

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



**ITEM: 2.14  
(ID # 20377)**

**MEETING DATE:**  
Tuesday, November 29, 2022

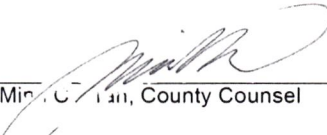
**FROM :** COUNTY COUNSEL:

**SUBJECT:** COUNTY COUNSEL: Approval of the Amendment to the 2022 Mission Springs Water District Conflict of Interest Code [Districts 4, 5] [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Amendment to the Conflict of Interest Code of the Mission Springs Water District; and
2. Direct the Clerk of the Board to notify the Mission Springs Water District of the action taken.

**ACTION:**

  
\_\_\_\_\_  
Min. Counsel, County Counsel 11/21/2022

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Spiegel, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Hewitt, and Perez  
Nays: None  
Absent: None  
Date: November 29, 2022  
xc: Co.Co., COBAB/LW, Mission Springs Water District

Kecia R. Harper  
Clerk of the Board

By:   
Deputy

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<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	N/A	N/A	N/A	N/A
<b>NET COUNTY COST</b>	N/A	N/A	N/A	N/A
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	<b>N/A</b>
			<b>For Fiscal Year:</b>	<b>N/A</b>

**C.E.O. RECOMMENDATION:** Approval

**BACKGROUND:**

**Summary**

The Political Reform Act prohibits a public official from using his or her position to influence a government decision in which he or she has a financial interest. Government Code section 87300 requires local government agencies to adopt and promulgate a Conflict of Interest Code identifying officials and employees required to file statements of economic interest based on the positions they hold. A local government agency, as defined by Government Code section 82041, includes the Mission Springs Water District.

Each even-numbered year, Government Code section 87306.5 requires local government agencies to review their Conflict of Interest Code, make appropriate revisions, if necessary, and submit an amended Conflict of Interest Code to the code reviewing body. Government Code section 82011(b) identifies the Board of Supervisors for the County of Riverside as the code reviewing body for a local government agency within its county.

The Mission Springs Water District recently amended its Conflict of Interest Code on July 18, 2022 to delete titles and revise titles of existing positions that participate in making governmental decisions. The Board of Directors for Mission Springs Water District has adopted Resolution No. 2022-19, amending its Conflict of Interest Code. The Mission Springs Water District has submitted its amended Conflict of Interest Code for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the Conflict of Interest Code of the Mission Springs Water District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Mission Springs Water District is attached as Resolution 2022-19 together with its appendices.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the Mission Springs Water District and direct the Clerk of the Board to notify the Mission Springs Water District of the action taken.

**Impact on Residents and Businesses**

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N/A

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

**Attachment A:      Resolution 2022-19**

  
Stacy Orton \_\_\_\_\_ 11/21/2022

**RESOLUTION NO. 2022-19**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
MISSION SPRINGS WATER DISTRICT AMENDING  
ITS CONFLICT OF INTEREST CODE AND  
RESCINDING RESOLUTION NO. 2020-18**

**WHEREAS**, the Political Reform Act ("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 ("Commission") has adopted a regulation (2 California Code of Regulations Section 18730) which contains the terms of a standard conflict of interest code which may be incorporated by reference in an agency's code;

**WHEREAS**, after public notice and hearing, the standard code may be amended by the Commission to conform to amendments in the Act;

**WHEREAS**, the Mission Springs Water District desires to adopt and incorporate by reference the terms of 2 California Code of Regulations Section 18730, and any and all amendments thereto adopted by the Commission.

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

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

The Political Reform Act ("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 ("Commission") has adopted a regulation (2 California Code of Regulations Section 18730 ("Conflicts Code Regulation")) 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, the standard code may be amended by the Commission to conform to amendments in the Act.

The terms of Conflicts Code Regulation, and any amendments to it duly adopted by the 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 ("Code") for the Mission Springs Water District ("District").

**Section 2. Place of Filing**

Designated employees shall file a statement of economic interests with the Secretary to the Board of Directors of the District ("Board"). Upon receipt of the statements of the Board, the Secretary to the Board shall make and retain a copy of the statements and forward the original statements to the County of Riverside.

Statements for all other designated employees shall be delivered to the Secretary to the Board and 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 Act, as it may be amended from time to time.

**Section 4. Repeal of Resolutions**

The Board does hereby repeal Resolution No. 2020-18 in its entirety and adopt the foregoing as the Conflict of Interest Code for the Mission Springs Water District.

**ADOPTED** this 18<sup>th</sup> day of July 2022, by the following vote:

Ayes: Duncan, Grasha, Martin, Sewell, Wright  
Noes:  
Abstain:  
Absent:

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

ATTEST:

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

## APPENDIX A

### DESIGNATED FILERS

#### DESIGNATED FILERS

#### DISCLOSURE CATEGORIES

Government and Public Affairs Manager	All (1-3)
Director of Operations	All (1-3)
Assistant General Manager	All (1-3)
Engineering Manager	All (1-3)
Human Resources 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 shall 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 determinations 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.

**CERTIFICATION OF ADOPTION**

STATE OF CALIFORNIA )  
  )  
COUNTY OF RIVERSIDE )

I, Arden Wallum, Secretary of the Board of Directors of Mission Springs Water District, certify that the foregoing is a full, true and correct copy of Resolution No. **2022-19** which was adopted by the Board of Directors of said District at its regular meeting held July 18, 2022.

It has not been amended or repealed.

Dated: July 19, 2022

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