

WEST BASIN MUNICIPAL WATER DISTRICT ADMINISTRATIVE CODE

Excerpt

Part 2. Administration

Code of Conduct

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Part 2. ADMINISTRATION
CHAPTER 1. BOARD OF DIRECTORS
ARTICLE 3. POWERS AND DUTIES

2-1.306 CODE OF CONDUCT ^{7,8,9,10,11,12,13,24,25,26}

The West Basin Municipal Water District is committed to upholding the highest ethical standards in all our business and professional operations and relationships. We will carry out our mission with unquestionable ethics and integrity, the cornerstone of achieving and maintaining credibility and ensuring public trust. We owe this, and no less, to the public we serve.

The ability of the District to achieve their mission is directly dependent on the day-to-day choices we make and our actions while representing the District. We are accountable for creating and maintaining credibility and trust with our customers, dealing fairly and honestly with our suppliers, contractors and consultants, and avoiding actual or perceived conflicts of interest that may arise due to outside activities, employment, and gifts.

In addition to the standards set forth above, all employees and directors are expected to treat District directors, employees, and third parties with respect, dignity, and courtesy. Rude behavior, outbursts, and discourteousness will not be tolerated, and will be considered conduct unbecoming a District representative.

(a) Ethics Committee

- (1) The Ethics Committee of the West Basin Municipal Water District ("District") shall be a standing committee and shall meet at an annual regular meeting on the first Monday in October, and have special meetings when needed, to address compliance issues related to this policy. Any violations of this Code, real or perceived, are to be immediately reported to the General Manager or an Ethics Committee member. Any suspected potential violations will be agendaized at the next scheduled Ethics Committee meeting. On an annual basis, this Code will be reviewed by District Counsel to ensure

compliance with statutory requirements.

(2) The District encourages reporting all good faith suspected violations of this Code of Conduct. Until the Ethics Committee determines that an actual violation of this Code has occurred, the alleged violator is presumed to be innocent of the violation. There shall be no adverse consequences suffered by anyone making a good faith report of a suspected violation nor shall there be any adverse consequences suffered by anyone accused of violating these standards and subsequently found not to have violated this Code of Conduct. The identity of any persons reporting violations of this Code of Conduct shall be kept confidential to the extent permitted by law.

(3) The Ethics Committee shall be comprised of the following four members: Two West Basin Municipal Water District Directors, and two *ex-officio* members – the District's General Manager and District Legal Counsel.

(b) Ethics Training. Each Director shall receive at least two (2) hours of training in general ethics principles and ethics laws relevant to his or her public service every two (2) years. [Per Government Code Section 53235.1.]

The District shall inform the Directors annually of ethics training opportunities. Group study or self-study ethics curricula developed by the District must be approved by the Fair Political Practices Commission and the Attorney General and may include local ethics policies.

A local agency or an association of local agencies may offer one or more training courses, or sets of self-study materials with tests, which may be taken at home, in-person, or online.

All providers of ethics training courses shall provide the Directors with proof of participation forms, indicating the date of the training and the entity that provided the training. The District shall maintain these records for five (5) years.

(c) Board/Staff Relationship. District staff report to the Board through the office of the General Manager. Board communications to employees shall be

made through the office of the General Manager.

The Board of Directors sets policy for the District and provides direction to the General Manager. It is the job of the General Manager to implement the Board's policies and priorities.

- (d) District Property/ Equipment and Director's Mail. A Director can be assigned selected District equipment for use on District business. No Director shall use or permit the use of District equipment, telephones, materials or property for personal gain or profit. No Director shall request a District employee to perform services for their personal gain or profit. Each Director must protect and properly use any District asset within his or her own control, including information recorded on paper or in electronic form.

Directors of the District shall not use the District logo, stationery, or other facsimile thereof, for any solicitation or other political activity including, but not limited to, political contributions.

The office of the General Manager is directed to open all mail addressed to an individual Director as a member of the West Basin Municipal Water District Board of Directors, unless marked personal or confidential. If such mail is relevant to District operations, and not just the individual director addressee, it will be distributed to all five Directors.

- (e) Employment. Employment decisions such as hiring, promoting, evaluating, compensation and terminating employees are based on qualifications for the position, ability and performance. The District attempts to avoid favoritism, the appearance of favoritism and conflicts of interest in employment decisions and reserves the right to take action in such situations.

Hiring of new employees is the responsibility of the General Manager. All contacts or communications with individuals interested in employment with the District should be referred to the Human Resources Department.

- (f) Confidential Information. From time to time, Directors have access to confidential information. Medical information, hiring information, and

information discussed in Closed Session meetings of the Board are examples of this type of information. With regard to this information:

- (1) A Director shall not use his or her position to obtain official information about any person or entity for any purpose other than the performance of official duties.
- (2) A Director shall not intentionally, knowingly or recklessly disclose confidential information concerning the property, operations, policies, employees or affairs of the District. This rule does not prohibit any disclosure that is no longer confidential by law, or the confidential reporting of illegal or unethical conduct to authorities designated by law.

(g) Conflict of Interest

- (1) A Director shall not make, participate in making or in any way attempt to use his/her official position to influence a District decision in which he/she has a financial interest.
- (2) A Director shall disclose to the Board, at a public meeting, all affiliations to businesses, institutions, or organizations that participate in any District programs. A Director shall not make, participate in making, or use his/her official position to influence any District decision directly relating to any contract where the Board member knows or has reason to know that any party to the contract is a person or entity with whom the Board member, or any member of his/her immediate family, has engaged in any business transaction or transactions on terms not available to the public.
- (3) A conflict of interest can exist anytime a Director's position or decisions provide financial benefit or improper advantage. Directors will comply with the Political Reform Act, Government Code section 1090, *et seq.*, and all other applicable statutes and regulations.
- (4) A Director shall not, directly or indirectly, induce or attempt to induce any District employee to do any of the following:
 - (i) To participate in an election campaign, contribute to a

candidate or political committee, or engage in any other political activity relating to a particular party, candidate or issues; or

(ii) To refrain from engaging in any lawful political activity.

(5) A former Director shall not represent any person, group, or entity other than himself or herself or his/her spouse or minor children for a period of one year after the termination of his or her official duties as follows:

(i) Before the Board; or

(ii) Before District employees having responsibility for making recommendations to, or taking any action on behalf of the District.

(h) Ex-Parte Communications

(1) The District strives to ensure the protection of due process and fairness in its decision-making process. The District promotes transparency in its decision-making process and strives to ensure that all District decisions are made on the basis of information available to all District Board members and to the public. When making any contact with District employees or Directors all parties must exercise sound judgment and caution to prevent an actual or implied impression that such contacts will result in preferential treatment of the prospective contractor.

(2) All communications received by District Directors regarding contractual matters pending before the Board shall be reported to the General Manager. District Directors who are contacted shall make no representations regarding the pending contractual matter other than the communication will be forwarded to the General Manager.

All such communications requesting clarification of further information concerning the pending contractual matter shall be responded to by a District employee in a manner that ensures all other bidders, proposers, vendors, or contractors receive identical

responses.

All communications that are not handled as described above, are ex-parte communications which are prohibited. Board action that was the subject of the ex-parte communication may be revoked.

(i) Participation in Political Activities

(1) Definitions. For purposes of this section, the following definitions shall apply:

(i) "Contribution" means a payment, a loan, an extension of credit, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, except to the extent that full and adequate consideration is received, unless it is clear from the surrounding circumstances that it is not made for political purposes. An expenditure made at the behest of a candidate, committee, or elected officer is a contribution to the candidate, committee, or elected officer, unless full and adequate consideration is received for making the expenditure.

The term "Contribution" includes the purchase of tickets for events such as dinners, luncheons, rallies, and similar fund-raising events; the granting of discounts or rebates not extended to the public generally or the granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; and the payment of compensation by any person for the personal services or expenses of any other person if such services are rendered or expenses incurred on behalf of a candidate or committee without the payment of full and adequate consideration.

The term "contribution" further includes any transfer of anything of value received by a committee from another committee.

The term "contribution" does not include amounts received pursuant to an enforceable promise to the extent such amounts have been previously reported as a contribution. However, the fact that such amounts have been received shall be indicated in the appropriate campaign statement.

The term "contribution" does not include volunteer personal services or payments made by any individual for his/her own travel expenses if such payments are made voluntarily without any understanding or agreement that they shall be directly or indirectly repaid to him/her.

A loan or extension of credit shall be considered a contribution from the maker and guarantor of the loan and shall be subject to the contribution limitations of this policy except that such limitations shall not apply to loans or extensions of credit made to the candidate by a commercial lending institution in the lender's regular course of business on terms available to members of the general public for which the candidate is personally liable.

- (ii) "Candidate" - For the purposes of this section, a person shall be considered a "candidate" when the filing of a statement of intention to be a candidate is filed with the Los Angeles County Registrar Recorder. All limitations on contributions shall apply from that date.
- (iii) "Person" - For the purposes of this section, "person" shall mean an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert.
- (iv) "Pending" means the time period between the District issuing a Request for Proposal or other formalized solicitation for the

provision of contracting, management, or professional services, or for the furnishing of any material supplies, equipment, or real estate, and the approval date by the Board.

- (2) Contributions Made on Behalf of Another. No person shall make a contribution on behalf of another, or while acting as the intermediary or agent of another, without disclosing to the recipient of the contribution both the person's, intermediary's, or agent's own full name and street address, occupation and the name of the person's, intermediary's or agent's employer, if any, or the person's, intermediary's or agent's principal place of business if the person, intermediary, or agent is self-employed; the recipient of the contribution shall also be made aware of the full name and street address and occupation and the name of the employer, if any, or principal place of business, if self-employed, of the actual contributor.
- (3) Assumed Name Contributions. No contribution shall be made, directly or indirectly, by any person or combination of persons acting jointly in a name other than the name by which they are identified for legal purposes, nor in the name of another person or combination of persons. No person shall make a contribution in his/her or its name of anything belonging to another person or received from another person on the condition that it is used as a contribution.
- (4) Political Contributions. No person who has a potential new contract with the District, either for professional services or for the furnishing of any material, supplies, equipment or real estate to the District shall contribute directly or indirectly to a Director while that matter is pending before the District.

(j) Installation Ceremonies

Installation ceremonies for all newly elected Board members shall take place at a time and location accessible to the public. If more than one director is to be installed, one joint ceremony shall be conducted. Staff will

use their best efforts to defray costs by soliciting private contributions to fund these ceremonies.

(k) Review of Contracts. All contracts entered into by the General Manager under his authority pursuant to the Administrative Code shall be submitted to the District Board on a quarterly basis.

(l) Expense Reimbursement. Payment for travel and other expenses shall be allowed when reasonably necessary to represent the interest of the District. Business expenses shall normally be paid as set forth below.

(1) At least annually, the District will continue to publish the individual Director travel expenses whether paid by the District or reimbursed to the Director.

(2) The District will conduct a survey at least every 3 years to assess per diem, allowances, and other expenses from comparable agencies.

Expenditures for lodging, meals, transportation and other activities should provide for a reasonable level of comfort and convenience, but sound judgment shall be exercised to ensure the lowest overall reasonable cost to the District. All travel arrangements, including airfare, lodging, and car rental, should be made through a District employee, with pre-payment, whenever possible, especially for conference fees. District employees will work to ensure that travel is conducted at the lowest reasonably available cost to the District. When reimbursement is permitted, members will be reimbursed only up to the actual and necessary expenses incurred in performance of their official duties.

A Director may request the District to pay for conference registration, commercial transportation (airline, or car rental) and hotel accommodations (room, tax, and hotel parking only). A District Director may incur other incidental costs and may seek reimbursement from the District with appropriate documentation. Incidental costs include business meals, parking, gas charges for car rentals and other allowable business travel expenses.

(m) Expense Limits. An annual travel budget of \$15,000.00 per director per

fiscal year shall be established and shall incorporate conference registration, lodging/overnight travel, business meals, and transportation. This budgeted amount shall not include any expenses incurred for travel to Sacramento, California and Washington, D.C. to meet with District's legislative representatives.

Any amounts spent above the allowable limits for which the Director is seeking reimbursement shall be brought to the full Board for consideration.

(n) Travel Authorization

- (1) Actual and necessary travel expenses may be incurred in connection with official representation of the District in order to:
 - (i) Attend seminars, conferences, hearings, or other meetings directly related to the business of the District;
 - (ii) Interview persons, inspect facilities, or exchange professional information; or
 - (iii) Participate in other activities, as approved by the Board, requiring expenditures for travel, meals, and lodging that are necessary and in the best interests of the District.
- (2) Attendance at Conferences/Business Meetings – Out of State/Out of Country. Directors shall be entitled to reasonable expenses (which can include lodging and business meals) incurred for traveling to approved conferences, beginning one day prior to the start of the conference/business meetings and no later than one day following the conclusion of the conference, for travel outside the state and the United States.
- (3) Attendance at Conference/Business Meetings – In State but Outside of Tax Home. For travel in state, but outside of West Basin's Tax Home (50-mile radius of District Headquarters), Directors shall be entitled to lodging for each night of the conference/meeting, plus one night's lodging for either one day prior or one day after the conference/meeting.

- (4) Attendance at Conference/Business Meetings – In State and Within Tax Home. For travel in state and within West Basin’s Tax Home (50-mile radius of District Headquarters), Directors shall be entitled to lodging for each night of the conference/meeting, plus one night’s lodging for either one day prior or one day after the conference/meeting. Such entitlement shall be subject to the imputed income provisions of the INTERNAL REVENUE CODE. Directors shall receive reimbursement for business meals incurred on the days spent traveling to the conference/meeting. Such reimbursement shall be subject to be imputed income provisions of the INTERNAL REVENUE CODE.

(o) Authorized Expenses

Expenses in General. Authorized expenses normally include lodging/hotel accommodations, business meals, transportation (common carrier fares, rental of automobiles and parking fees) and conference registration. A Director may not submit a claim to the District for reimbursement of an expense reimbursed by another party. Any non-budgeted special event must receive prior Board approval and documentation shall be supplied to demonstrate the business purpose

- (1) Lodging/Hotel Accommodations. Lodging shall be obtained at the most economical rate reasonably available. Government rates should be utilized, if available. Use of conference headquarters hotels is encouraged. Lodging in connection with a conference or organized educational activity shall not exceed the maximum group rate published by the group or activity sponsor, provided that lodging at a group rate is available.

Whenever possible, arrangements for hotel charges should be placed on the District credit card. If a Director uses their personal credit card, the charges will be reimbursed. It is the responsibility of the individual traveling to pay for personal incidentals (movies, snack bar fees, etc.) prior to check out of the hotel. Business

center charges such as faxes, email, etc. are reimbursable if necessary to the performance of official duties and the business purpose is documented. Business calls to District facilities will be paid in full.

For events, meetings, and conferences that begin and conclude on the same day, the District will not pay or reimburse lodging/hotel accommodations that are within a 50 mile radius of the District Headquarters.

- (2) Business Meals. District Directors may recover expenses for meals that further the interests of the District ("Business Meals") consistent with the below. Business Meal expenses include the cost of meals, non-alcoholic beverages, applicable tax and reasonable tip.

(i) Business Meals for Directors When There is No Overnight Travel. Except as provided below in Section (v) related to solo meals that are not reimbursable, for Business Meals when no overnight travel is involved, Directors have limits of \$75 per meal and \$75 per meal per guest.

(ii) Business Meals for Directors When There is Overnight Travel. When overnight travel is involved, Directors have a total meal limit of \$110.00 per day for solo meals (Director Only). When Directors have Business Meals with third parties or pay for a guest, the limit is \$75 per Director and \$75 per guest. The \$75 for each Director for Business Meals with others is in addition to the \$110 per day authorized in this section.

(iii) Documentation / Travel Companions. The Director shall indicate the business purpose and how the expenditure is necessary to promote District policies and programs. A meal receipt must be accompanied by an itemized account of charges. If the restaurant does not provide a computerized itemized receipt, a handwritten itemized receipt may be used. The meal receipt must include a description of the business

purpose of the meal. The meal receipt must also include the name, the affiliation and position of each guest, when claiming reimbursement for the Business Meal. To the extent that spouses or other travel companions accompany a Director on District related travel or to a District related event, the portion related to that person's attendance shall not be compensable by the District and must be paid for by the Director or promptly reimbursed to the District.

- (iv) No Reimbursement When Meal Is Provided. Directors are not entitled to meal reimbursement for attendance at a meeting or conference at which a meal is provided, unless approved by the Board.
 - (v) No Reimbursement for Solo Director Meals When There is No Overnight Travel. Expenses for a solo meal (Director only), incurred when there is no overnight travel, will not be reimbursable. (Section IRC§ 119.) Reimbursement will be paid for a Business Meal furnished by a Director to another person, even where there is no overnight travel. If overnight travel is involved, all Business Meals are reimbursable, regardless of whether Director is solo or with a guest.
 - (vi) Director Obligation to Reimburse for Unauthorized Meal Expenses. If a Director requests meal reimbursement in a manner that does not comply with the requirements of this policy and receives reimbursement from the District, the Director must reimburse the District any amounts received within thirty days of notice.
- (3) Transportation. Use of air, train, rental car, or private car shall be selected on the basis of the most reasonable and appropriate method, taking into consideration distance, time and total costs to the District. The following types of travel expenditures while on District business are allowable:

- (i) Travel by Private Automobile. The driver must possess a valid California driver's license and carry automobile insurance. Any damage to the vehicle or service repairs are of a personal nature, and will not be reimbursed by the District.

Expenses incurred for use of personal vehicles are covered by the District's car allowance policy as set forth below, in Section 18. All automobile travel within Los Angeles County and within a fifty-mile radius of the District Headquarters is covered by the Director's car allowance policy in Section 18 below. Mileage incurred for travel beyond these limitations is reimbursable at the standard IRS mileage reimbursement rate. Mileage incurred for travel within these limitations is not reimbursable and rental vehicles are prohibited from being used for such travel.

- (ii) Air Travel. Travel shall be in coach class or equivalent service unless the Board determines some physical problem or exceptional circumstance warrants travel in a higher class. Airline baggage fees, excluding excess weight fees, are allowable travel expenditures.

- (iii) Rental Vehicles.

- a. Rental vehicles must be limited to "mid-sized, intermediate, or standard" vehicles. If a District credit card is used to rent such vehicles, Directors shall not purchase additional automobile insurance offered or provided by the rental car company. Rental vehicles are prohibited from being used for travel within a fifty-mile radius of the District headquarters. Use of rental vehicles shall be strictly limited for official District business, and not for personal purposes.
- b. Rental vehicles shall only be used when such use is economical. Accordingly, reimbursement for use of a

rental vehicle will not exceed the amount payable for mileage reimbursement (at the standard IRS mileage reimbursement rate) to the location of the conference, meeting, or event ("Event Location"). When travel includes air travel, rental vehicles shall not be used if the Event Location is in the same city as the destination airport. If travel to the Event Location includes travel outside of the city where the destination airport is located, use of a rental vehicle is appropriate, subject to the reimbursement limits set forth above in subsection a.

- (iv) Miscellaneous Travel. Taxi services, parking fees, and toll charges are reimbursable when reasonably necessary to accommodate travel needs.
- (4) Receipts. All requests for reimbursement must be accompanied by itemized receipts. If itemized receipts are lost or otherwise not available, a Director may request a waiver of this requirement by documenting the amount and purpose of the charge, and submitting the waiver request to the Board for consideration.
- (5) Conference Registration. Directors shall, whenever possible, register for conferences by using the District's credit card. Directors must be registered participants at any conference for which a director seeks expense reimbursement or per diem compensation.
- (6) Authorized Expenses for Metropolitan Representatives. All transportation costs incurred by the District's Metropolitan Water District of Southern California ("Metropolitan") representatives, for travel done on behalf of Metropolitan, shall be reimbursed by Metropolitan.

The District's Metropolitan representatives, who are not District Directors, are entitled to an automobile allowance from the District or to receive mileage reimbursement from Metropolitan.

Before an automobile allowance from the District is paid, the District shall deduct the amount of reimbursement for mileage received from the Metropolitan Water District.

- (7) Incoming Directors. Directors who have been elected but have not been sworn in shall be reimbursed for reasonable and prudent travel and conference expenses incurred while on District business, under the same requirements as sworn directors.
- (8) Authorized Expenses. The General Manager may authorize the purchasing of tickets for directors to attend certain community events related to District activities. Such events can include those sponsored by local chambers of commerce, water associations, community based organizations, and environmental organizations. The use of tickets received by the District for approved non-district sponsored events shall first be offered to District Directors and then to District staff. If District Directors and District staff are not available to use event tickets, they may be distributed at the general manager's discretion.
- (p) Unauthorized Expenses. Items of a personal nature are not reimbursable including: movies, entertainment, premium television services, alcoholic beverages, dry-cleaning, spas, gyms, barber, magazines, shoeshine, travel insurance, purchase of clothing or toiletries, loss of tickets, fines or traffic violations, excess baggage, spouse and/or guest accommodations, office equipment or other items of a personal nature.

If unauthorized expenses have been paid by the District, Directors will reimburse the District. If a Director does not reimburse District within 30 days of notice from District, reimbursement will be through expense reimbursement deductions by District staff.
- (q) Reimbursement Of Expenses – Procedure. All claims shall be submitted to the District for review within ninety (90) days after the subject event. Claims submitted after ninety (90) days, must be approved by the Board of Directors.

- (1) Claims shall be submitted on forms supplied by the District. Such forms must include a description of the expense, name(s) of each guest, the affiliation and position of each guest, date incurred, and a description of the business purpose of the expense.
 - (2) Expenses incurred by a District Director but prepaid by the District or charged on a District credit card must be listed on the expense claim form and noted as paid by the District.
 - (3) Fully documented and approved expenses will require at least 10 business days for processing, to allow time to verify compliance with expense procedures and to prevent errors.
- (r) Director Allowances
- (1) District Directors may receive a monthly car allowance in the performance of their official duties in an amount established by the Board.
 - (2) Board members and the West Basin Municipal Water District's Metropolitan representatives may receive a communications allowance in the performance of their official duties in an amount established by the Board. That monthly amount may cover the following equipment and services:
 - (i) Cellular Phone
 - (ii) Cellular Service
 - (iii) Fax Machine
 - (iv) Computer and Monitor
 - (v) Software
 - (vi) All-in-one printer, copier and scanner
 - (vii) Internet service
 - (viii) Dedicated phone line
 - (ix) Printer and fax machine

Board Members may elect to receive a flat monthly communications allowance. The monthly payment shall be in-lieu of the payment or reimbursement for any telephone calls, internet fees,

equipment or media. Board Members who do not receive this monthly allowance are entitled to reimbursement of any communications related expenses in connection with District business in accordance with the reimbursement procedures set forth above.

- (s) Compensation to Directors for Attendance at Meetings. It is the policy of the West Basin Municipal Water District to compensate its Directors for the time they dedicate to advancing the projects and activities of the District. Each Director is authorized to be compensated for up to 10 meetings per month. "Meetings" are defined as meetings of the Board, committee meetings, and such other meetings and events as reasonably necessary to further the interests of the District, subject to Board approval. Directors who attend a conference are expected to attend a reasonable and substantial portion of the lectures, seminars and presentations offered at the conference.

- (1) Approved Meetings. The District will pay each Director a "per diem" amount established by Ordinance No. 93-26 for each day's attendance at approved meetings as set forth in attached Exhibit "1." Meetings which are supported or sponsored by the District are determined to be "approved meetings."

The Ethics Committee will annually review and update, if necessary, Exhibit 1 "West Basin Approved Meetings" and bring a recommendation to the full Board for their consideration.

- (2) Reports. For all conferences and meetings (except meetings of the West Basin Municipal Water District, West Basin Financing Corporation, and West Basin Committees), Directors who attend such conferences and meetings at the expense of the District at the next regular meeting of the Board of Directors shall provide brief oral or written reports.
- (3) Metropolitan Water District Representatives Approved Meetings. The West Basin District Metropolitan representatives, who are not District Directors, are authorized to attend the meetings and events listed

below on behalf of the District and for which compensation (a per diem) will be paid by the District unless otherwise compensated by Metropolitan:

- (i) Board and Committee Meetings of the Metropolitan Water District
 - (ii) Board Meetings of the West Basin Municipal Water District
 - (iii) Board Meetings of the West Basin Financing Corporation
 - (iv) Metropolitan Water District inspection trips
 - (v) Conferences, meetings, and presentations as approved by Metropolitan Water District (with Metropolitan paying cost of travel, hotel and conference registration)
 - (vi) Association of California Water Agencies – Semi-Annual Conference
 - (vii) Colorado River Water Users Association – Annual Conference
 - (viii) Southern California Water Committee Meetings
 - (ix) West Basin Municipal Water District Annual Water Harvest
- (4) Non-Compensable Meetings. The following are examples of non-compensable meetings that are not necessary to represent the interests of the District. Such non-compensable meetings include, but are not limited to the following:
- (i) Service club meetings where a Director is not making a presentation on behalf of the District;
 - (ii) Meetings a Director has with other elected officials or their representatives, which are not reasonably necessary to represent District interests;
 - (iii) Informal or non-scheduled meetings with District staff. A meeting will be considered to be “scheduled” when it is scheduled by District staff at least one day prior to the meeting.
 - (iv) Meetings with other West Basin Directors;
 - (v) Meetings with vendors/contractors;

- (vi) Informal or non-scheduled meetings with staff of the Metropolitan Water District of Southern California;
- (vii) Purely social or ceremonial events not pre-approved by the Board;
- (viii) Parades, festivals, holiday events, retirement dinners, not preapproved by the Board; and
- (ix) Meetings of a partisan political organization.

(5) Number of Meetings

- (i) Each Director shall be compensated (a per diem) in the amount established by Ordinance 93-26 for each day's attendance at approved meetings of the West Basin Municipal Water District and conferences as described above, not exceeding a total of 10 meetings in each calendar month. Directors are prohibited from receiving compensation for more than one meeting in the same day.
- (ii) Each Representative of the Metropolitan Water District of Southern California ("Metropolitan") appointed by the West Basin Municipal Water District, and who is not a West Basin Director shall be compensated (a per diem) in the amount established by Ordinance 93-26 for no more than 10 Metropolitan meetings or conferences in each calendar month, as described above.
- (iii) Each West Basin Director who is also appointed by its respective Board as a Metropolitan Representative shall be compensated (a per diem) in the amount established by Ordinance 93-26 for each day's attendance at approved meetings of the West Basin Board and the Metropolitan Board and conferences as described above, not exceeding a total of 20 days in each calendar month. However, no more than per 10 meetings per month for any one District are allowed. Each person who represents West Basin on the Metropolitan Board

shall attend Metropolitan committee and Board meetings, and such other meetings as are reasonably necessary to adequately represent the interests of West Basin or the Metropolitan Board.

- (iv) Each West Basin Director who is also appointed as a Metropolitan Representative shall not receive more than the amount established by Ordinance 93-26 per day for attendance at meetings, even when such Director attends a Metropolitan committee or Board meeting on the same day.
- (6) Extraordinary or Emergency Meetings. If a need arises for a Director to attend or participate in a meeting not covered by this policy, and for which timely approval by the West Basin Board or West Basin Finance Committee is not practical, the Director must seek review and recommendation from the Finance Committee, or followed by Board approval at the next scheduled Board meeting.
- (7) Travel To and From Approved Meetings
 - (i) Travel to Conferences/Business Meetings – Out of State/Out of Country. Directors are entitled to compensation for traveling to approved meetings, beginning one day prior to the start of the meeting and no later than one day following the conclusion of the meeting, for travel outside the state of California and the United States.
 - (ii) Travel to Conference/Business Meetings – In State. Directors are not entitled to receive compensation for time spent traveling to approved meetings within the State of California.
- (8) Compensation Submittal Requirements. All requests for compensation shall be submitted to the District for review within ninety (90) days of meeting attendance. Requests submitted after ninety (90) days must be approved by the Board of Directors.
- (t) Submittal and Review of Per Diem and Expense Claims
 - (1) Per Diem Compensation Forms. At the end of each month, claims

for per diem compensation are to be listed on the form provided by the District. The entries on this form shall be completed by the director and must clearly document each Director's attendance of the meeting, the purpose of each meeting, the location, and the names and affiliations of other parties who were in attendance.

- (2) Expense Reimbursement Forms. All claims for expense reimbursement, including travel expenses, must be included on the form provided by the District and must be completed by the director.
- (3) Administration. Each form is to be submitted to the District for processing. Upon receipt of the form, it will be reviewed to ensure that the claims adhere to the policies outlined above. Any claims submitted that do not fall under this policy's guidelines will be forwarded to the Finance Committee for review prior to payment. The Finance Committee will review all Directors' expenses monthly, during its regularly scheduled Committee meeting.
 - (i) Director's per diem and other expenses (2 separate checks) should be submitted to the District on the Fridays indicated on the monthly calendars by 12:00 noon and will be processed for reimbursement.
 - (ii) Fully documented and approved expenses will require at least 10 business days for processing to allow time to verify compliance with expense procedures and to prevent errors.
 - (iii) Payment may be mailed, direct deposited or will be available for pick up at the District offices.

(u) Public Awareness Guidelines

- (1) Introduction and Purpose. An important goal of the District's public outreach strategy is the promotion of water conservation, water education, and District programs. To achieve this public outreach goal, the District supports certain organizations and events on an annual basis through its budgetary process. In addition, the District also organizes and produces various events ("District Events")

designed to promote water conservation, water education, and District programs. The District recognizes there are other organizations that organize, produce, or host events which offer opportunities for the District to promote water conservation, water education, and District programs. Such public events are considered “Community Outreach Events.”

- (2) Budgeted, Pre-Approved Events, Conferences, and Programs. The District approves on an annual basis, through its budgetary process, participation and sponsorship in certain water related events, conferences, and programs, which bear a direct relationship to the District’s operations and activities.
- (3) District Events
 - (i) The District may organize or produce District Events to promote water conservation, water education, and District programs, provided that such events are non-political or non-partisan.
 - (ii) Any District Event conducted within six months before any election of the District’s board may not specially feature or call attention to any individual director. In the event that any board member is featured in any promotional material involving a District Event, all board members must be featured equally.
 - (iii) All Directors may attend any District Event.
- (4) Community Outreach Events.
 - (i) Requirements for Sponsorship. Upon request, the Board may decide to authorize participation in Community Outreach Events provided that such events: (1) provide the opportunity to promote water conservation, water education, or District awareness; and (2) are non-political or non-partisan.

The requesting party must complete the District’s Public Outreach Expenditure Application (“Application”) and provide clearly defined reasons for District participation in the

Community Outreach Event, including details about how the Community Outreach Event promotes water conservation, water education and District programs.

The General Manager shall present the completed Application to the Board. Any request for expenditures for a Community Outreach Event must be approved by a majority of the Board at least 10 business days prior to the date of the event.

In the event a majority of the Board approves the requested expenditures, the District shall issue payment through credit cards and checks paid directly to the host organization. No cash disbursements shall be made to the Director or to the host(s) or organizer(s) of the Community Outreach Event.

The Community Outreach Event must include at least one of the following:

- a. A speaking opportunity for a District representative,
- b. A District booth or table at the event to distribute District information, or
- c. Advertisement to promote District programs. Advertisements shall not promote or include photographs of individual Directors, or in the alternative, shall include photographs of all Directors. Mere use of the District's logo shall not constitute an "advertisement" for these purposes; at a minimum, any advertisement must include water conservation or education messaging.

Verification of a speaking event, booth or advertisement at the Community Outreach Event, including supporting documentation, must be obtained from the host(s) or organizer(s) of the Community Outreach Event and

submitted to the General Manager at the time of the Application, but not later than 10 days after the Community Outreach Event.

- (ii) Proposed Expenditures. A pre-determined amount approved in every fiscal year budget is available to pay sponsorship or participation fees for designated Community Outreach Events. Any expenditure made for Community Outreach Events must be related to the promotion of water conservation, water education, and District programs.
- (iii) Limitations. Directors are prohibited from requesting District participation in or sponsorship of Community Outreach Events which: are scheduled to occur within a District division that is subject to an election; and which are scheduled to occur during the period beginning on the last date by which the subject director must file election papers with Los Angeles County, until the date of certification of the results of any such election. This restriction does not apply to District divisions in which a Director is unopposed in the election.

Directors who are defeated in any District election are prohibited from requesting participation in or sponsorship of a Community Outreach Event after the date the results of the subject director's election is certified.

Directors shall not receive any gifts, free memberships, or any other fringe benefit from a recipient of District sponsorship, or support of a Community Outreach Event.

“EXHIBIT “1”¹⁴¹⁵West Basin Approved Per Diem Meetings

- (a) West Basin Municipal Water District Board Meetings
- (b) West Basin Financing Corporation
- (c) West Basin Committee Meetings
- (d) City Council and other community meetings within the District where the Director is requested to attend, or is making a presentation on District projects
- (e) Meetings with local, state or federal elected officials or their staff
- (f) District sponsored education or conservation events
- (g) West Basin Water Association Meetings
- (h) Water Replenishment District of Southern California – Board Meetings and Committee Meetings
- (i) Water Research Foundation and WaterReuse Foundation
- (j) American Water Works Association conferences and subcommittee meetings
- (k) Association of California Water Agencies – semi-annual conferences
- (l) Association of California Water Agencies Region 8 Board and Committee Meetings
- (m) California Association of Sanitation Agencies
- (n) California Contract Cities Association – Conferences
- (o) California Special Districts Association
- (p) Chambers of Commerce (includes meetings of the chambers and meetings with board members and chamber staff):
 - Carson Harbor City/Harbor
 - Culver City Gateway
 - El Segundo Lomita
 - Gardena Los Angeles Area
 - Greater Los Angeles Malibu
 - African American Manhattan Beach

Palos Verdes Peninsula	South Bay Latino
Redondo Beach	Topanga
Hawthorne/Lawndale	Torrance
Hermosa Beach	West Hollywood
Inglewood/Airport Area	South Bay Association of
LAX Coastal	Chambers of Commerce
Beverly Hills	

- (q) Colorado River Water Users Association
- (r) Heal the Bay
- (s) Independent Cities Association Conferences
- (t) League of California Cities – Conferences
- (u) County of Los Angeles Local Agency Formation Commission (LAFCO) and California Association of Local Agency Formation Commission (CALAFCO) – when on District business
- (v) Metropolitan Water District of Southern California – Board Meetings, Committee Meetings, and Inspection Trips
- (w) National League of Cities
- (x) National Water Research Institute
- (y) South Bay Cities Council of Governments (include meetings of the Council and General Assembly)
- (z) Southern California Water Coalition Meetings
- (aa) Urban Water Institute, Inc.
- (bb) Water Education Foundation
- (cc) WaterReuse Association
- (dd) Congressional Black Caucus Foundation
- (ee) Water Environment Federation Technical Exhibition & Conference
- (ff) Bay Delta Stewardship Council
- (gg) Cal Desal
- (hh) Santa Monica Bay Restoration Commission
- (ii) Scheduled meetings with West Basin or Metropolitan Water District staff

- (jj) American Public Works Association
- (kk) California African American Water Education Foundation
- (ll) Los Angeles County Business Federation (BizFed)

LIST OF CHANGES TO PART 2, CHAPTER 1. BOARD OF DIRECTORS

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- ¹ Section 2-1.102 amended by Resolution 7-16-1042 on July 25, 2016.
 - ² Section 2-1.103 amended by Resolution 7-16-1042 on July 25, 2016.
 - ³ Section 2-1.303 amended by Resolution 7-16-1042 on July 25, 2016.
 - ⁴ Section 2-1303 amended by Resolution 06-21-1134 on June 28, 2021.
 - ⁵ Section 2-1.303 amended by Resolution 10-22-1177.
 - ⁶ Section 2-1.305 amended by Resolution 7-16-1042 on July 25, 2016.
 - ⁷ Section 2-1.306 (Code of Conduct) amended by Resolution 3-16-1029 on March 29, 2016.
 - ⁸ Section 2-1.306 (Code of Conduct) amended by Resolution 9-16-1050 on September 30, 2016.
 - ⁹ Section 2-1.306(n) (Code of Conduct) amended by Resolution 11-17-1077 on November 27, 2017.
 - ¹⁰ Section 2-1.306(a) (1) amended by Resolution 5-19-1100 on May 29, 2019.
 - ¹¹ Section 2-11.306 amended by Resolution 10-20-1119 on October 26, 2020.
 - ¹² Section 2-1.306 amended by Resolution 06-21-1134 on June 28, 2021.
 - ¹³ Section 2-1.306 amended by Resolution 10-22-1177.
 - ¹⁴ Section 2-1.306 amended by Resolution 04-20-1110 on April 27, 2020.
 - ¹⁵ Section 2-1.306 amended by Resolution 07-20-1116 on July 27, 2020.
 - ¹⁶ Section 2-1.401 amended by Resolution 7-16-1042 on July 25, 2016.
 - ¹⁷ Section 2-1.402 amended by Resolution 7-16-1042 on July 25, 2016.
 - ¹⁸ Section 2-1.403 amended by Resolution 7-16-1042 on July 25, 2016.
 - ¹⁹ Section 2-1.404 amended by Resolution 7-16-1042 on July 25, 2016.
 - ²⁰ Section 2-1.404 amended by Resolution 3-17-1066 on March 30, 2021.
 - ²¹ Section 2-1.405 amended by Resolution 7-16-1042 on July 25, 2016.
 - ²² Section 2-1.406 amended by Resolution 7-16-1042 on July 25, 2016.
 - ²³ Sections 2-1.501 through 2-1.510 amended by Resolution 12-21-1149 on December 22, 2021.
 - ²⁴ Section 2-1.306(a)(1) amended by Resolution 10-21-1140 on October 25, 2021.²⁵ Section 2-1.306 amended by Resolution 10-22-1177 on October 24, 2022.
 - ²⁶ Section 2-1.306(n), 2-1.306(o), and Exhibit 1 amended by Resolution 10-23-1198 on November 27, 2023

Chapter 1.13

CODE OF CONDUCT FOR MEMBERS OF THE BOARD OF DIRECTORS

Sections:

- 1.13.010 Adoption.
- 1.13.020 Intent.
- 1.13.030 Purpose.
- 1.13.040 Key principles.
- 1.13.050 Conduct of directors.
- 1.13.060 Complaint handling procedures and sanctions.
- 1.13.070 Oath.

1.13.010 Adoption.

The district hereby adopts the code of conduct for members of the board of directors as set forth in this chapter. [Res. 10-20 § 1]

1.13.020 Intent.

It is the intent of the district that the code of conduct be implemented in conjunction with, and pursuant to, any and all other district policies, laws, and regulations which pertain to the rights and obligations of directors as members of the board of directors and as elected officials. [Res. 10-20 § 2]

1.13.030 Purpose.

The Twentynine Palms Water District (district) wants to ensure its customers, residents, employees and those conducting business with the district that the district is a public agency that emphasizes values in public service, leadership and decision-making. The purposes of this code are to: (1) provide guidance for dealing with ethical issues; (2) heighten awareness of ethics and values as critical elements in a director's conduct; and (3) improve ethical decision-making.

Members of the board of directors (directors) are subject to the provisions of this code of conduct (code) in addition to any and all other district policies, laws, and regulations which apply to directors. Such laws govern, but are not limited to, disclosure of personal economic interests; receipt of loans, gifts, travel payments and honoraria; campaign contributions; conflict of interest; dual office-holding and incompatible offices; and criminal misconduct in office. If a director has a question regarding interpretation or compliance with this code, or any other laws and regulations, the director shall refer the matter to the general man-

ager who shall provide the director with information and/or may refer the matter to legal counsel for further guidance. [Res. 10-20 § 1 (Exh. A(1))]

1.13.040 Key principles.

(1) Integrity. A director must not place himself/herself under any financial or other obligation to any individual or organization that might reasonably be thought to influence the director's performance of his/her duties.

(2) Leadership. A director has a duty to promote and support the key principles by leadership and example and to maintain and strengthen the public's trust and confidence in the integrity of the district.

(3) Selflessness. A director has a duty to make decisions solely in the public interest. A director must not act in order to gain financial or other benefits for himself/herself, his/her family, friends or business interests. This means making decisions because they benefit the district, not because they benefit the decision-maker.

(4) Objectivity. A director must make decisions solely on merit and in accordance with the director's statutory obligations when carrying out public business.

(5) Accountability. A director is accountable to the public for his/her decisions and actions and must consider issues on their merits, taking into account the views of others.

(6) Openness. A director has a duty to be as open as possible about his/her decisions and actions and give reasons for decisions.

(7) Honesty. A director has a duty to act honestly. A director must declare any private interests relating to his/her public duties and take steps to resolve any conflicts arising in such a way that protects the public interest and/or recuse/disqualify himself/herself from taking any action which would constitute a conflict of interest.

(8) Respect. A director must treat others with respect at all times and observe the rights of other people. A director must treat fellow directors, officials, staff, customers and the public with courtesy and civility. [Res. 10-20 § 1 (Exh. A(2))]

1.13.050 Conduct of directors.

(1) Ethics Training. Directors shall complete two hours of state-mandated ethics training for local agency officials to meet the specific require-

ments of AB 1234. This requirement also mandates two hours of training within one year of initially taking office.

(2) Relationship between Board Members. Directors shall strive to work collaboratively and assist each other in conducting the affairs of the district. Directors shall function as a part of a whole. Directors should bring all issues to the attention of the board as a whole, rather than to select individual directors.

(3) Relationship with the Public. Directors shall refer all complaints from customers, residents, and members of the public to the general manager. A director shall not make representations or promises to any third party regarding the future action of the district or of the board, unless such representation or promise has been duly authorized by the board. When making public utterances, a director shall make it clear whether he/she is authorized to speak on behalf of the board, or whether he/she is presenting their own views. When representing the board, a director's comments should reflect approved board policies. In areas where no policy has yet been developed, the director's comments shall make this fact clear.

(4) Presentation and Appearance to the Public. In order to present a positive image to the public, customers and residents, directors should strive to maintain a professional appearance while performing their duties as directors. For example, and not by way of limitation, directors should attend meetings and events in neat and clean attire and should strive to maintain a good personal appearance appropriate to the role of an elected official of a public agency.

(5) Relationship with General Manager and Staff.

(a) The board sets the policy of the district. The general manager is responsible for implementing the policy as formulated by the board. Directors shall not engage in actions which would constitute day-to-day management. The general manager is the highest-ranking nonelected officer of the district. The general manager is appointed by and serves at the pleasure of the board and performs such duties as may be imposed by the board. Therefore, the board will provide policy direction and instructions to the general manager on matters within the authority of the board by majority vote of the board during a duly convened board meeting. Directors will deal with matters within the

authority of the general manager through the general manager, and not through other district employees.

(b) A director will not make requests directly to other district staff to undertake analyses, perform other work assignments, or change the priority of work assignments. A director's contact with district staff should be kept to a minimum and should be made only when direct personal contact is required. A director, when approached by district personnel concerning specific district policy, shall direct inquiries to the general manager.

(6) Relationship with Other Public Agencies. When a director appears before another governmental agency or organization, the director shall make it clear whether his/her statement reflects personal opinion or is the official stance of the district. When representing the district, a director shall support and advocate the official district position on an issue, not a personal viewpoint. When representing the board, a director's comments should reflect approved board policies. In areas where no policy has yet been developed, the director's comments shall make this fact clear.

(7) Proper Use and Safeguarding of Director Property and Resources. Directors will only use district-owned equipment, telephones, electronic devices, email, materials or property for the execution of district business. A director will not ask a district employee to perform services for the personal benefit or profit of a director. Each director must protect and properly use any district asset within his or her control. Directors will safeguard district property, equipment, monies, and assets against unauthorized use or removal, as well as from loss due to criminal act or breach of trust.

(8) Use of Confidential Information. Under the Brown Act, all meetings of the board are open to the public, with only certain specific exceptions prescribed by law. The Brown Act sets forth provisions that require public officials to maintain the confidentiality of certain information. A director is not authorized, without the approval of the board, to disclose information that qualifies as confidential information under the applicable provisions of law to a person not authorized to receive it, that: (a) has been received for, or during, a closed session meeting of the board; (b) is protected from disclosure under the attorney/client or other evidentiary privilege; or (c) is not required to be disclosed under the California Public Records Act. A direc-

tor shall not take it upon themselves to waive the attorney/client privilege of the district by disclosing the legal opinions or advice of legal counsel to a third party.

(9) Information Requests.

(a) A director shall request all documents through the general manager. All requested public documents shall be provided to the director making the request within a reasonable period of time. All other directors will be notified of the requests and said documents shall be made available to them upon request. A director shall not request copies of information otherwise accessible by any other member of the public or for the use of any member of the public in order to impede payment of copy fees outlined in the Public Records Act.

(b) A director shall not request legal research or legal opinions from legal counsel without board approval. A director shall not request legal assistance or legal advice of a personal or business nature from legal counsel at district expense. [Res. 10-20 § 1 (Exh. A(3))]

1.13.060 Complaint handling procedures and sanctions.

(1) Disciplinary Action. The alleged violation by a director of this code or the policies, laws, and regulations referenced in this code should be referred to the general manager for further action as set forth below in regard to a potential admonishment or censure. The procedures for imposition of an admonishment or censure, as set forth below, may be subject to revision by the board, in consultation with legal counsel, for any particular case based on the facts and circumstances of a particular case. Any such revision must be made by the board prior to the initiation of any part of the applicable procedure as set forth below. Any action taken by the board to impose an admonishment or censure shall be taken by way of a written resolution.

(2) Admonishment. An admonishment is less severe than a censure and may be directed to a director reminding him/her that a particular type of behavior is in violation of this code, district policy, law or regulation and that, if it occurs or is found to have occurred, could make a director subject to a subsequent censure. However, an admonishment is not required prior to imposing censure as set forth below. An admonishment must be based upon the board's review and consideration of a written complaint which shall be filed with the general man-

ager by any individual who claims to be aware of, or to have been impacted by, the alleged behavior. The director accused of such a violation shall be entitled to notice of the allegation and will have an opportunity to provide a written response to the allegation prior to any board action. Since an admonishment is not punishment or discipline, it will not require an investigation.

(3) Censure. Before the imposition of a censure, the director accused of a violation shall be entitled to notice of the allegation, the right to provide a written response to the allegation, and an opportunity to respond in writing to the results of an investigation.

(a) Investigative Process. A written complaint shall be filed with the general manager by any individual who claims to be aware of, or to have been impacted by, the alleged behavior. Once the complaint is filed, the general manager shall bring the matter before the board in consultation with the district's legal counsel. The director named in a complaint shall be given an opportunity to respond to the complaint in writing. If the board determines, in consultation with the district's legal counsel, that an investigation is warranted, the board shall initiate an investigation by the appropriate investigator, entity or authority, as determined in the reasonable discretion of the board. In the event of such an investigation, a report of the findings of said investigation, along with the accused director's written response to the report, shall be presented to the board for majority action. If there is no merit, the matter shall be disposed of with no further action. When the board decides, based upon findings and the accused director's defense, that a violation has occurred, it may impose either of the following punishments:

(b) Censure. This is the most severe form of action. Censure is a formal statement of the board officially reprimanding one of the directors. It is a punitive action, which serves as a penalty imposed for wrongdoing, but it carries no fine or suspension of the rights of the director as an elected official. Censure should be used for cases in which the board determines that the violation of this code, district policy, law or regulation is a serious offense. In order to protect the overriding principle of freedom of speech, the board shall not impose censure on a director for the exercise of his/her First Amendment rights, no matter how distasteful the expression was to the board and the district.

However, nothing herein shall be construed to prohibit the board from collectively condemning and expressing their strong dislike of such remarks.

(c) Admonishment. If the board decides that a violation did occur but that it does not rise to the level of censure, the board may elect to impose an admonishment as set forth in subsection (2) of this section. [Res. 10-20 § 1 (Exh. A(4))]

1.13.070 Oath.

OATH

By signing below, the Director hereby acknowledges and agrees that the Director:

(a) has read this Code and understands its expectations;

(b) agrees that compliance with all local, state and federal laws and regulations is an inherent quality of ethical behavior;

(c) pledges to uphold a standard of integrity and competence beyond that required by the law;

(d) will treat all persons, claims and transactions in a fair and equitable manner;

(e) fully understands that he/she is subject to the Board's admonishment and censure, depending upon his/her ability to exemplify the ethical behavior promoted by this Code.

Print Name

Signature

Date

[Res. 10-20 § 1 (Exh. A(5))]



RANCHO CALIFORNIA WATER DISTRICT CODE OF CONDUCT FOR BOARD MEMBERS

1. INTRODUCTION

It is the responsibility of the Board of Directors (Board) of the Rancho California Water District (District) to ensure that the District is well managed and responsive to the needs and interests of its constituents, to comply with the law and use its powers and privileges honorably and fairly and in accordance with law, to safeguard the assets of the District, to employ and appoint such officers and employees as may be required to carry out the public service of the District, and to establish the policies and objectives of the District. The members of the Board are committed to carrying out their duties with integrity and respect, emphasizing the highest values and ethical behavior in public service, leadership, and decision-making. The Board adopts this Code of Conduct to ensure that all Board members, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of the District.

2. PURPOSE

This Code of Conduct serves as a guide for Board members in the performance of their duties. The purpose of this Code of Conduct is to:

- A. Describe the standards of behavior expected of Board members;
- B. Provide an ongoing source of guidance to Board members in their day-to-day service as members of the Board; and
- C. Promote and maintain an environment that fosters the public's trust and confidence in the District.

The principles and standards set forth below are intended to ensure effective communications and ethical practices by and among the members of the Board. Members who ignore or violate these principles and standards may be subject to censure by the Board or removal from representing the Board at any activities where they might be designated by the Board as a representative of the District.

3. VISION & MISSION

The vision of the District is to continue to be an innovative, responsive, and prudent steward of the water and water recycling service responsibility entrusted to it. The District's mission is to deliver reliable, high-quality water, and reclamation services to its customers and communities in a prudent and sustainable manner. The Board is committed to the following guiding principles to achieve the District's vision and mission:

- **Reliability** - The Board is committed to providing a level of water reliability that ensures customers' water needs are met.
- **Quality** - The Board is committed to providing safe water and high-quality services to its customers.
- **Stewardship** - The Board is committed to exercising good stewardship of financial and operating assets through use of sound, cost-effective business judgment.
- **Sustainability** - The Board is committed to addressing, adopting, and implementing policies that support the social, economic, and environmental values of the service area.
- **Customer & Community** - The Board is committed to informing and engaging its customers and community leaders as it pursues reliable, high quality, and sustainable water supply.

4. ORGANIZATIONAL VALUES

The Board is committed to maintaining the core organizational values of Professionalism, Responsibility, Integrity & Ethics, Dedication, and Equality & Fairness ("PRIDE") and incorporates these principles into this Code of Conduct:

- **Professionalism** - Reflected in the attitude and abilities displayed in dealing with our employees, customers, vendors, and community.
- **Responsibility** - Over financial operating assets through sound business judgement.
- **Integrity & Ethics** - Uphold an adherence to moral and ethical principles, and to remain accountable for our actions.
- **Dedication** - In providing professional, quality services to our partners, customers, and community.
- **Equality & Fairness** - Commit to maintaining a balanced workplace, by utilizing open communication, diversity, skills, and aspirations of all District employees.

5. BOARD MEMBER COMMITMENTS

Board members recognize that their professional and personal conduct while exercising their office must be above reproach and that they should avoid even the appearance of impropriety. The following commitments serve as a guide for Board members as to how they should conduct themselves while representing the District.

5.1 Ethical Responsibility

(a) Board members shall abide by and defend all applicable laws and policies, especially the political campaign, lobbying, and conflict of interest laws enforced by the Fair Political Practice Commission (FPPC), state laws, and the District's policies and procedures manual.

(b) In order to ensure their independence and impartiality on behalf of the common good and compliance with conflict of interest laws, Board members should use their best efforts to refrain from creating an appearance of impropriety in their actions and decisions.

(c) Board members should not use their official positions to influence government decisions in which they have (a) a material financial interest, (b) an organizational responsibility or personal relationship which may give the appearance of a conflict of interest, or (c) a strong personal bias. Board members who have a potential conflict of interest regarding a particular decision should disclose the matter to the General Counsel and reasonably cooperate with the General Counsel to analyze the potential conflict. If advised by the General Counsel to seek advice from the FPPC or other appropriate state agency, a Board member should not participate in a decision unless and until he or she has requested and received advice allowing them to participate. Board members should diligently pursue obtaining such advice and shall provide the General Manager and General Counsel with a copy of any written request or advice, and conform his or her participation to the advice given.

(d) Board members should maintain the confidentiality of all written materials and verbal information provided to members which is confidential or privileged. Board members should not disclose confidential information without prior legal authorization, or use such information to advance their personal, financial, or other private interests.

(e) Board members should not use District resources that are not available to the public in general (e.g., staff time, equipment, supplies, or facilities) for private gain or for personal purposes not otherwise authorized by law.

(f) Board members are required to complete two (2) hours of state-mandated ethics training for local agency officials within one (1) year of taking office. Thereafter, training is required every two (2) years to meet the specific requirements of Assembly Bill 1234.

5.2 Meeting Decorum

(a) The members of the Board agree that differing viewpoints are healthy in the decision-making process and that all meetings of the Board and its standing committees shall be held in conformance with the provisions of the Ralph M. Brown Act, Government Code Section 54950 *et seq.*

(b) Board members should perform their duties in accordance with the processes and rules of order established by the District and cooperate with the Board President in the orderly conducting of public meetings.

(c) Board members should diligently prepare for meetings by understanding the background, purpose, and arguments for and against items of business before a meeting.

(d) If necessary, Board members should seek background information about agenda items and operational matters by contacting the District's General Manager prior to a Board meeting. If the General Manager is unavailable, contact the General Manager's designee or the Board Secretary.

(e) Board members should treat everyone with respect by actively listening to other viewpoints, and do not interrupt, ignore, or belittle the contributions of others. Members of the Board will use professional language.

(f) Board members should endeavor to state their views concisely and clearly during meetings of the Board and refrain from discussing items not on the agenda.

(g) Board members should provide fair and equal treatment of all persons and matters coming before the Board.

(h) Board members should reflect professional standards in attire and conduct in public meetings, conferences, and events when representing the District.

5.3 Relationship with Other Board Members

(a) The Board recognizes and acknowledges that the work of the District is a team effort and that they should work together in the collaborative process, assisting each other in conducting the affairs of the District.

(b) Board members should strive to bring issues of interest to the Board, to the attention of the Board as a whole, rather than to select individual members.

(c) Board members recognize and acknowledge that as individual members, except as authorized by the Board, they have no power to act for or on behalf of the District or the Board, or to direct the staff of the District. Board members are not precluded from making requests for information and any information provided to one Board member shall also be made available to other members of the Board upon request.

5.4 Relationship with the Public

(a) The Board recognizes that public participation is an important part of the democratic process and the importance of avoiding impartiality, prejudice, or disrespect toward any individual participating in a public forum.

(b) Board members should not make representations or promises regarding future actions of the Board or District to any third party, or to an organization of which they are a member.

(c) When making public statements, Board members should make clear whether they are authorized to speak and are speaking on behalf of the District, or whether they are making the statement in their unofficial capacity, or simply presenting their own views.

(d) Board members shall refrain from accepting gifts, favors, or promises of future benefits that might compromise their independent judgment or action, or give the appearance of being compromised.

(e) When representing the District, Board members should accurately and honestly represent the official policies and positions of the District. In areas where no policy has yet been developed, Board member comments shall state that there is no official policy.

(f) Board members shall refer all complaints from residents and property owners within the District to the General Manager.

5.5 Relationship with Other Public Agencies

(a) The Board recognizes the value of public outreach and engaging with other public agencies on water policy issues.

(b) When a Board member appears before or attends another governmental agency or organization, the Board member shall make it clear (1) whether his or her presence is in an official or unofficial capacity, (2) whether his or her statement reflects personal opinion or is the official position of the District, (3) whether his or her statement is the majority or minority opinion of the Board.

(c) When representing the District, Board members shall support and advocate the official District position.

(d) When representing the District, Board members should accurately and honestly represent the official policies and positions of the District.

5.6 Relationship with General Manager and Staff

(a) The Board has delegated to the General Manager the power and authority to control the administration, maintenance, operation, and construction of the waterworks and sewer systems of the District in an efficient manner and to employ and discharge all employees, to prescribe their duties, and to promulgate specific rules and regulations for such employees subject to the policies approved by the Board.

(b) The Board recognizes that its primary responsibility is to formulate and evaluate policy and make financial decisions for the District.

(c) Board members shall refrain from getting involved in routine administrative and operational matters within the authority of the General Manager, and shall deal directly with the General Manager on such matters. The following procedures are intended to provide for effective channels of communication and a clear division of responsibility between Board members and the General Manager.

(i) Board members should develop a working relationship with the General Manager wherein current issues, concerns, and District projects can be discussed comfortably and openly.

(ii) In seeking clarification on informational items, Board members shall approach the General Manager to obtain information needed to supplement, upgrade, or enhance their knowledge to improve their legislative roll. Board

members should not attempt to obtain such information directly from staff without the knowledge or involvement of the General Manager.

(iii) When approached by residents and property owners of the District with complaints, Board members should refer such complaints directly to the General Manager.

(iv) Board members should report matters related to safety, concerns for safety, or hazards to the General Manager.

(v) When seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming; Board members should refer such concerns directly to the General Manager or General Counsel.

(vi) When approached by District staff concerning specific District policy or operations, Board members should direct the District staff to the General Manager. Board Members may confer with the General Manager or General Counsel about such issues.

(vii) When responding to constituent requests and concerns, Board members should refer the requests or concerns to the General Manager or General Counsel. Board members may directly consult with the General Manager or the General Counsel about such issues.

(viii) When approached by vendors or contractors concerning the availability of work or contracts at the District, Board members should direct such inquiries to the General Manager.

(d) Board members are encouraged to schedule an appointment with staff members, such as the General Manager, Assistant General Managers, or District Secretary, if a matter is anticipated to require lengthy discussion. Contacts between Board members and the General Manager are not limited.

(e) Board member contact with District staff regarding matters pertaining to the District should be kept to a minimum. When direct personal contact is required, Board members should initiate contact in the same manner as a customer, who is not a Board member, would. Contact with staff members should not be excessive.

(f) Per California Government Code, Sections 3201-3209, Board members should not solicit financial contributions from District staff or use promises or

threats regarding future employment. Although staff may, as private citizens with constitutional rights, support political candidates, such activities cannot take place during work hours, at the workplace, or in District uniform.

5.7 Information Requests

(a) The Board recognizes that all Board members should have the same information with which to make decisions and that information requested by or made available to one Board member should generally be provided to all members of the Board.

(b) Board members should request all documents through the District Secretary. In addition, any information provided to an individual Board member should be made available to any other member upon request.

(c) Board members should not request copies of information on behalf of the public which is otherwise accessible by members of the public or for the use of any member of the public in order to avoid payment of copy fees outlined in Administrative Code Part I, Chapter 6 District Records Policy, or procedures outlined in the Public Records Act.

(d) Board members recognize and acknowledge that General Counsel represents the District and does not represent individual Board members. Board members should not request legal research or legal opinions from General Counsel without Board consensus, unless matters are of ethical or conflict of interest concern. Board members shall not request legal assistance or legal advice of a personal or business nature from General Counsel. As a professional courtesy, legal opinions or advice on matters of District business solicited by individual Board members from outside legal counsel should be provided to General Counsel for review and comment.

(e) Board members recognize and acknowledge that the Attorney-Client Privilege, as applied to the District and that as individual Board members, they cannot waive the attorney client privilege of the District and, as such, they shall not disclose legal opinions or advice provided to the District to any third party without the approval of the Board.

6. ENFORCEMENT

This Code of Conduct Policy establishes guiding principles for appropriate conduct and behavior and sets forth the expectations of Board members. The purpose of this section is to establish a process and procedure that: (1) allows the public, members of

the Board, and employees to report Code of Conduct policy violations or other misconduct; and (2) provides guidelines to evaluate Code of Conduct policy violations or other misconduct and implement appropriate disciplinary action when necessary. The following sections outline the process for reporting violations of this Code of Conduct Policy or other misconduct by members of the Board.

6.1 Reporting Complaints

Any complaints made by members of the public to the General Manager or District staff should be reported to the Board President and General Counsel. Any complaints made by one Board member against another should be reported to the General Manager and General Counsel to adhere to Brown Act requirements. Any complaints by employees should be made to the General Manager, who will in turn direct them to the Board President and General Counsel. In the event a complaint involves the Board President, the Senior Vice President shall be informed instead of the Board President.

(a) Notice of Complaint. Within seventy-two (72) hours of receipt of the complaint, General Counsel shall notify the Board member in question of the complaint. The notification shall include a copy of the complaint and any supporting documentation.

(b) Evaluation of Complaints Alleging Violations. Upon receipt of a complaint, General Counsel shall conduct an initial review and determine the merits of the complaint and, if appropriate, shall present the complaint to the remainder of the members of the Board, absent the Board member in question, for consideration.

(c) Minor Violations. If a simple majority of the Board agrees that the reported violation is without substance, no further action will be taken. If the reported violation is deemed valid but minor in nature, the Board President and General Counsel shall advise and, if appropriate, admonish the Board member privately to resolve the matter. Admonishment is considered to be a reproof or warning directed to a Board member about a particular type of behavior that violates this policy.

(d) Serious Violations. If the reported violation is considered to be serious in nature, the matter shall be referred to legal counsel for investigation.

(e) Investigations. The investigation process should include, but is not limited to, the ascertainment of facts relevant to the complaint through interviews and the examination of any documented materials. At the conclusion of the investigation, legal counsel shall report his/her findings to the remainder of the Board in writing. The report

shall either (1) recommend that the Board member be exonerated based on a finding that the investigation did not reveal evidence of a serious violation of the Code of Conduct, or (2) recommend disciplinary proceedings based on findings that one or more provisions of the Code of Conduct or other policies have been violated. In the latter event, the report shall specify the provisions violated along with the facts and evidence supporting each finding.

(f) Board Review. The Board shall review the report and its recommendations. If the consensus of the Board is to accept the report and recommendations, the Board shall implement the recommendations. Where the recommendation is exoneration, no further action shall be taken. Where disciplinary action is recommended, the Board shall notify the subject Board member of the proposed recommendation. If the Board member in question accepts the report and the proposed recommendations, the Board shall implement the recommendations. If the Board member in question contests the report and the recommendation, and desire an appeal, the Board shall schedule a public hearing before the Board to present his/her case.

(g) Public Hearing. A public hearing should be set far enough in advance to allow the Board member in question reasonably sufficient time to prepare a response. At the hearing, the investigative findings shall be presented to the Board at a public hearing. The rules of evidence do not apply to the public hearing. It shall not be conducted as an adversarial proceeding.

7. DISCIPLINARY ACTION

Disciplinary action may be taken by the Board against any Board member who violates this Code of Conduct Policy. In taking such disciplinary action, the Board may consider the following factors: (a) nature of the violation; (b) prior violations by the same individual; and (c) other factors which bear upon the seriousness of the violation. The Board may, at its discretion, impose one or more of the following sanctions upon a Board member for violating the Code of Conduct:

- Public Admonishment — A reproof or warning directed to the Board member for the behavior that violates this Policy.

- Revocation of Special Privileges — A revocation of a Board member's Committee assignments, including standing and ad hoc committees, regional boards and commissions, and community-generated board/committee appointments. Other revocations may include temporary suspension of official travel, conference participation, and ceremonial titles.
- Censure — A formal statement or resolution by the Board officially reprimanding a Board member for the behavior that violates this Policy.

BOARD MEMBER ACKNOWLEDGEMENT

Rancho California Water District is committed to upholding the highest ethical standards in all our business and professional operations and relationships. While the personal values of each Board member may vary, it is necessary that all Directors align and support the District's approved Mission Statement, Vision, and Values that have been implemented, as the basis for organizational decisions.

As a member of the Rancho California Water District Board, I have read the District's Code of Conduct and understand the expectations placed on me as a representative of the District. By signing this Code, I pledge my commitment to uphold a standard set forth herein.

Date: _____

Print Name

Signature