the code.

12/22/10'  
DATE

  
GENERAL MANAGER

FORM APPROVED COUNTY COUNSEL  
BY:  3/10/11  
L. ALEXANDRA FONG DATE