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## Title 1 – GENERAL PROVISIONS

### Chapter 1.01 – ADMINISTRATIVE CODE

#### Section 1.01.010 – Intent

It is the intent of the Board of Directors of the Mission Springs Water District to maintain an Administrative Code containing a comprehensive record of the District's current policies, rules, and legally enforceable regulations enacted by the Board of Directors. The regulations contained herein are based on the authority granted to the Board of Directors by the County Water District Law of the California Water Code in Section 30000 *et seq* and applicable provisions of State Law. The Administrative Code will serve as a resource for Directors, staff, and members of the public in determining the manner in which matters of the District business are conducted.

#### Section 1.01.020 – Adoption of Administrative Code

Mission Springs Water District adopted the "Mission Springs Water District Administrative Code" in its entirety on July 15, 2024. The version of this Administrative Code in effect at any given time is inclusive of any modifications made after the adoption date by one or more ordinances or resolutions passed by the Board of Directors.

#### Section 1.01.030 – Title, Citation, and Reference

This Code shall be known as the "Mission Springs Water District Administrative Code" and it shall be sufficient to refer to this code as the "Mission Springs Water District Code," "Administrative Code" or "the Code" in any prosecution for the violation of any provision thereof, or in any proceeding at law or equity. It shall be sufficient to designate any ordinance or resolution adding to, amending, correcting, or repealing all or any part or portion thereof as an addition to, amendment to, correction, or repeal of the "Mission Springs Water District Administrative Code." Further, reference may be had to the titles, chapters, sections, and subsections of the "Mission Springs Water District Administrative Code" and such reference shall apply to that numbered title, chapter, section, or subsection as it appears in the Code.

#### Section 1.01.040 – Reference Applies to All Amendments

Whenever a reference is made to this Code as the "Mission Springs Water District Administrative Code" or to any position thereof, or to any ordinance, resolution or policy of the Mission Springs Water District codified in the Code, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made. In addition, from time to time the Board of Directors of the Mission Springs Water District may adopt Ordinances that may not be chaptered into this Code directly. These Ordinances, once duly adopted by the Board of Directors, shall be incorporated into this Code as though fully set forth herein, and these Ordinances shall carry the full weight of this Code.

### **Section 1.01.050 – Title, Chapter, and Section Headings**

Title, chapter, and section headings contained in this Code shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any title, chapter, or section hereof.

### **Section 1.01.060 – Reference to Specific Ordinance and Resolutions**

The provisions of this Code shall not in any manner affect matters of record which refer to, or are otherwise connected with, ordinances, resolutions, or policies which are therein specifically designated by number or otherwise, and which are included within the Code, but such reference shall be construed to apply to the corresponding provisions contained within this Code.

### **Section 1.01.070 – Effect on Past Actions and Obligations**

The adoption of this Code does not affect prosecutions for ordinance, resolution, or policy violations committed before the effective date of this Code, or any violations of ordinances and/or resolutions adopted by the Board but otherwise not affirmatively part of the Code, does not waive any fee or penalty due and unpaid on the effective date of this Code, and does not affect the validity of any bond or cash deposit posted, filed, or deposited pursuant to the requirements of any ordinance or resolution.

### **Section 1.01.080 – Modification of Administrative Code**

Consideration by the Board of Directors to modify this Code shall be accomplished by adoption of an ordinance or resolution, as appropriate.

### **Section 1.01.090 – Definitions**

#### **A. General**

1. All general provisions, terms, phrases and expressions contained in this Code shall be liberally construed in order that the true intent and meaning of the Board of Directors may be fully carried out. In the interpretation and application of any provisions of this Code, they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of the Code imposes greater restrictions upon the subject matter than another more general provision imposed by the Code or other law, the provision imposing the greater restriction or regulation shall be deemed to be controlling. In all interpretations of this Code, and ordinances and resolutions, the courts shall look diligently for the intention of the Board of Directors. Grammatical errors shall not vitiate, and a transposition of words and clauses may be resorted to when the sentence or clause is without meaning as it stands. To the extent any job titles, positions, committees, or other terms have been replaced or superseded, the Code shall be interpreted to refer to the most current job title, position, committee, or term, as may be changed,

replaced, superseded or amended from time to time, provided such interpretation does not substantively amend the Code or intent thereof.

B. California Codes

1. Any reference to the codified statutes of the state including but not limited to Business and Professions Code, Civil Code, Code of Civil Procedure, Commercial Code, Corporations Code, Education Code, Elections Code, Evidence Code, Family Code, Financial Code, Fish and Game Code, Food and Agricultural Code, Government Code, Harbors and Navigation Code, Health and Safety Code, Insurance Code, Labor Code, Military and Veterans Code, Penal Code, Probate Code, Public Contract Code, Public Resources Code, Public Utilities Code, Revenue and Taxation Code, Streets and Highways Code, Unemployment Insurance Code, Vehicle Code, Water Code, or Welfare and Institutions Code are to such codes as adopted and now or hereafter amended. Any reference to a state law or state act by title is to such law or act as amended.

C. Terms and Definitions.

1. Controller and/or Director of Administrative Services – The Term “Controller” and/or “Director of Administrative Services” as used herein shall mean and refer to the Director of Finance, or such other position within the District as may hereinafter be established to perform such duties.
2. County – The term “county” means Riverside County, California.
3. Day – The period of time between any midnight and the midnight following.
4. Must – The term "must" shall be construed as being mandatory.
5. Nontechnical and technical words – Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
6. Oath – The term "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."
7. Officers, boards, commissions – All references to officers, boards or commissions are to officers, boards or commissions of the district.
8. Person – The term "person" shall extend and be applied to a number of persons and to associations, clubs, societies, firms, partnerships, and bodies politic and corporate, as well as to individuals.
9. Preceding, following – The terms "preceding" and "following" mean next before and next after, respectively.
10. Public place – The term "public place" shall mean any park, cemetery, schoolyard or open space adjacent thereto, or any area available and/or accessible to the public, regardless of whether privately or publicly owned.

11. Shall – The term "shall" shall be construed as being mandatory.
12. State – The term "state" ~~or~~ means the State of California.
13. Week – The term "week" shall be construed to mean a calendar week of seven days.
14. Year – The term "year" shall mean a calendar year.
15. Delegation of authority – Whenever a provision appears requiring the head of a department of the district to do some act or make certain inspections, it is to be construed to authorize the head of the department to designate, delegate and authorize subordinates to perform the required act or make the required inspection unless the terms of the provision or section designate otherwise.
16. District or water district or MSWD – The term "district" or "water district" or "MSWD" means the Mission Springs Water District.
17. May – The term "may" shall be construed as being permissive.
18. Month – The term "month" means a calendar month.

## Chapter 1.02 – CONFLICT OF INTEREST CODE

### Section 1.02.010 – 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 (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 the 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")

~~(Res. No. 2022-19, § 1, 07-18-2022)~~ Res. No. 2024-20, § 1, 07-15-2024.

### Section 1.02.020 – 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.

(Res. No. 2024-20, § 2, 07-15-2024) ~~Res. No. 2022-19, § 2, 07-18-2022)~~

### Section 1.02.030 – 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.

(~~Res. No. 2024-20, § 3, 07-15-2024~~~~Res. No. 2022-19, § 3, 07-18-2022~~)

### Section 1.02.040 – Designated Filers and Disclosure Categories

<del>A.</del>	<del>Government and Public Affairs Manager</del>	<del>All (1-3)</del>
<del>B.</del> A.	Director of Operations	All (1-3)
<del>C.</del> B.	Assistant General Manager	All (1-3)
<del>D.</del> C.	Engineering Manager	All (1-3)
<del>E.</del> D.	Human Resources Manager	All (1-3)
<del>F.</del> E.	Legal Counsel	All (1-3)
<del>G.</del> F.	Consultants	See below

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(~~Res. No. 2022-19, Appendix A, 07-18-2022~~~~Res. No. 2024-20, Appendix A, 07-15-2024~~)

### Section 1.02.050 – Officials Who Manage Public Investments

- A. 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:
  1. Board of Directors
  2. General Manager
  3. Director of Finance
- B. 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:
  1. 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.
  2. The designated position of Consultants includes special legal counsel retained by the District as a position subject to the foregoing specialized disclosure category.

(~~Res. No. 2024-20, Appendix A, 07-15-2024~~~~Res. No. 2022-19, Appendix A, 07-18-2022~~)

## Section 1.02.060 – Disclosure Categories

- A. 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 Sections 1.02.040 and 1.02.050 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 Sections 1.02.040 and 1.02.050. 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.
- B. 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.
  - 1. Category 1: Interest in real property.
  - 2. 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.
  - 3. 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.

(Res. No. 2024-20, Appendix B, 07-15-2024~~Res. No. 2022-19, Appendix B, 07-18-2022~~)