



**EXECUTIVE COMMITTEE MEETING AGENDA
TRABUCO CANYON WATER DISTRICT
32003 DOVE CANYON DRIVE, TRABUCO CANYON, CA
ADMINISTRATIVE FACILITY, CONFERENCE ROOM
MAY 2, 2022 AT 5:00 PM**

COMMITTEE MEMBERS

Stephen Dopudja, Committee Chair
Don Chadd, Committee Member

DISTRICT STAFF

Fernando Paludi, General Manager
Michael Perea, District Secretary

AGENDA NOTE:

Trabuco Canyon Water District (District) will make this meeting available by telephone audio as follows:

Telephone Audio: 1 (669) 900-6833

Access Code: 979 8688 5071

Persons desiring to monitor the Committee meeting agenda items may download the Executive Committee meeting agenda and documents on the internet at www.tcwd.ca.gov. You may submit public comments by email to the Committee at mperea@tcwd.ca.gov. In order to be part of the record, emailed comments on meeting agenda items must be received by the District, at the referenced e-mail address, not later than 10:00 a.m. (PDT) on the day of the meeting.

CALL MEETING TO ORDER

VISITOR PARTICIPATION

Members of the public wishing to address the Committee regarding a particular item on the agenda are requested to complete a speaker card and submit it to staff. The Committee Chair will call on the visitor following the Committee's discussion about the matter. Committees do not constitute a quorum of the Board of Directors and Committee Members cannot make decisions on matters. The Committee makes recommendations only to the Board of Directors. Members of the public will be given the opportunity to speak to the Committee prior to making a recommendation on the matter. For persons desiring to make verbal comments and utilizing a translator to present their comments into English reasonable time accommodations, consistent with State law, shall be provided. Please limit comments to three minutes.

ORAL COMMUNICATION

Members of the public who wish to make comment on matters not appearing on the agenda are invited to identify themselves and encouraged to make comment at this time. The Committee Chair will call on the visitor following the Committee's discussion about the matter. Committees do not constitute a quorum of the Board of Directors and Committee Members cannot make decision on matters. The Committee makes recommendations only to the Board of Directors. Under the requirements of State Law, Committee Members cannot take action on items not identified on the agenda and will not make decisions on such matters. The Committee Chair may direct District Staff to follow up on issues as may be deemed appropriate. For persons desiring to make verbal comments and utilizing a translator to present their comments into English reasonable time accommodations, consistent with State law, shall be provided. Please limit comments to three minutes.

COMMITTEE MEMBER COMMENTS

REPORT FROM THE GENERAL MANAGER

**TRABUCO CANYON WATER DISTRICT
EXECUTIVE COMMITTEE MEETING AGENDA | MAY 2, 2022**

ADMINISTRATIVE MATTERS

ITEM 1: APPROVAL OF EXECUTIVE COMMITTEE MEETING RECAP

RECOMMENDED ACTION:

Approve the following Executive Committee Meeting Recap and recommend that the Board receive and file the same (Consent Calendar):

1. April 6, 2022

ITEM 2: DISTRICT ETHICS POLICY UPDATE

RECOMMENDED ACTION:

Recommend the Board of Directors approve the proposed Ethics Policy Update and rescind the Code of Conduct Guidelines approved on January 17, 1996 (Action Calendar).

DISCUSSION MATTERS

ITEM 3: BOARD AGENDA PLANNING CALENDAR

RECOMMENDED ACTION:

Committee to discuss information at the time of the Executive Committee Meeting and take action(s) as deemed appropriate.

OTHER MATTERS

ITEM 4: REPORTS OR COMMENTS FROM THE GENERAL MANAGER AND/OR STAFF

RECOMMENDED ACTION:

Hear other matters from the General Manager and/or Staff.

ADJOURNMENT

AVAILABILITY OF AGENDA MATERIALS

Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Trabuco Canyon Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection at the District Administrative Facility, 32003 Dove Canyon Drive, Trabuco Canyon, California (District Facility). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available in the lobby area of the District Facility at the same time as they are distributed, except that, if such writings are distributed immediately prior to or during the meeting, they will be available in the Boardroom at the District Facility.

COMPLIANCE WITH THE REQUIREMENTS OF CALIFORNIA GOVERNMENT CODE SECTION 54954.2

In compliance with California law and the Americans with Disabilities Act, if you need special disability-related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, or if you need the agenda provided in an alternative format, please contact the District Secretary at (949) 858-0277 at least 48 hours in advance of the scheduled meeting. Notification 48 hours prior to the meeting will assist the District in making reasonable arrangements to accommodate your request. The District office is wheelchair accessible.

www.tcwd.ca.gov



**TRABUCO CANYON WATER DISTRICT
EXECUTIVE COMMITTEE MEETING | MAY 2, 2022**

ADMINISTRATIVE MATTERS

ITEM 1: APPROVAL OF EXECUTIVE COMMITTEE MEETING RECAP

The Executive Committee Meeting Recap for the following meeting(s) is attached for Committee review.

RECOMMENDED ACTION:

Approve the following Executive Committee Meeting Recap and recommend that the Board receive and file the same (Consent Calendar):

1. *April 6, 2022*

CONTACTS (staff responsible): PALUDI/PEREA



TRABUCO CANYON WATER DISTRICT EXECUTIVE COMMITTEE MEETING RECAP | APRIL 6, 2022

DIRECTORS PRESENT

Vice President Stephen Dopudja, Committee Chair
President Don Chadd, Committee Member

STAFF PRESENT

Fernando Paludi, General Manager
Michael Perea, Assistant General Manager
Lisa Marie Sangi, Executive Assistant

PUBLIC PRESENT

There were no members of the public present

CALL MEETING TO ORDER

Vice President Dopudja called the April 6, 2022 Executive Committee Meeting to order at 5:00 PM.

VISITOR PARTICIPATION

No visitor participation was received.

ORAL COMMUNICATION

No oral communication was received.

COMMITTEE MEMBER COMMENTS

No comments were received.

REPORT FROM THE GENERAL MANAGER

Mr. Paludi reported that Irvine Ranch Water District (IRWD) has invited the Directors and District staff to tour the V.P. Baker Pipeline repair project site the following day.

DISCUSSION MATTERS

ITEM 1: APPROVAL OF EXECUTIVE COMMITTEE MEETING RECAP

Mr. Paludi presented the Executive Committee Meeting Recap for the following meeting(s) for Committee consideration.

RECOMMENDED ACTION:

Approve the following Executive Committee Meeting Recap and recommend that the Board receive and file the same (Consent Calendar):

1. February 7, 2022
2. March 14, 2022

ITEM 2: DISTRICT EXPENSE REIMBURSEMENT POLICY AND PROCEDURES UPDATE

Mr. Paludi introduced this matter for Committee consideration, and he mentioned that this matter was updated with the assistance of District general counsel. Mr. Perea provided a brief review of the current policy, and he reported that District staff and counsel recommended bifurcating the expense reimbursement portion from the

**TRABUCO CANYON WATER DISTRICT
EXECUTIVE COMMITTEE MEETING RECAP | APRIL 6, 2022**

ethics portion of the policy. Mr. Perea reviewed the proposed policy, specifically concerning certain changes related to gifts from vendors/consultants consistent with the Fair Political Practices Commission (FPPC) rules. Mr. Perea also indicated that the updates comport with the new rules and laws as it relates to travel, transportation and is commensurate with other agencies. Discussion occurred concerning changes in the proposed policy from the currently adopted policy.

RECOMMENDED ACTION:

The Committee recommended the Board of Directors approve the proposed Expense Reimbursement Policy and Procedures Update and rescind the Expense Reimbursement Guidelines approved on January 17, 1996 (Action Calendar).

ITEM 3: BOARD AGENDA PLANNING CALENDAR

Mr. Paludi presented this matter for Committee consideration, and he provided a handout highlighting certain proposed Board agenda planning calendar updates including, but not limited to:

April 2022

District Ad Hoc Properties Committee

- Presentation by Foremost Communities
- Porter Property Biological Resources Assessment contract award

Regular Board Meeting

- Golf Club Sewer SLS pump purchase
- SOCWA Joint Powers Agreement Update
- Rate Study consultant contract award
- Travel Expense policy revision
- Water Awareness Day Event Update
- Consumer Confidence Report Distribution

May 2022

Special Board Meeting

- Rate Study Kickoff – Board input
- TCWD Budget Workshop

Regular Board Meeting

- Harris Grade Reservoir Cost-Sharing Agreement
- OC LAFCO Appointment of Regular/Alternate Special District Seats

June 2022

Regular Board Meeting

- TCWD FY 2022-23 Operating and Capital Budget
- TCWD Undeveloped Land Standby Charge Assessment

RECOMMENDED ACTION:

There was no action taken.

**TRABUCO CANYON WATER DISTRICT
EXECUTIVE COMMITTEE MEETING RECAP | APRIL 6, 2022**

OTHER MATTERS

ITEM 4: REPORTS OR COMMENTS FROM THE GENERAL MANAGER AND/OR STAFF

Mr. Paludi presented a joint coalition letter from Santa Margarita Water District (SMWD) and Moulton Niguel Water District (MNWD) related to Metropolitan Water District of Southern California (MET) rates and charges, and budget.

Mr. Paludi provided the Committee with Water Awareness Day updates related to invitations to neighboring water and government agencies.

The Committee established a recurring meeting time for the Executive Committee to be held on the first Monday of each month at 5:00pm.

RECOMMENDED ACTION:

None

ADJOURNMENT

Vice President Dopudja adjourned the April 6, 2022 Executive Committee Meeting at 5:46 PM.

DRAFT

**TRABUCO CANYON WATER DISTRICT
EXECUTIVE COMMITTEE MEETING | MAY 2, 2022**

ADMINISTRATIVE MATTERS

ITEM 2: DISTRICT ETHICS POLICY UPDATE

Trabuco Canyon Water District (District) has a Code of Conduct & Expense Reimbursement Policy that was adopted by the Board of Directors on January 17, 1996. District staff has worked with General Counsel to review the existing policy for outdated practices and to ensure that the policy is consistent with current State law and Fair Political Practices Commission rules. After careful review of the policy, District staff and General Counsel determined that bifurcating the existing policy would better serve the District. Included for Committee consideration and review is a proposed Ethics Policy that has been prepared and reviewed by District staff and General Counsel. Additional information may be presented at the time of the meeting.

RECOMMENDED ACTION:

Recommend the Board of Directors approve the proposed Ethics Policy Update and rescind the Expense Reimbursement Guidelines approved on January 17, 1996 (Action Calendar).

EXHIBIT(S):

1. Code of Conduct & Expense Reimbursement Policy (1996)
2. DRAFT Ethics Policy

CONTACTS (staff responsible): PALUDI/PEREA

**TRABUCO CANYON WATER DISTRICT
CODE OF CONDUCT AND
EXPENSE REIMBURSEMENT GUIDELINES
BOARD APPROVED JANUARY 17, 1996**

The Board of Directors of the Trabuco Canyon Water District (“TCWD” or “District”) hereby establishes the following policy:

SECTION 1.0 GIFTS BY VENDORS, CONTRACTORS AND CONSULTANTS

- (a) The existing laws governing the acceptance and reporting of gifts are contained in the Fair Political Practices Act (Government Code, 82028 et. seq.).
- (b) The acceptance of plaques and commemorative mementos, of nominal value or of value only to the recipient, to the extent permitted by state law, is acceptable for all Directors and district employees, e.g., recognition pins, service awards, retirement mementos.

SECTION 1.1 ENTERTAINMENT FROM VENDORS, CONTRACTORS, AND CONSULTANTS

- (a) The acceptance of meals, travel, lodging and entertainment by vendors, contractors and consultants shall be reported on Form 730 filed annually by Directors and employees who are required to do so.

SECTION 1.2 VENDOR, CONTRACTOR, CONSULTANT REPORT OF GIFTS

- (a) By January 31st of each calendar year, all vendors, contractors and consultants of TCWD shall submit a summary of all gifts (including meals) made to, or on behalf of, employees or Directors of the District that have occurred in the normal course of business during the previous calendar year. Failure to provide this information to the District may result in the termination of services of the vendor, contractor or consultant.

SECTION 1.3 OUTSIDE CONSULTING/BUSINESS ACTIVITY BY DISTRICT EMPLOYEES AND DIRECTORS

- (a) District employees and Directors are prohibited from entering into consulting agreements or conducting work for consideration with any vendor, landowner, or consulting firm currently under contract with the District. Any outside consulting to be performed by the General Manager must receive pre-approval by the Board of Directors. District employees shall follow the guidelines as established in the current Board approved Personnel and Salary Policy.
- (b) All other business associations with vendors, contractors, consultants and District landowners shall be subject to disclosure on the annual “Statement of Economic Interest” Form 730 filed annually by each Director and District employees who are required to do so.

SECTION 1.4 VENDOR, CONTRACTOR AND CONSULTANT EMPLOYMENT OF DEPENDENTS OF DISTRICT EMPLOYEES

- (a) It is expressly forbidden for vendors, contractors and consultants of TCWD to employ dependents, as defined within the current Board approved Personnel and Salary Policy, of TCWD employees.
- (b) It is expressly forbidden for employees of TCWD to solicit jobs for immediate family or immediate relatives with vendors, contractors and consultants of TCWD.

SECTION 2.0 TRAVEL, EXPENSES WHILE TRAVELING

The following limits and guidelines shall apply to identified expense categories and items. Exceptions to these limits and items may be authorized by the District's Board of Directors only. This policy, its categories, limits and items shall be reviewed and approved annually by the Board of Directors. Amendments and/or adjustments in dollar values specified shall be included in the review and supported by the appropriate findings. All District travel shall be for the express purpose of performing tasks related to District business.

SECTION 2.1 TRAVEL AUTHORIZATION

All business travel shall be specified and justified by the appropriate supervisory personnel. The District Treasurer shall countersign all travel authorizations. All travel arrangements, including air transportation, hotel and rental car reservations, must be made through District-approved providers. The Administrative Assistant is designated as the person responsible for coordinating all travel arrangements. The Administrative Assistant will advise which carriers, travel agents, car rental company, etc. are to be used. Each provider has been instructed to secure air transportation and hotel accommodations at the lowest reasonable fares and rates. All reasonable attempts shall be made to take advantage of promotional air, hotel and ground transportation rates.

SECTION 2.3 AIR TRANSPORTATION

- (a) Cost saving opportunities are enhanced by providing general departure and arrival times, rather than specifying certain carriers and flight numbers. Significant savings are realized by planning in advance. TCWD employees *and* Directors are expected to exercise good business judgment and planning to avoid last minute ticket purchases which are most costly. Providers are instructed to provide the least expensive airline alternative.
- (b) All domestic air travel must be coach (upgrades will be paid personally). Changes to previously approved travel arrangements, while en-route, should not be taken for personal convenience purposes if it increases the cost of the flight.

- (c) Personal travel included within the itinerary of a business trip, which include additional costs, will be paid by the employee or Director.

SECTION 2.4 TICKETING PROCEDURES

- (a) Directors and employees will hold off on receiving tickets until as late as practical due to the possibility of changes or cancellations in travel plans or scheduled meetings. Changes enroute, if necessary, should be made with the travel agency office during their normal operation hours.
- (b) Unused Tickets: In the event a trip is canceled or changed and the traveler is in the possession of unused tickets, he/she is responsible for returning them to the Administrative Assistant for return to the travel agent. A photocopy of returned tickets must be kept for the traveler's records. Unused airline tickets should never be attached to the expense report.
- (c) Canceled prepaid arrangements should be reported to the District immediately so they can obtain authority to process a refund.
- (d) Lost Tickets: Lost tickets must be reported immediately so that the District can process the appropriate lost ticket application.

SECTION 2.5 LODGING

- (a) The District has requested that its designated travel agent select moderately priced facilities in reasonable proximity to the office or location where the traveler's business is being performed. Receipts for lodging must accompany the report of expenses.
- (b) When corporate rates have been negotiated locally with specific hotel properties, these hotels must be used.
- (c) All hotel rooms will be guaranteed for late arrival. In this case, if the traveler does not show up, the District will be charged for the room. Therefore, it is mandatory for the traveler to notify the travel agent or the hotel, if their itinerary changes, and a room needs to be canceled. No lodging expenses in Orange County shall be reimbursed unless specifically approved by the Board of Directors.

SECTION 2.6 AUTOMOBILE RENTAL

- (a) Rental cars should be used only when less expensive transportation is not available. Approved District travel providers shall use their best efforts to secure the most cost effective rental rates on compact and mid-size vehicles. The cost of the rental will not be reimbursed for weekend or holiday travel unless the car is required and used for District business during this time.
- (b) Do not obtain additional insurance when renting cars. Employees are covered for car rentals by existing District insurance policies, as long as the rental is being made for business purposes.

- (c) Traveling personnel must use their best efforts to fill up with fuel before returning the rental as gasoline charges from rental companies are excessive. Non compliance must be explained on the expense report.
- (d) Fines for parking or speeding violations are not reimbursable.
- (e) In the event of any accident, a police report must be obtained. The employee or Director must notify the District by telephone immediately. If the accident occurs after normal business hours, the employee or Director shall notify the District at the beginning of the next work day. Follow the accident instructions listed in the rental car company's rental agreement/receipt.
- (f) Employees driving rental vehicles on District business are bound by the same rules prohibiting alcohol consumption during working hours. Driving a rental vehicle while under the influence of alcohol or drugs will result in immediate disciplinary action, up to and including termination.

SECTION 2.7 MEALS

- (a) Actual costs of meals, plus associated tips are reimbursable. Receipts of all meals expenses must be submitted with the business purpose clearly stated. The reimbursable limit for all meals will not exceed \$50.00 per day, per Director or employee.
- (b) It is expressly stated that the District will not reimburse for alcoholic beverages consumed.
- (c) The daily meal limit is the amount that can be reimbursed. Any amount above prescribed limits will be the responsibility of the employee.

SECTION 2.8 PERSONAL EXPENSES

- (a) Personal expenses are not authorized and are not reimbursable by the District. Personal expenses are defined as those expenses not essential to the conducting of District business. Examples of such items are personal entertainment (theaters, nightclubs, sporting events, golf games, haircuts, shoe shines, newspapers, magazines, tobacco, etc.).

SECTION 2.9 TELEPHONE EXPENSES

- (a) TCWD business-related telephone calls will be reimbursed.

SECTION 2.10 LAUNDRY OR VALET SERVICE

- (a) The reasonable actual costs of such services are allowable when the travel exceeds five business days. On shorter trips, laundry or valet service will be allowed only in unusual circumstances.

SECTION 2.11 TIPS

- (a) Non-meal tips will be allowed if they are reasonable and directly related with the travel. Normal non-business standards are a good guide to reasonability; 12-15% is typical in most instances.

SECTION 2.12 ADDITIONAL NIGHTS STAY

- (a) When the overall net cost savings to the District is the result of an employee or Director extending a business trip to utilize lower excursion rates for airfare, the employee or Director shall be reimbursed for additional expenses incurred due to the extension of the trip. The additional expenses eligible will be limited to the cost of an additional night's lodging and a reasonable allowance for one additional day(s) meal(s) as prescribed in Section 2.7.

SECTION 2.13 TRAVEL REPORTING PROCEDURES

- (a) Travel Advances. Travel expense advances, not to exceed \$200.00, will be allowed upon pre-approval by the General Manager and the Treasurer.
- (b) Travel Authorization Request. Prior to any travel estimated to exceed \$50.00, travel expenses must be itemized on a Authorization Request, a photocopy of which is attached hereto. The Authorization Request will then be forwarded to the Accounting Department with appropriate approvals. Appropriate approvals are the signatures of the Director, employee, employee's supervisor and the Treasurer.
- (c) Travel Expense Reports. All travel expenses exceeding \$50.00 must be itemized on the standard Expense Report, a photocopy of which is attached hereto, and forwarded to the Accounting Department with appropriate approvals and receipts. Appropriate approvals are the signatures of the employee's supervisor and the Treasurer. All original receipts must be included with the exception of non-meal gratuity which may not exceed \$5.00 per day.
- (d) It is not intended that an employee or Director incur any financial loss while on District business nor is it intended that he/she realize a financial gain. If an employee or Director incurs expenses which do not appear to be covered under this policy but which are believed to be charges to the District, the employee or Director should submit these charges on an expense report with a full explanation and supporting receipts. The District will not be responsible for interest payments or late charges that occur on credit cards. It is the employee's and Director's personal responsibility to submit an expense report and make the payments in a timely manner, within 30 days. The District will in turn make every effort to reimburse properly documented and approved expenses in a timely manner.
- (e) The Accounting Department will reimburse approved Expense Reports within seven business days. Check signatories are not authorized to sign reimbursement checks to themselves.

SECTION 3.0 PERSONAL AUTOMOBILE USE CRITERIA

- (a) An employee or Director who uses a personal vehicle for District business will be reimbursed for mileage at the rate allowable under the District's current Board approved Personnel and Salary Policy and consistent with the most current limit permitted by the Internal Revenue Service. Parking and toll charges will be reimbursed upon submission of receipts.
- (b) No additional allowance will be paid for passengers who travel with the employee or Director, even if they are on District business.
- (c) Damage to the employee's or Director's vehicle which occurs on District business is the responsibility of the employee or Director.
- (d) All employees who are to use their personal automobile for District use are responsible for carrying the required level of general liability coverage, as required by state law. No reimbursements shall be made unless this insurance criteria is in place. Proof of insurance is required and must be kept on file with the District.

SECTION 4.0 FUELING OF VEHICLES

- (a) All District vehicles shall be fueled at a service station(s) on a monthly account established by TCWD. Purchases charged at the service station(s) shall be limited to fuel and oil.
- (b) The District shall designate, in writing, those vehicles which may be fueled or for which oil may be purchased on the District account.
- (c) At the time of the purchase the employee shall provide the license plate number of the vehicle, the vehicle mileage at the time of purchase, show identification as a designated purchaser, and provide a signature.

SECTION 5.0 USE OF DISTRICT VEHICLES

- (a) The General Manager, Sanitation Superintendent and Water Superintendent shall be provided with a district vehicle, for business purposes only, to include driving to and from the workplace. The vehicles shall be maintained in proper operating order by the District.
- (b) Standby duty personnel shall have use of a District vehicle during standby duty. The use of the vehicle shall be strictly limited to business use. Any abuse of the limitation will result in the elimination of standby duty.

SECTION 6.0 DISTRICT-ISSUED CREDIT CARDS

- (a) District credit cards shall not be issued.

SECTION 7.0 DISCIPLINARY ACTIONS FOR NON-COMPLIANCE

- (a) Intentional non-compliance with the District's Code of Conduct and Expense Reimbursement Guidelines by District employees shall subject the employee to disciplinary actions commensurate with the code violation, up to and including termination. Inadvertent non-compliance will be taken under consideration by a review committee comprised of the Budget/Personnel Review Committee and the General Manager.
- (b) The Code of Conduct and Expense Reimbursement Guidelines shall be reviewed annually by the District's Board of Directors and amended when appropriate. Amendments shall require majority consent of the Board.

attachments(2)

**TRABUCO CANYON WATER DISTRICT
CODE OF CONDUCT AND
EXPENSE REIMBURSEMENT GUIDELINES
BOARD APPROVED JANUARY 17, 1996**

**REVISION TO SECTION 5.0
BOARD APPROVED JANUARY 21, 2004**

SECTION 5.0 VEHICLE ACCOUNTABILITY POLICY

- (a) The General Manager shall be provided with a District vehicle, for business purposes only, to include driving to and from the workplace. Pursuant to the Internal Revenue Code, applicable taxes will be withheld on an annual basis, as required. The vehicles shall be maintained in proper operating order by the District.
- (b) The Assistant General Manager shall be provided with a District-owned or leased vehicle, for business purposes only, to include driving to and from the workplace. Pursuant to the Internal Revenue Code, applicable taxes will be withheld on an annual basis, as required. The vehicle shall be maintained in proper operating order by the District.
- (c) At the discretion of the General Manager, the Wastewater System Chief Operator, Water System Chief Operator and Chief Mechanical Technologist may be provided with a District-owned or leased vehicle, for business purposes only, to include driving to and from the workplace. Pursuant to the Internal Revenue Code, applicable taxes will be withheld on an annual basis, as required. The vehicles shall be maintained in proper operating order by the District.
- (d) Standby duty personnel shall have use of a District vehicle during standby duty. The use of the vehicle shall be strictly limited to business use. Any abuse of the limitation will result in the elimination of standby duty. Pursuant to the Internal Revenue Code, no taxes will be withheld for standby duty personnel

**TRABUCO CANYON WATER DISTRICT
CODE OF CONDUCT AND
EXPENSE REIMBURSEMENT GUIDELINES
REVISION TO SECTION 5.0
BOARD APPROVED JANUARY 21, 2004**

I HAVE READ, UNDERSTAND AND AGREE TO COMPLY WITH THE REVISION TO THE TRABUCO CANYON WATER DISTRICT CODE OF CONDUCT AND EXPENSE REIMBURSEMENT GUIDELINES AS STATED HEREIN:

(Print Name)

(TCWD Position/Title)

(Signature)

(Date)

cc: Employee Personnel File

TRAVEL EXPENSE REPORT

Conference/Seminar Attended:

Sponsor: _____
Location: _____
Dates Attended: _____
Name: _____
Position: _____

Daily Itemized Receipts

(Attach all receipts for verification, excluding room charge)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

TOTAL ITEMIZED RECEIPTS \$ _____

Transportation:

Mileage
_____ miles @ \$0.--- per mile _____
Airfare _____

Room Total

_____ days @ \$_____ per day _____

SUBTOTAL
(Itemized receipts, transportation, room).... _____

Less Amount Advanced:

Room Deposit (_____)

Cash Advance (_____)

Balance Due To:

Individual(_____)

TCWD(_____)

Amount Paid _____

Date Paid _____

Received by _____

TRABUCO CANYON WATER DISTRICT ETHICS POLICY BOARD APPROVED MAY 19, 2022

The purpose of this Ethics Policy is to ensure that all Trabuco Canyon Water District (**District**) directors and employees (together, "Personnel") comply with all applicable statutory and administrative requirements pertaining to their actions, duties and responsibilities on behalf of or in relation to the District. These matters include, but are not limited to, "conflicts of interests," "potential conflicts of interest," "incompatible offices" and other activities which might reflect adversely on the District or District Personnel.

District Personnel shall conduct themselves in a manner so as not to give rise to improprieties or situations inconsistent with this Policy. Procedures, policies and records shall be established and maintained to verify that the Policy has been adhered to by all District Personnel. District Personnel shall recognize that this Policy and applicable laws are concerned with not only actual conflict or wrongdoing but the potential or appearance of conflict. District Personnel shall not use the prestige or influence of their positions for personal gain or advantage.

Unless otherwise expressly defined, the terms used in this Policy shall have the same meanings as in the Political Reform Act (Title 9 of the California Government Code) and the regulations issued by the Fair Political Practices Commission (FPPC) pursuant to the Political Reform Act.

SECTION 1. EMPLOYEE RESPONSIBILITY.

SECTION 1.1. COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS. All District Personnel shall comply with all applicable provisions of the Political Reform Act, the FPPC Regulations issued under the Political Reform Act, Section 1090 et seq. of the California Government Code (prohibitions on self-interest in contracts), and all other laws and regulations pertaining to conflicts of interest and incompatible public offices. These include, but are not limited, to the following requirements:

- (a) **Reporting** of economic interests required annually, and upon assuming office and leaving office, by employees who are "Designated Persons" (as defined in the District's Conflict of Interest Code, Attachment A-1) on FPPC Form 700;
- (b) Compliance with **prohibitions on acceptance of gifts and honoraria** above the dollar limit per source set pursuant to state law;
- (c) **Disqualification** from participation in District decisions in which the employee knows or has reason to know the employee has a financial interest.

SECTION 1.2. GIFTS TO THE DISTRICT. Unless a gift qualifies as a gift to the District under this section, it will be treated as a gift to the director or employee. A gift of passes or tickets (not including travel or lodging) may be considered a gift to the District and not to an individual director or employee only under the following circumstances:

- (a) The General Manager receives and distributes the tickets or passes to employees, spouses and immediate families, and the donor does not earmark them for any specific employee(s), and the General Manager retains a record of the terms under which the tickets or passes were accepted by the District and the terms under which they were distributed and to whom they were distributed; or
- (b) The tickets or passes are distributed in accordance with the written policy adopted by the District setting forth the District purpose in distributing passes and tickets and prohibiting

the subsequent transfer except to the official's immediate family for their personal use (see Attachment B-1).

A payment (a gift other than passes or tickets, including a monetary payment, loan, gift, and a payment for or provision of goods or services, as long as it is not in excess of an applicable District reimbursement rate for travel, meals, lodging or other expenses) may be considered a gift to the District and not to an individual employee only under the circumstances allowed in the FPPC regulations. These include the following: the General Manager or his/her designee receives and controls the payment, the payment is used only for official District business, the General Manager determines which employee(s) shall use the payment, the donor does not earmark them for any specific employee(s), and a record of all of the foregoing is filed and maintained with the District Secretary within 30 days of receipt of the payment and is posted by the District Secretary on the District's website. A payment to the District cannot include travel expenses for an elected official or any official who manages public investments (these officials are designated by the District in the District's Conflict of Interest Code), or any travel that the General Manager or his/her designee has not preapproved in writing before the date of the trip.

All gifts to the District must be submitted with either the "Gift of Tickets or Passes to Trabuco Canyon Water District" or "Gift to Trabuco Canyon Water District (Other Than Tickets or Passes)" form to the General Manager's Office for approval and distribution. These forms can be obtained from the District Secretary and must be approved by the General Manager or his/her designee.

SECTION 1.3. ENTERTAINING. District Personnel who, for District business purposes, must dine and/or entertain vendors, contractors or consultants, shall do so at their own expense. Reimbursement of such expenses shall be subject to approval and shall be limited by the District's policy with respect to allowance of expenses. [Resolution No. [REDACTED], as amended from time to time.]

SECTION 1.4. OUTSIDE CONSULTING, BUSINESS ACTIVITY OR EMPLOYMENT. All outside business, enterprise, consulting work or employment by District employees must be preapproved by the General Manager or, in the case of the General Manager, by the President of the Board of Directors.

District Personnel shall not engage in any employment, activity, or enterprise which is inconsistent, incompatible or in conflict with their duties as District employees or with the duties, functions, or responsibilities of the District.

District employees are prohibited from performing consulting work for or providing any other services or goods to any persons or firms doing business with the District. District employees shall not perform any business, enterprise, work, service, or counsel outside of their District employment where any part of their efforts will be subject to approval by any other officer, employee or board of the District, unless otherwise approved in the manner prescribed by this Policy.

An employee's outside employment, activity, business or enterprise may be prohibited if it:

- (a) Involves the use for private gain or advantage of his or her District time, facilities, equipment and supplies; or the badge, uniform, prestige, or influence of his or her District office or employment;
- (b) Involves receipt or acceptance by the employee of any money or other consideration from anyone other than the District for the performance of an act which the employee, if

- not performing such act, would be required or expected to render in the regular course or hours of his or her District employment or as a part of his or her duties as a District employee;
- (c) Involves the performance of an act in other than his or her capacity as a District employee which act may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other District employee or the District; or
 - (d) Involves efforts or time demands as would render performance of his or her duties as a District employee less efficient. The General Manager (or the President, in the case of the General Manager) will notify the employee whether any outside employment, consulting work, activity, business or enterprise is approved or disapproved. Appeal from such determination may be made to the Board of Directors.

Nothing in this Section shall relieve employees from the requirement to report and other requirements applicable to outside employment, consulting work, activity, business or enterprise under Section 1.1 of this Policy.

SECTION 1.5. PROHIBITED ACTIVITIES RELATING TO CAMPAIGNS. District Personnel may not use, or permit others to use, District resources for a campaign activity, or personal or other purposes which are not authorized by law (Gov. Code § 8314). California law prohibits the expenditure of public funds or the use of a public office to campaign for or against candidates for public office or any other election issue.

SECTION 1.6. USE OF DISTRICT VEHICLES. District vehicles are used for the express purpose to conduct District business, and any other use is expressly prohibited. Only employees with a valid California Driver's License that have been put on the District's insurance may operate District vehicles. Employees using District vehicles must comply with the following:

- (a) Employees whose jobs require regular driving for business as an essential job function must, as a condition of employment, be able to meet the driver approval standards of this policy at all times.
- (b) Employees who need transportation in the course of their normal work may be assigned a District vehicle for their use. All other employees needing transportation for District business may use vehicles assigned to their department or those drawn from the motor pool. As a last alternative, when no District vehicles are available, employees may use their own vehicles for business purposes with prior approval of their supervisor.
- (c) Employees who use their personal vehicles for approved District purposes will receive a mileage allowance equal to the IRS optional mileage allowance for such usage. This allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance.
- (d) Employees who drive a vehicle for District business must exercise due diligence to drive safely and to maintain the security of the vehicle and its contents. Use of handheld cell phones (including texting) while behind the wheel of a moving vehicle being used on District business is strictly prohibited. Employees are responsible for any driving infractions or fines as a result of their driving.
- (e) Employees are not permitted, under any circumstances, to operate a District vehicle or a personal vehicle for District business when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any District vehicle at any time or operate any personal vehicle while on District business while using or consuming alcohol, illegal drugs, or prescription medications that may affect their ability to drive. These prohibitions include circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of impairment, illness, medication, or intoxication.

- (f) Non-employees and non-District passengers (e.g., family and friends) are prohibited from riding in District vehicles.
- (g) Employees must report any accident, theft, or malicious damage involving a District vehicle to their supervisor and Human Resources, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than 24 hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident and should respond to investigating officers' questions consistent with risk management training.

SECTION 2. DISCIPLINARY ACTIONS FOR NON-COMPLIANCE. Non-compliance with this Policy shall subject the employee to disciplinary actions commensurate with the violation, up to and including termination.

SECTION 3. ADMINISTRATION. The District Secretary shall be responsible for administration of this Policy, under the direction of the Board of Directors and the General Manager.

DRAFT

**ATTACHMENT A-1:
DESIGNATED PERSONS FOR DISCLOSURE PURPOSES
PURSUANT TO CONFLICT OF INTEREST CODE**

[Insert from COI code]

DRAFT

**ATTACHMENT A-2:
ECONOMIC INTERESTS THAT MUST BE REPORTED
PURSUANT TO CONFLICT OF INTEREST CODE**

[Insert from COI code]

DRAFT

**ATTACHMENT B-1:
POLICY FOR DISTRIBUTION OF TICKETS OR PASSES IN ACCORDANCE
WITH FAIR POLITICAL PRACTICES COMMISSION (FPPC)
REGULATION 18944.1 OF TITLE 2 OF THE CALIFORNIA CODE OF REGULATIONS**

1. PURPOSE

This Policy for Distribution of Tickets or Passes (**Policy**) ensures that tickets provided to and distributed by the Trabuco Canyon Water District (**District**) are in furtherance of a governmental and/or public purpose as required under Regulation 18944.1 and this Policy. This Policy also ensures that tickets distributed by the District under Regulation 18944.1 and this Policy are disclosed on FPPC Form 802 (see Attachment B-2) and posted to the District's website within 45 days of distribution as required by Regulation 18944.1.

2. DEFINITIONS

Unless otherwise expressly provided herein, words and terms used in this Policy shall have the same meaning as that ascribed to such words and terms in the California Political Reform Act of 1974 (Government Code Section 81000 et seq., as the same may from time to time be amended) and the FPPC Regulations (Title 2, Division 6 of the California Code of Regulation, Section 18110 et seq., as the same may from time to time be amended).

- a. "TCWD" or "District" shall mean and include the Trabuco Canyon Water District and any other affiliated agency created or activated by the District, and any departments, boards, and commissions thereof.
- b. "District Official" shall mean and refer to every member, officer, employee, or consultant of the Trabuco Canyon Water District, as defined by Government Code Section 82048 and FPPC Regulation 18701. Such terms shall include, without limitation, any District board or committee member or other appointed official or employee required to file an annual Statement of Economic Interest (FPPC Form 700).
- c. "Immediate family" shall mean and refer to spouse and dependent children.
- d. "Policy" shall mean and refer to this Policy for Distribution of Tickets or Passes.
- e. "Ticket" shall mean and refer to a "ticket or pass" for admission privilege to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose.

3. APPLICATION OF POLICY

- a. This Policy applies to tickets that provide admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose and are either:
 - i. Gratuitously provided to the District by an outside source;
 - ii. Acquired by the District by purchase;
 - iii. Acquired by the District as consideration pursuant to the terms of a contract for the use of a District venue; or
 - iv. Acquired and distributed by the District in any other manner.
- b. This Policy shall only apply to the District's distribution of tickets to, or at the behest of, a District Official. This Policy does not apply to other items of value provided to the District or any District Official, regardless of whether received gratuitously or for which consideration is provided. This includes food, beverage, or a gift provided to a District Official at an event that is not included in the fair market value of the ticket.

4. GENERAL PROVISIONS

- a. The use of tickets is a privilege extended by the District and not the right of any person to which the privilege may from time to time be extended.
- b. Tickets distributed to a District Official pursuant to this Policy shall not be transferred to any other person except to members of such District Official's immediate family or no more than one guest solely for their attendance at the event.
- c. No person who receives a ticket pursuant to this Policy shall sell or receive reimbursement for the value of the ticket.
- d. No ticket gratuitously provided to the District by an outside source and distributed by the District to, or at the behest of, a District Official pursuant to this Policy shall be earmarked by the original source for provision to a particular District Official.
- e. Tickets or passes may not be disproportionately used by a member of the Board of Directors, a chief administrative officer, political appointee, or department head of the District.

5. TICKET ADMINISTRATOR

- a. The General Manager or his/her designee shall be the ticket administrator for purposes of implementing the provisions of this Policy.
- b. The General Manager or his/her designee shall have the authority, in his or her discretion, to establish procedures for the purchase and/or distribution of tickets in accordance with this Policy. All requests for tickets that fall within the scope of this Policy shall be made in accordance with the procedures established by the General Manager or his/her designee.
- c. The General Manager or his/her designee shall determine the face value of tickets distributed by the District for the purposes of Sections 6.a., 6.b., and 8.d.1. of this Policy.
- d. The General Manager or his/her designee, in his or her discretion, may revoke or suspend the ticket privileges of any person who violates any provision of this Policy.

6. CONDITIONS UNDER WHICH TICKETS MAY BE PURCHASED AND/OR DISTRIBUTED

Subject to the provisions of this Policy, complimentary tickets may be distributed to District Officials under the following conditions:

- a. The District Official reimburses the District for the face value of the ticket(s).
 - i. Reimbursement must be made within 30 days of receipt of the ticket(s).
 - ii. The General Manager or his/her designee shall, in his or her discretion, determine which event tickets, if any, shall be available under this section.
 - iii. Ticket(s) that are reimbursed by the District Official within 30 days of receipt of the ticket(s) are not subject to the disclosure requirements under Section 8.
- b. The District Official treats the ticket(s) as income consistent with applicable federal and state income tax laws.
 - i. Ticket(s) that are received as income by the District Official are not subject to the disclosure requirements under Section 8.
- c. The District Official uses, or behests, such ticket(s) for one or more of the following governmental and/or public purposes:
 - i. Facilitating the attendance of a District Official at an event where the job duties of the District Official require his or her attendance at the event.
 - ii. Promotion of intergovernmental relations and/or cooperation and coordination of resources with other governmental agencies, including, but not limited to, attendance at an event with or by elected or appointed public officials from other jurisdictions, their staff members and their guests.
 - iii. Promotion of District resources and/or facilities available to the public.
 - iv. Promotion of District-run, sponsored, or supported community programs or events.
 - v. Promoting, supporting, and/or showing appreciation for programs or services rendered by charitable and non-profit organization benefiting District customers.

- vi. Promotion of business or economic activity, development, and/or redevelopment within the District's service area.
- vii. Exchange programs with foreign officials and dignitaries.
- viii. Promotion of District recognition, visibility, and/or profile on a local, state, national, or international level.
- ix. Promotion of open government by District Official appearances, participation, and/or availability at business and/or community events.
- x. Increasing public exposure to, and awareness of, the various educational venues and facilities available to the public through the District.
- xi. Attracting or rewarding volunteer service.
- xii. Encouraging or rewarding significant academic, athletic, or public service achievements by students, residents, or businesses within the District service area.
- xiii. Attracting and retaining highly qualified employees in District service; recognizing or rewarding meritorious service by a District employee; and/or promoting enhanced District employee performance or morale.
- xiv. Recognizing contributions made to the District by former District Board Members, District Employees, or other District Officials.

7. TICKETS DISTRIBUTED AT THE BEHEST OF A DISTRICT OFFICIALS

- a. Only the following District Officials shall have the authority to behest tickets: (1) Elected or Appointed Board of Directors Members and (2) the General Manager or his/her designee.
- b. Tickets shall be distributed at the behest of a District Official only for one or more public purposes set forth in Section 6.c.

8. DISCLOSURE REQUIREMENTS

- a. This Policy shall be posted on the District website in a prominent manner within 30 days of adoption or amendment of the Policy.
- b. Tickets provided to District Officials as part of their official duties, or tickets provided so that the District Official may perform a ceremonial role or function on behalf of the District, are not to be subject to this Policy and are exempt from any disclosure requirements under Section 8. A ceremonial role or function includes, but is not limited to, making a speech, participating in a panel or seminar, presenting an award or proclamation, or cutting a ribbon.
- c. Tickets distributed by the District for which the District receives reimbursement from the District Official as provided under Section 6.a. shall not be subject to the disclosure provisions of this Section 8.
- d. Tickets distributed by the District to any District Official for which the District Official treats as income as provided under Section 6.b. shall not be subject to the disclosure provisions of this Section 8.
- e. Tickets distributed by the District to any District Official for one or more public purposes described in section 6.c. shall be disclosed on Form 802 (see Attachment B-2) provided by the FPPC in a prominent fashion on the District's website within 45 days after distribution. Such posting shall include the following information:
 - i. The name of the recipient, except that if the recipient is an organization, the District may post the name, address, description of the organization, and number of tickets provided to the organization in lieu of posting the names of each recipient;
 - ii. A description of the event;
 - iii. The date of the event;
 - iv. The face value of the ticket;
 - v. The number of tickets provided to each person;
 - vi. If the ticket is distributed at the behest of a District Official, the name of the District Official who made such behest;

- vii. If the ticket was transferred to a person under Section 4.b., the relationship of the transferee;
- viii. If received for the oversight or inspection of facilities, a written inspection report of findings and recommendations by the District Official receiving the ticket or pass; and
- ix. A description of the public purpose(s) under which the distribution was made.

DRAFT

**ATTACHMENT B-2:
FAIR POLITICAL PRACTICES COMMISSION (FPPC) FORM 802**

[INCLUDE FORM 802]

<https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/TAD/Agency%20Reports/Form-802.pdf>

DRAFT

**TRABUCO CANYON WATER DISTRICT
EXECUTIVE COMMITTEE MEETING | MAY 2, 2022**

DISCUSSION MATTERS

ITEM 3: BOARD AGENDA PLANNING CALENDAR

Information will be presented at the time of the meeting.

RECOMMENDED ACTION:

Committee to discuss information at the time of the Executive Committee Meeting and take action(s) as deemed appropriate.

CONTACTS (staff responsible): PALUDI/PEREA

**TRABUCO CANYON WATER DISTRICT
EXECUTIVE COMMITTEE MEETING | MAY 2, 2022**

OTHER MATTERS

ITEM 4: REPORTS OR COMMENTS FROM THE GENERAL MANAGER AND/OR STAFF

Other matters may have arisen after the posting of the agenda and will be brought forward for discussion and/or information at the time of the Executive Committee.

RECOMMENDED ACTION:

Hear other matters from the General Manager and/or Staff.