



**UNITED WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS  
POLICIES & PROCEDURES**

**Effective April 10, 2013  
Revised and Approved December 13, 2017  
Revised and Approved March 13, 2018  
Revised and Approved September 9, 2020**

**Scope**

This policy sets forth administrative procedures to guide the Board of Directors in conducting the governance of the District. It generally sets forth procedures that are not otherwise dictated by state Government Code or Water Code, though in some cases procedures governed by state law are covered here for the sake of clarity and convenience. Many of the Board's activities are governed by the Ralph M. Brown Act (Government Code Section 54950), and the Board will comply with the Act's various provisions in recognition that it is the public's right to have access to and input on the District's governance.

Over the years, the District has adopted numerous resolutions and policies with respect to Board procedure, so this document also serves to bring together those past actions in one place.

Though otherwise intended to be as thorough as possible, it is expected that matters will arise which are not covered in this document and which must be addressed by the Board. It is expected that as these matters arise this policy will be amended to include provisions to cover them.

The District also recognizes that laws change from time to time. If any of the provisions in this document are in conflict with current law, the conflicting provisions will be deemed invalid and the current law will apply. Likewise, if any of the provisions in this document are invalidated, the remainder of the provisions in this document shall remain in effect and shall not be invalidated.

**Purpose and General Provisions**

United Water Conservation District, reformed in 1950 under Division 21 of the state Water Code, is governed by a seven-member Board of Directors. In order to conduct its governance responsibilities, the Board of Directors requires a clear, succinct set of procedures. These procedures help in several ways, including ensuring that the District conducts its business in compliance with state Government and Water Code or other applicable laws, provide the public with ready information about how the Board will perform governance functions, and ensure that regular administrative requirements are addressed in a timely, consistent manner.

## **SECTION 1 – COMPOSITION OF THE BOARD**

### **Make-up of the Board**

United Water Conservation District has been established with seven divisions of approximately equal population. Consequently, the Board of Directors shall consist of seven members, each of which shall be an elector of the division for which he is elected and a resident of Ventura County. Each Director shall be elected for a term of four years.

### **Election of Directors**

The terms of the Directors shall be staggered such that the seats representing three of the District's divisions are up for election in the same year, and two years later the other four seats stand for election.

District elections shall be held on even numbered years and shall be consolidated with statewide general elections held in November.

In accordance with Election Code section 15651, in the event of a tie vote between the leading vote-getters in one District division, the District will hold a special election to determine the winner.

Any fees associated with the filing of Candidate Statements or for acquiring voter registration information are the sole responsibility of the candidate.

### **Seating of the Board**

Directors shall be sworn in at the first regular Board meeting following certification of their election. They shall be sworn in by the county Clerk or by a person to whom the Clerk has delegated this authority. In the event that circumstances do not permit a newly elected or re-elected Director to be sworn in at a regular Board meeting before the last day of December following the election, special arrangements may be made with the county Clerk or his/her deputy to conduct the swearing-in.

### **Election of Officers**

At the regular Board meeting in January of each year, the Board shall elect three officers: President, Vice-President and Secretary/Treasurer. No member of the Board shall serve more than two consecutive one-year terms in any of these three offices.

### **Duties of President**

- Chair meetings of the Board of Directors.
- Review agenda of Board meetings with General Manager before each meeting.
- Appoint committees of the Board of Directors and assign committee chairperson responsibilities.
- Set the time and place for special meetings of the Board of Directors.
- Represent the District at public ceremonies.
- Serve as public spokesperson of the District and express approved policy of the District when called upon to do so.
- Sign checks of the District as prescribed under financial policies.

- Annually facilitate review of the General Manager.
- Chair District Executive Committee.

#### Duties of the Vice President

- Assume the duties of the President in his/her absence.
- Sign checks of the District as prescribed under financial policies.
- Serve as a member of the District's Executive Committee.

#### Duties of the Secretary/ Treasurer

- Chair the District's Finance & Audit Committee.
- Attest to accuracy of Board meeting minutes.
- Serve as a member of the District's Executive Committee.

#### **Director Bonding**

Pursuant to Water Code section 74206, each director of a water conservation district must execute an official bond in the sum of \$1,000 and file the bond, together with his or her official oath, with the secretary of his or her agency. This obligation will be fulfilled by the District for its Directors through the District's liability insurance coverage.

## **SECTION 2 – BOARD MEETINGS**

### **Quorum**

A quorum of the Board shall be four or more members.

### **Regular Board Meetings**

Regular meetings of the Board of Directors will be held on the second Wednesday of each month, at 12:00 p.m. at the District's offices. In consideration of certain factors the Board may act to move the place or time of a specific future regular Board meeting; however, under no circumstances may the Board hold a meeting outside of the boundaries of the District, except to:

1. Comply with state or federal law or court order, or attend a judicial or administrative proceeding to which the District is a party.
2. Participate in meetings or discussions of multiagency significance that are outside the boundaries of the District. However, any such meeting or discussion shall take place within the jurisdiction of one of the participating local agencies and be noticed by all participating agencies.
3. Meet outside their immediate jurisdiction with elected or appointed officials of the federal or state governments when a local meeting would be impractical, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.
4. Visit the office of the local agency's legal counsel for a closed session on pending litigation, when to do so would reduce legal fees or costs.
5. Other circumstances as authorized by the Brown Act.

Notice of the meetings and an agenda for any such meeting must be posted at the entrance of the District's headquarters (in a position viewable from outside the building 24 hours per day) at least 72 hours in advance of the meeting.

### **Special Board Meetings**

In order to address urgent issues which cannot wait for the next regular Board meeting, the President or a majority of the Board may call a special Board meeting. In calling a special Board meeting written notice must be mailed to each member of the Board not calling the meeting at least three days prior to the meeting, and to each local newspaper and radio or television station requesting notice, in writing (email or fax is acceptable for this purpose) at least 24 hours before the time of the meeting.

The notice shall specify the time and place of the special meeting and the business to be transacted or discussed, and no other business shall be considered at the special Board meeting.

The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Clerk of the Board a written waiver of notice. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

The special Board meeting agenda shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public at the District's offices.

At a special Board meeting the Board may not take action with respect to the salaries, salary schedules, or compensation paid to District Directors or employees.

#### **Emergency Board Meetings**

In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the District may hold an emergency Board meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement applicable to other special Board meetings. In such event, each local newspaper and radio or television station requesting notice of special meetings shall be notified by telephone at least one hour prior to the meeting by the Board President or designee.

An “emergency situation” shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body. Such an emergency Board meeting will commence with a determination by the Board as to the “emergency situation” which exists.

The Board may also meet in a “dire emergency,” defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity which poses such an immediate and significant public peril that requiring a one-hour notice before holding the meeting may endanger the public health, safety, or both, as determined by a majority of the members of the legislative body. Such an emergency Board meeting will commence with a determination by the Board as to the “dire emergency” which exists.

#### **Remote Attendance by Directors**

Directors may participate in any meeting within the subject matter jurisdiction of the Board, including Board and committee meetings, via teleconferencing from a remote location, including outside of District boundaries. All votes taken during a teleconferenced meeting shall be by roll call.

In the event of use of teleconferencing for Director Board meeting attendance, an agenda shall be posted at each teleconference location. Each teleconference location shall be identified in the notice and agenda of the meeting, and each teleconference location shall be accessible to the public. During the teleconference, at least four members of the Board shall participate from locations within the boundaries of the District. The meeting agenda and format shall provide opportunity for members of the public to address the Board at each teleconference location.

#### **Order of the Meeting**

##### **Public Comment**

Every agenda for Board or committee meetings shall provide an opportunity at the beginning of the meeting for members of the public to directly address the Board or committee on any item not on the agenda but within the jurisdiction of the District or, in the case of a committee meeting, within the specific jurisdiction of the committee. No action shall be taken on any item not appearing on the agenda unless the item is added to the agenda in accordance with the requirements below.

With respect to items on the agenda, an opportunity will be given to the public to provide comment

on the item before or during consideration by the Board or committee.

The agenda need not provide an opportunity for members of the public to address the Board on any item that has already been considered by a committee at a public meeting where interested members of the public were provided the opportunity to comment, unless the item has been substantially changed since the committee heard the item.

#### Adding Items to Agenda

Items may be added to the Board meeting agenda upon a determination by a two-thirds vote of the members of the Board present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action on the item and that the need for action came to the attention of the Board subsequent to the posting of the agenda.; or upon a determination by the majority of the legislative body that an emergency exists; or as otherwise authorized under the Brown Act.

#### Consent Calendar

The agenda of regular meetings of the Board of Directors may contain a Consent Calendar for Board action on non-controversial items. An item shall be pulled from the Consent Calendar for separate consideration upon the request of any member of the Board. Non-controversial action items with a fiscal impact may only be included in the Consent Calendar for a budgeted expense of less than \$100,000 and an unbudgeted expense of less than \$30,000.

All votes on the Consent Calendar shall be conducted by roll call.

#### Voting on Board Actions

Under no circumstances shall the Board take action by secret ballot, whether preliminary or final.

Voting on items establishing District policy or approving resolutions or ordinances must be conducted by roll call vote. Action on items with a fiscal impact must be conducted by roll call vote for unbudgeted items and for budgeted items greater than or equal to \$100,000. All other items, upon the judgment of the President, may be conducted by voice vote.

### **SECTION 3 -COMMITTEES (Revised and Adopted 2020-09-09)**

#### **Purpose and General Provisions**

In order to conduct its large volume of governance responsibilities in an organized fashion, the United Water Conservation District Board of Directors has delegated to certain standing committees the authority to meet at specified frequencies to hear about and discuss District issues in detail beyond what is practical at regular Board meetings. From time to time, in order to address large issues of a limited duration, advisory committees (e.g. ad hoc committees) may be formed by the Board President. Such advisory committees shall exist for a set term or until their assignment is deemed complete by the Board President.

Standing committees and ad hoc committees are for advisory purposes only; no decisions may be made without specific authority being approved by action of the full Board of Directors. Committees provide input and guidance to staff in developing recommendations to be presented to the entire Board. Committees are also tasked with making recommendations to the Board based upon their more extensive understanding of the details of specific issues.

#### **Committee Appointments and Substitutions**

Pursuant to District Resolution No. 82-5, the President, with advice and consent of the rest of the Board, shall make standing committee assignments each year at the regular February Board meeting or as soon thereafter as practical.

Each committee, whether standing or special, shall be made up of no more than three members of the Board of Directors, and two members will constitute a quorum of any of the committees. The Executive Committee will consist of the three Board officers (President, Vice President, and Secretary/Treasurer), and the members of the other committees will be appointed by the President from among the other six Directors (i.e., the President will not be a member of a committee, except the Executive Committee.)

In the event that a member of a committee is unable to attend a meeting of that committee, the General Manager may request a substitute to serve for that one meeting. The substitute may be appointed from any of the remaining Directors, including the President.

#### **Standing Committees**

**Executive Committee** - Made up of the three Board officers (President, Vice President and Secretary/Treasurer). Meets not less than quarterly or upon call of the President with regard to District governance, and human resources. Staff liaison is the General Manager.

**Engineering and Operations Committee** - Made up of three members, including a Chair, appointed by the President. Meets to review District's dam safety, Capital Improvement Projects, equipment issues, and operation and maintenance of District facilities, including environmental services and recreation issues. Staff liaison is the Chief Engineer with input from Operations and Maintenance Manager, Chief Park Ranger, Environmental Services Manager. Meets the first Thursday of the month.



**Finance and Audit Committee** - Made up of three members, including a Chair (Board 's Secretary/Treasurer), appointed by the President. Meets before each regular monthly Board meeting or upon call of the Chair to review District financial statements and reserves, conduct budget and financial planning review and to review in depth upcoming Board meeting agenda items with financial impact; also acts as District audit committee (i.e., with regard to internal controls, meeting with independent auditors, etc.) and reviews issues associated with District risk management and purchasing procedures. Staff liaison is the Chief Financial Officer. Meets the second Tuesday of the month.

**Legislative and Outreach Committee** – Made up of three members, including a Chair, appointed by the President. Meets to review legislative policy, bond/grant development, media relations and stakeholder engagement. Staff Liaison is the General Manager and Clerk of the Board. Meets the first Monday of the month.

**Water Resources Committee** - Made up of three members, including a Chair appointed by the President. Meets to review groundwater, surface water, water quality, and modeling, overdraft, seawater intrusion, replenishment, Fox Canyon Groundwater Management Agency, Fillmore and Piru Basins and Mound Basin Groundwater Sustainability Agencies. Staff liaison is the Chief Engineer with input from Supervising Hydrogeologist and the Water Resources staff. Meets the first Tuesday of the month.

### **Committee Meeting Public Access and Notice**

All District committee meetings shall be open to the public, except as a required to discuss specific items in closed session as permitted by the Brown Act, and each meeting shall provide time for public comment on issues under the jurisdiction of the committee.

Notice of the regular meetings of a standing committee and an agenda for any such meeting must be posted at the entrance of the District's headquarters (in a position viewable from outside the building) at least 72 hours in advance of the meeting in compliance with the Brown Act.

### **Attendance at Committee Meetings by Non-Committee Member**

A member of the Board of Directors who is not a current member of a particular committee or has not been requested to serve as a substitute for a member of the particular committee, may attend a meeting of the committee. However, he/she may only be an observer, and may not participate in any way in order to avoid violation of the Brown Act. This includes participation in the public comment portion of the meeting, making statements, or sitting with the committee

### **Appointment to Outside Organizations**

In recognition that it is in the District's interest to maintain an active, formal role in certain outside organizations, the President will annually in February, or as otherwise required by the organizations, appoint District representatives to these organizations in accordance with their bylaws/procedures. These organizations consist of the following:

1. Fox Canyon Groundwater Management Agency - 1 representative, 1 alternate
2. Ventura County Association of Water Agencies Board of Directors - 1 representative, 1 alternate
3. Ventura County Assoc. of Water Agencies Water Issues Committee - 1 representative, 1 alternate



4. Ventura County Special Districts Association - 1 representative, 1 alternate
5. Oxnard Chamber Water Committee - 1 representative, 1 alternate
6. ACWA-JPIA - 1 representative, 1 alternate
7. Fillmore and Piru Basins Groundwater Sustainability Agency - 1 representative
8. Mound Basin Groundwater Sustainability Agency - 1 representative

#### **SECTION 4 – DIRECTOR VACANCIES**

Pursuant to state law, the seat of a District Director is vacated before the expiration of the term on the happening of certain events, including the following:

- a. The death of the incumbent.
- c. His or her resignation.
- d. His or her removal from office.
- e. His or her ceasing to be an inhabitant of the District division which he or she represents.
- f. His or her ceasing to discharge the duties of his or her office for the period of three consecutive months, except when prevented by sickness, or when absent from the state without the permission required by law beyond the period allowed by law.
- g. His or her conviction of a felony or of any offense involving a violation of his or her official duties.
- h. His or her refusal or neglect to file his or her required oath within the time prescribed.

The remaining members of the Board will then act at their next regular Board meeting to determine whether the vacancy will be filled by appointment or election.

In the event the Board chooses to fill the vacancy by making an appointment the remaining members of the Board shall make the appointment within 60 days after either the date on which the District Board is notified of the vacancy or the effective date of the vacancy, whichever is later. The District shall post a notice of the vacancy in three or more conspicuous places in the District at least 15 days before the Board makes the appointment.

If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next District election, the person appointed to fill the vacancy shall hold office until the next District election, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next District election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

If the Board chooses to fill the vacancy through election, the election shall be held on the next established election date provided in Section 1000 of the Elections Code that is 130 or more days after the date the Board calls the election.

The established election dates in each year are as follows:

- a. The second Tuesday of April in each even-numbered year.
- b. The first Tuesday after the first Monday in March of each odd-numbered year.
- c. The first Tuesday after the first Monday in June in each year.
- d. The first Tuesday after the first Monday in November of each year.
- e. The first Tuesday in February of each year evenly divisible by the number four.

## **SECTION 5 - REDISTRICTING**

### **Reapportionment of Divisions**

The Board, following the release of data from each federal decennial census, shall ensure that the population of each of the seven divisions are substantially equal, and in no event shall the total population of any combination of divisions comprising a majority of the number of divisions of the District equal less than one half of the population of the District. Also, in no event shall the largest division exceed the population of the smallest division by a ratio exceeding 2 to 1.

At a regular Board meeting as soon as is practical following the release of data for each decennial census, District staff will present information to the Board to help it determine whether an adjustment to division boundaries is appropriate. The Board may also undertake a process to adjust District division boundaries at any time on its own initiative.

If the Board finds that no adjustment to District boundaries is necessary, no further action is required. If the Board finds that adjustments to District boundaries are appropriate, it may by resolution propose changes to Division boundaries. Following adoption of such resolution, a report containing a map or description of new recommended division boundaries must be submitted to the Ventura County Board of supervisors within 60 days.

The Board of Supervisors may change the proposed District boundaries provided that the change is in accordance with state Water Code and the District's resolution, and the Board of Supervisors shall hold a public hearing regarding such change.

It should be noted, in accordance with Water Code Section 74466(a), the above procedure for reapportionment of divisions must be conducted in a timely way such that, in order to be implemented with the next the District election, it must be completed, including adoption by the Board of Supervisors, at least 120 days before such next District election.

A change in division boundaries shall not affect the term of office of any Director. Also, if division boundaries are adjusted, the Director of the division whose boundaries have been adjusted shall continue to be the Director of the division bearing the number of his or her division as formerly comprised until the office becomes vacant through term expiration or otherwise, whether or not the Director is a resident within the boundaries of the division as adjusted.

## **SECTION 6 – CONFLICT OF INTEREST CODE & ETHICS**

(revised and approved September 9, 2020)

The Political Reform Act, Government Code section 81000 et seq., requires local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs., § 18730) which contains the terms of a standard Conflict of Interest Code, which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings.

The terms of California Code of Regulations, Title 2, Section 18730, and any amendment to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Conflict of Interest Code for the United Water Conservation District, and along with the attached Exhibit A, which designates positions requiring disclosure and Exhibit B, which sets forth disclosure categories for each designated position, constitute the Conflict of Interest Code of the United Water Conservation District. Persons holding positions designated in Exhibit A shall file Form 700 Statements of Economic Interests with the Filing Officer specified for that position in Exhibit A.

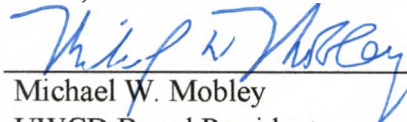
### **Ethics Training**

Pursuant to AB 1234, passed in 2005, local agency officials must take two hours of ethics training every two years. For the purposes of this training requirement, District officials are defined as the Directors and management staff. Upon completion of the training, these officials must present the District with a copy of the certificate proving fulfillment of the training.

**IN PREPARING THE FORM 700, DESIGNATED FILERS NEED ONLY DISCLOSE THOSE FINANCIAL INTERESTS FALLING WITHIN THE DISCLOSURE CATEGORIES DESIGNATED FOR THAT FILER'S POSITION AS STATED IN EXHIBITS A AND B.**

**APPROVED AND ADOPTED** this 9th day of September, 2020:

By: \_\_\_\_\_

  
Michael W. Mobley  
UWCD Board President

## **EXHIBIT A – DESIGNATED POSITIONS AND FILING OFFICERS**

<b># of POSITIONS</b>	<b>POSITION TITLE</b>	<b>DISCLOSURE CATEGORIES</b> (From Exhibit B)	<b>FILING OFFICER</b> (Designate County Clerk of Board [COB] or Local Agency's Clerk [AC])
1	<b>General Manager<sup>1</sup></b>	1	<b>COB</b>
1	<b>Assistant General Manager</b>	5	<b>AC</b>
1	<b>Associate Engineer</b>	5	<b>AC</b>
1	<b>Chief Financial Officer</b>	5	<b>AC</b>
1	<b>Chief Engineer</b>	5	<b>AC</b>
1	<b>Chief Operations Officer</b>	5	<b>AC</b>
1	<b>Chief Water Treatment Operator</b>	5	<b>AC</b>
1	<b>Controller</b>	5	<b>AC</b>
1	<b>Dam Operator</b>	5	<b>AC</b>
1	<b>Environmental Services Manager</b>	6	<b>AC</b>
1	<b>General Counsel</b>	1	<b>COB</b>
7	<b>Members of the Board of Directors</b>	1	<b>COB</b>
1	<b>Operations &amp; Maintenance Manager</b>	6	<b>AC</b>
1	<b>Senior Environmental Scientist</b>	6	<b>AC</b>
1	<b>Senior Engineer</b>	6	<b>AC</b>
2	<b>Senior Hydrogeologist</b>	6	<b>AC</b>
1	<b>Senior Hydrologist</b>	6	<b>AC</b>
1	<b>Chief Park Ranger</b>	6	<b>AC</b>
1	<b>Supervising Hydrogeologist</b>	6	<b>AC</b>
1	<b>Principal Hydrologist<sup>2</sup></b>	6	<b>AC</b>
1	<b>Operations &amp; Maintenance Program Supervisor<sup>3</sup></b>	6	<b>AC</b>

2 and 3 new positions

1 existing position omitted from previous positions and filing officers

other title changes are updated titles for same position

## **EXHIBIT B – DISCLOSURE CATEGORIES**

The terms *italicized* below have specific meaning under the Political Reform Act. In addition, the financial interests of a spouse, domestic partner and dependent children of the public official holding the designated position may require reporting. Consult the instructions and reference pamphlet of the Form 700 for explanation.

### **Category 1 – BROADEST DISCLOSURE**

[SEE FORM 700 SCHEDULES A-1, A-2, B, C, D and E]

- (1) All sources of *income, gifts, loans and travel payments*;
- (2) All *interests in real property*; and
- (3) All *investments and business positions in business entities*.

### **Category 2 – REAL PROPERTY**

[SEE FORM 700 SCHEDULE B]

All interests in real property, including interests in real property held by business entities and trusts in which the public official holds a business position or has an investment or other financial interest.

### **Category 3 – LAND DEVELOPMENT, CONSTRUCTION AND TRANSACTION**

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which engage in land development, construction, or real property acquisition or sale.

### **Category 4 – PROCUREMENT**

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which provide services, supplies, materials, machinery or equipment which the designated position procures or assists in procuring on behalf of their agency or department.

### **Category 5 – REGULATION AND PERMITTING**

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which are subject to the regulatory, permitting or licensing authority of, or have an application or license pending before, the designated position's agency or department.

### **Category 6 – FUNDING**

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which receive grants or other funding from or through the designated position's agency or department.

## **APPENDIX - DESIGNATING OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

Pursuant to Government Code section 87200 et seq., certain city and county officials, as well as all “other officials who manage public investments,” are required to disclose their economic interests in accordance with the Political Reform Act. This Appendix provides the relevant definitions for determining which public officials qualify as “other officials who manage public investments,” designates the agency’s positions which qualify as such, and states the Filing Officer for each designated position.

### **APPLICABLE DEFINITIONS**

As set forth in 2 California Code of Regulations section 18701, the following definitions apply for the purposes of Government Code section 87200:

(1) “Other public officials who manage public investments” means:

(A) Members of boards and commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;

(B) High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and

(C) Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions that would otherwise be performed by the public officials described in subdivision (1)(B) above.

(2) “Public investments” means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.

(3) “Public moneys” means all moneys belonging to, received by, or held by, the state, or any city, county, town, district, or public agency therein, or by an officer thereof acting in his or her official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement systems, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a party.

(4) “Management of public investments” means the following non-ministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.



## DESIGNATED POSITIONS AND FILING OFFICERS

Based on the foregoing, the following agency positions and/or consultants qualify as “other officials who manage public investments” and shall file Statements of Economic Interests (Form 700) pursuant to Government Code section 87200 et seq. with the below-designated Filing Officers:

<b># of POSITIONS</b>	<b>POSITION TITLE/CONSULTANT</b>	<b>FILING OFFICER</b> (Designate County Clerk of Board [COB] or Local Agency’s Clerk [AC])
<b>1</b>	<b>Chief Financial Officer</b>	<b>AC</b>
<b>1</b>	<b>General Manager</b>	<b>COB</b>
<b>7</b>	<b>Member of the Board of Directors</b>	<b>COB</b>
Consultants <sup>1</sup>		

<sup>1</sup>The disclosure, if any, required of a consultant will be determined on a case-by-case basis by the head of the agency or designee. The determination of whether a consultant has disclosure requirements should be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the consultant’s duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.

## Section 7

# **BOARD MEMBER AND DISTRICT EXECUTIVE TRAVEL/COMPENSABLE ACTIVITY POLICY**

**(Revised and Adopted February 13, 2019)**

## **SCOPE**

This policy applies to members of the Board of Directors and to District executive staff that have occasion to incur expenses on behalf of the District.

This policy additionally sets forth the types of activities for which board members may receive compensation and reimbursement for their actual and necessary expenses thereto in accordance with Government Code Section 53232 et seq.

## **PURPOSE AND GENERAL PROVISIONS**

The intent of this policy is to establish equitable standards and achieve reasonably consistent and fair treatment relating to reimbursement of actual and necessary expenses incurred in the service of the District. It is further intended as a guide for both the preparation of expense reports and for approval of such reports. It is also a means of informing all concerned of their privileges and obligations in the use of District funds for travel, education, community and legislative outreach, and other expenses.

The District recognizes that attendance at workshops, seminars, meetings and conferences provides Board members and District staff with a vital forum for the exchange of ideas and methods in all areas of governmental administration, for presenting and receiving information, to provide training and professional growth opportunities. The District also recognizes the importance of building relationships with legislators, regulators and key opinion leaders in local, state and federal government centers. It is the District's policy to reimburse individuals for all actual and necessary expenses incurred while engaged in activities critical to building these relationships. Individuals are expected to exercise good judgment in the expenditure of District funds. Items deemed to be of a purely personal nature are not reimbursable or covered by the District.

### **A. District Executives**

Advance approval by the immediate supervisor and General Manager is required for attendance at all training programs, meetings, seminars and conferences, and/or professional growth events beyond Los Angeles and Santa Barbara Counties that require an overnight stay, air travel and/or involves an expense exceeding \$500.

### **B. District Board Members**

Consistent with the requirements of this policy, Board members may receive reimbursement for their actual and necessary expenses incurred when participating in those activities listed in the "Compensable Activities" section of this policy. Pre-approval of the Board for these expenses is not required.

However, any expenses which are incurred for activities not set forth in the "Compensable Activities" section, or which do not fall within the requirements of this policy (e.g. which exceed the maximum permissible rate), must be approved by the Board of Directors in a public meeting before the expense is incurred, or the expense will not be reimbursed. The only exception to this requirement pertains to lodging expenses, as set forth below.

## ALLOWABLE EXPENSES

### A. Travel Expenses

1. Airline or other travel accommodations shall be economy class. Travel arrangements will be made through District staff. Airline travel will be arranged so as to be as cost efficient to District as possible, including early booking to minimize costs. Baggage fees are considered part of the cost of airline travel and are an allowable expense.

In cases of trips longer than three hours scheduled flight time, tickets may be booked in premium economy class. (eg; Economy Plus on United Airlines, Main Cabin Extra on American, etc.). Where possible, this class should be booked at time of ticket purchase. Upgrades to premium economy purchased at check-in will be reimbursed. The District will not pay for upgrades in any other circumstances. When travelling on District business, the work/meeting schedule will take priority over the travel schedule. As such, opportunities for premium bookings and upgrades may not be available on every trip.

When scheduling flexibility is necessary, a refundable ticket may be purchased.

Travel arrangements and costs for guests are the responsibility of the individual attending and are not considered a District expense.

2. District owned vehicles shall be used by executive management staff assigned a District-owned vehicle or staff that do not receive a mileage allowance, whenever possible when traveling on District business.
3. Personal vehicles may be used if necessary and the Board member or staff shall be reimbursed at the standard IRS mileage rate (i.e. \$0.58 per mile for calendar year 2019), but for a total of no more than the cost of round trip airfare. Mileage is to be calculated via the shortest route between the District worksite or point of origin for staff, whichever is less, and from the point of origin for Directors, to the destination and the return. The owner's/driver's auto insurance is responsible for any damage, accident, etc. incurred. Executive management staff receiving a monthly mileage allowance shall abide by the terms of this section except where it conflicts with their employment agreement, in which case the terms of the employment agreement shall apply. Staff who do not receive a monthly mileage allowance must seek approval from their department manager in advance for use of personal vehicles on District business. Employees must provide the District with evidence of personal auto insurance, including liability insurance, in advance of travel.
4. Mileage reimbursement for a Board member's use of their personal vehicle shall be from the point of origin to destination and return. Executive management staff receiving a monthly mileage allowance shall abide by the terms of this section except where it conflicts with their employment agreement, in which case the terms of the employment agreement shall apply. Board members may be reimbursed for mileage for up to 10 meetings per month in accordance with Section B of the District Board Members: Compensation and Compensable Activities section of this policy.
5. Rental automobile costs are reimbursable when justified by the nature of the trip. Except in cases where there are more than three District-affiliated individuals travelling together, only rental of vehicles of full-size standard or smaller are permitted to be reimbursed. Rental of SUVs, minivans or premium/luxury vehicles will not be reimbursed for fewer than four individuals in one vehicle. In such cases, the names of all District-affiliated individuals will be recorded in the expense report. All drivers of rental vehicles must provide their own

insurance that covers the rental vehicle. Charges for insurance provided by the rental company will not be reimbursed. Fuel costs will be reimbursed with appropriate receipts.

6. Taxis and other local transportation costs, including ride-share apps, incurred to and from businesses, hotels or airports, or in other District-related activities are reimbursable upon submittal of a receipt (see tipping guidelines under Tipping section).
7. Government and group rates offered by a transportation provider will be utilized when available.

#### B. Hotels

1. The cost of hotel or motel accommodations incurred on approved business trips is reimbursable. It is expected that an individual will use accommodations appropriate to the nature of the business trip. Accommodations may be reserved for guests attending a District-approved function; however, the District will reimburse only the cost of the single person room rate.

2. Government and group rates offered by a lodging services provider will be utilized when available. If a lodging expense is incurred in connection with a conference or organized educational activity conducted in compliance with Government Code Section 54952.2(c), including but not limited to ethics training required by Government Code Section 53234 et seq., lodging costs covered by the District shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Board member or District staff at the time of booking. If lodging is available at the group rate, and a Board member or District staff elects to stay at a non-group rate hotel which has a higher rate, District charges shall not exceed the maximum group rate published by the activity or group sponsor, that is the Board member or staff shall be financially responsible for the difference. If rooms at the group rate are not available, the Board member or staff shall use comparable lodging that is consistent with the requirements of Government Code Section 53232.2(c) and (e), respectively. In such event, the District may pay for up to 110% of the group rate, that is the Board member or staff shall be financially responsible for any amount in excess of 110% of the group rate.

The rates specified in the above paragraph refer to base rates and shall not include transient occupancy taxes or parking.

#### C. Travel Per diem

In order to provide for the costs of ad-hoc expenses related to District travel, the District will reimburse \$50 per full day of authorized travel outside of the District that requires an overnight stay. The per diem is expected to cover all meals not part of outreach activities and other district business as well as any and all incidental expenses not specifically addressed in this document. The per diem will be claimed on the standard business expense report and will not be paid in advance of travel.

#### D. District Outreach Events

Periodically Board Members and District Executives engage in activities related to legislative outreach. Recognizing that these events often have irregular schedules and venues, food and beverages provided as part of these activities will be reimbursed, provided the cost is reasonable for the situation as determined by the General Manager. Alcohol of reasonable cost and quantity may be provided at these events at District expense. Third-party attendees of such events must be verbally approved by the General Manager in advance to assure that the event is pursuant to District objectives and not social in nature.

Meetings of District personnel prior to or following outreach events where food and beverage are provided will be considered part of the outreach activities and as such will be covered by the District and not an incidental expense covered by the abovementioned travel per diem.

Expenses for such activities will be comprehensively documented. Supporting documentation will include a detailed check or invoice (not just a credit card receipt) and a clear accounting of the names, positions and affiliations of all attendees at the event.

E. Communications (Phone calls)

All necessary business calls and messages are reimbursable. It is expected that the least expensive method of communications (i.e. use of a mobile phone in lieu of hotel phone) that is consistent with the best interest of the District will be used whenever possible. The Board of Directors will be reimbursed \$50.00 per month for District business related phone/fax costs. Each Director is also eligible for reimbursement of business related long distance calls from their personal phone that are not covered by an all-inclusive phone plan upon submittal of their phone bill. Staff receiving a cellular phone allowance will adhere to the District's Cellular Phone Allowance Policy.

F. Travel Requiring Advance Approval (District Executives)

When overnight lodging is required, a travel authorization form "Request for Travel/Training Approval" must be completed by the staff as follows:

1. The completed travel authorization form must list all actual and anticipated costs associated with attendance at the event, and required approvals per the Purpose and General Provisions section. Please include the account number to be used to pay for the associated expense costs and all background information describing the event and attendance arrangements.
2. When required the travel authorization form is submitted to the General Manager for final approval (Allowable Expenses -Section A).
3. If the General Manager's approval is granted, a copy of the request is submitted to the designated Finance personnel. If the request is denied, all paperwork is returned to the Department Manager.

G. Advances

The District will not provide cash advances for travel to board members or executives. Airfare will be paid directly by the District. Whenever possible, the District will prepay hotel, tuition, etc. costs to vendors with an approved purchase requisition, therefore an advance for these costs will not be necessary.

H. Non-Use of Advance Paid Reservations

Whenever staff or Board member makes an advance paid reservation, or the District staff makes a reservation on behalf of the staff or Board member, whether for travel, lodging or meals (e.g. conference meal tickets), if the reservation or ticket is unused and the associated expense is not refundable and the staff or Board member utilizes alternative arrangements, the expense associated with such alternative arrangements will be reimbursable by the District at the General Manager's discretion.

I. Tipping

The District shall cover tipping up to 20% of cost of the meal or 15% of transportation service charges.

#### J. Non-reimbursable expenses

This document covers all reimbursable expenses. Any expenses not specifically mentioned will not be reimbursed without prior General Manager approval.

In no circumstances will the following be reimbursed:

- Hotel movie rentals
- Personal medical expenses not related to a workplace injury
- Personal entertainment such as sight-seeing, movies/theater, golf or other sports (except in the course of District outreach activities).

### **DISTRICT BOARD MEMBERS: COMPENSATION AND COMPENSABLE ACTIVITIES**

#### A. Compensation.

Compensation for members of the Board of Directors is established in accordance with section 74208 of the California Water Code, and increases are authorized in accordance with Water Code Section 20202. Actual and necessary expenses incurred by a Board member in the performance of his duties required or authorized by the Board are reimbursed in accordance with Water Code Section 74208 and the terms of this policy.

#### B. Compensable Activities.

In accordance with Government Code Section 53232.1, a Board member's attendance at the following occurrences (activities) constitute the performance of official duties on behalf of the District which qualify a Board member to receive compensation and reimbursement of actual and necessary expenses but limited to 1 compensable activity per day and 10 compensable activities per month incurred thereto:

1. Regular, special or emergency meetings of the District Board of Directors.
2. Regular or special meetings of District Board committees, or an advisory body established by the Board of Directors, of which the Board member is a member thereof.
3. Agenda review meeting of President with General Manager, as well as, other meetings of Board members with the District's General Manager or Legal Counsel, as requested by the General Manager.
4. A conference or organized educational activity conducted in compliance with Government Code Section 54952.2(c), including but not limited to ethics training required by Government Code Section 53234 et seq. This includes conferences or educational activities organized by the Association of California Water Agencies (ACWA), the Association of Water Agencies of Ventura County (AWAVC), and the California Special Districts Association (CSDA). It shall also include any other training providers approved in advance by the Board of Directors. AWAVC events included within this policy are the Water Wise breakfast series, annual Symposium, Elected Official Night and Year-End Report Event; not included are the Annual BBQ or other events of a strictly social nature.
5. Meetings of the board of directors or board committees of governmental or non-governmental entities to which a Board member has been designated by the President, as the District's representative, liaison or alternate. Such designation shall be published at least annually at a District Board meeting. The entities include the Fox Canyon

Groundwater Management Agency (FCGMA), Ventura County Local Agency Formation Commission (LAFCO); RiverPark Joint Powers Authority; the AWAVC Board of Directors and the AWAVC Water Issues Committee; Oxnard Chamber of Commerce Water Committee; ACWA; CSDA, and GSA. A District Board member who is a designated representative, liaison or alternate to a non-governmental entity, and who will be unable to attend a scheduled meeting, may request or ask the General Manager to designate another Board member to attend the meeting on his behalf, and attendance at the meeting shall be considered a compensable activity for such other Board member.

Additionally, any preparatory meetings the Board member needs with the District's General Manager ahead of Board meetings or Board Committees entities in the paragraph above.

6. At the specific request of the District Board of Directors, Board President, or General Manager, meetings of the board of directors of the Pleasant Valley County Water District (PVCWD), FCGMA, or the Oxnard City Council, or the governing body of any local government entity during which there is discussion of specific matters related to the District.
7. Meetings by designated District Board members or alternates, with board members or executive management of the entities set forth in No. 5 during which there is substantial and substantive discussion of specific matters related to the District.
8. Attendance at public meetings hosted by the District (e.g. Section 10 HCP, Vern Freeman Fish Panel) at which there is a presentation of specific matters related to the District.
9. At the specific request of the District Board of Directors, Board President or General Manager, attendance at meetings with state or federal legislators, or officials of the state or federal administrations (e.g. California Department of Water Resources, U.S. Bureau of Reclamation, etc.), or representatives from other entities during which there is discussion of specific matters related to the District.

## **ADMINISTRATION**

This policy shall be administered by the General Manager. The key to prompt reimbursement is proper documentation. This includes a clear statement of the business purpose of the trip, a copy of the meeting/conference agenda, and receipts for business expenses.

Expenses rendered for reimbursement shall be itemized and sufficiently described as to the nature and intent of the expense. Expense reports should be prepared on a monthly basis and submitted to the Finance Division on prescribed forms. To receive reimbursement for authorized travel, please submit a "Travel Expense Claim" form to the Finance Division. A separate Travel Expense Claim is to be submitted for each trip taken. Original documents such as receipts or bills for all hotel charges, the last page of the airline ticket showing the itinerary and costs, usually called the "passenger receipt," and receipts for other expenses must be attached to the Travel Expense Claim for documentation. Credit card charge slips will not serve as adequate documentation for transportation, room or car rental expense. In the event a receipt is lost please provide a written explanation.

The traveler is required to sign the Travel Expense Claim certifying that the amounts included on the report are actual and reasonable.

It is the responsibility of each individual, as well as each person approving the Travel Expense Claim, to ensure that there is no appearance nor occurrence of extravagant and/or unsupported expenditures



for travel. During the review of these reports, any questionable or incomplete reports may be returned to the individual in order to obtain additional approval or documentation to support expenses.

The Chief Financial Officer shall advise the General Manager of any outstanding matters relating to the administration of this policy.

Exceptions to this policy may be authorized by the General Manager for other staff and by the Board Treasurer if the exception applies to the General Manager.

The Chief Financial Officer or his/her designee shall provide overall oversight of the reimbursement of expenses, and shall provide a quarterly report to the Board Finance Committee detailing the expenses of the District of at least one hundred dollars (\$100.00) for each individual charge for service or product received. Additionally in compliance with Government Code §53065.5, by September 30<sup>th</sup> of each year, the Finance Division will submit a detailed report to the Board's Finance Committee that discloses any reimbursement paid to any one employee or member of the Board by the District within the immediately preceding fiscal year of at least one hundred dollars (\$100.00) for each individual charge for service or product received. The report shall be made available for public inspection at the first meeting of the Board of Directors following the Finance Committee submittal.

For District Board Members:

1. Expense reports of Board members shall be submitted to the General Manager, together with receipts, within a reasonable time after incurring the expense, and shall document that the expenses have been incurred for the types of occurrences (activities) authorized by the Board for reimbursement of such expenses.
2. Members of the Board shall provide brief reports on meetings attended at the District's expense at the next regular meeting of the Board of Directors.
3. All documents relating to expenditures of Board members as set forth herein are public records subject to disclosure under the California Public Records Act.

## **SECTION 8 – LAUBACHER AWARD**

In honor of former Director Richard V. Laubacher, the District has each year since 1997 awarded the Richard V. Laubacher Water Conservation Award. The award annually recognizes a different individual or organization whose efforts have led to lasting, extraordinary benefit to local water resources. Though the award is established as an annual one, the Board at its discretion may choose to not present the award in any year.

The process for annual selection of the Laubacher Award recipient set forth below recognizes that the California Government Code prohibits a legislative body from taking action by use of a secret ballot. At the same time, it attempts to be discreet about the identity of the recipient until the award can be publicly presented.

### **Award Selection Criteria**

The Richard V. Laubacher Award shall be presented to an individual or organization that has demonstrated leadership and innovation in water conservation in agriculture, business or educational fields in Ventura County. It should be awarded in recognition of a body of work over a long period of time, taking particular note of the recipient's longevity in Ventura County water resources leadership.

Additionally, consideration shall be given to a nominee's contributions specifically to the mission of United Water Conservation District.

Finally, the award shall not be presented to a current staff member or Director of the District.

### **Award Selection Process**

#### **Nomination**

In January and/or February of each year, a copy of the Laubacher Award criteria will be presented to Directors to solicit nominees. Names of nominees, along with reasons each is deserving of the award, should be delivered to the General Manager at least two weeks before the regular March Board meeting. Nominations may be presented by either District Directors or staff.

#### **Executive Committee Recommendation**

At an open session meeting of the District's Executive Committee within two weeks time ahead of the regular March Board meeting, staff will provide a list of at least eight nominees for the award along with reasons why each nominee should be considered for the award.

From these nominations the committee will then select three finalists, including one recommended recipient for presentation to the full Board of Directors. It may be the recommendation of the committee that the award not be presented in that particular year.

The committee will also review the physical award that will be presented to the recipient to determine whether the award is a suitable commemoration.

#### Board of Directors Award Election

At the regular March Board meeting, staff will again present the criteria for the Richard V. Laubacher Award, along with a list of previous recipients.

In the Board's reading file, given to each Director on the day of the Board meeting, a list will be presented showing all Laubacher Award nominations for that year. This document will also identify the top three nominations as determined by the Executive Committee, along with reasons each of these three should be considered as a good candidate, and it will identify the committee's recommended recipient. Each of the names on the document will be numbered for identification.

Though this list will not be proactively distributed to the public in attendance at the Board meeting, it will be provided upon request by anyone.

To determine the recipient of the award, a Director should move to present the award to a particular nominee by identifying that nominee by the corresponding number on the list. If the nomination is seconded, the Directors will then vote "aye" or "nay". This process will continue until a nominee receives "ayes" from the majority of the Directors present.

#### Presentation of the Award

Upon selection of a recipient for the Laubacher Award, staff will ensure preparation of the physical award in time for of Water Agencies of Ventura County's Annual Water Symposium. Staff will also prepare statements to assist the Board President in presenting the award at the Symposium.

**SECTION 9 – PUBLIC FINANCING CORPORATION**  
**United Water Conservation District Public Financing Corporation**

The Corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the California Nonprofit Public Benefit Corporation Law for public purposes. It is organized and operated exclusively for social welfare purposes within the meaning of Section 501(c)(4) of the Internal Revenue Code. The specific and primary purposes for which the Corporation is formed are:

- a. To provide assistance to the District by financing the acquisition and construction of public facilities for the use and benefit of the District.
- b. To acquire (by lease, purchase, installment purchase or otherwise) real and personal property, including any interest therein; to enter into contracts for services or for other purposes; to construct, reconstruct, modify, add to, improve or otherwise acquire, construct, modify and equip buildings, structures, equipment, facilities and improvements thereto and (by sale, installment sale, lease, sublease, leaseback, gift or otherwise) make any part or all of any such real or personal property (and any interest therein) available to or for the benefit of the District.
- c. To borrow the necessary funds to pay the cost of financing, refinancing, acquiring, constructing, replacing, establishing, improving, maintaining, equipping and operating any such real and personal property for the herein described purposes, the indebtedness for which borrowed money may, but need not, be evidenced by securities of the Corporation of any kind or character issued at any one or more times, which may be either unsecured or secured by any mortgage, trust deed, pledge, encumbrance or other lien upon any part or all of the properties and assets at any time or thereafter owned or acquired by the Corporation.

**Public Financing Corporation Governance**

**Board of Directors**

The members of the Board of Directors of United Water Conservation District shall serve ex-officio as the Board of Directors of the Corporation.

**Officers**

The officers of the Corporation shall be a President, a Vice President, a Chief Financial Officer and a Secretary and such subordinate officers, including one or more assistant secretaries and assistant financial officers, as the Board of Directors may appoint. Only members of the Board of Directors shall be qualified to hold the office of President or Vice President and neither the Secretary nor the Chief Financial Officer may serve concurrently as the President.

Each officer shall be appointed by the Board of Directors and shall hold office until his or her successor shall have been appointed and qualified, or until the death, resignation or removal of such officer.

**Director Compensation**

No member of the Board of Directors shall be entitled to receive any compensation for serving as a Director or as an officer of the corporation, except that any Director or officer may be reimbursed for expenses duly incurred in the performance of duties as Director or officer of the corporation, upon approval of the Board of Directors.

### Meetings

Unless otherwise designated in the notice of the meeting, all meetings shall be held at the principal offices of the District.

The time and place of regular meetings of the Board of Directors of the Corporation may be fixed by resolution of the Board.

Special meetings may be called in accordance with Section 54956 of the state Government Code.

A meeting of the Public Facilities Financing Corporation may not be held simultaneous to or in serial with a United Water Conservation District Board of Directors meeting without first there being an announcement by the Board of the compensation to be paid to the Directors for the meeting of the Public Facilities Financing Corporation.

### Quorum

A majority of the Board of Directors shall constitute a quorum for the transaction of business by the Board of Directors, except that less than a quorum may adjourn from time to time. No action may be taken by the Board of Directors except upon the affirmative vote of a majority of the members of the Board of Directors.