

MAR - 8 1994

G



MWD

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Karen E. Duff
~~EXECUTIVE SECRETARY~~

February 23, 1994

To: Board of Directors (Executive Committee--Action)
From: Chairman of the Board
Subject: Establishment of Standing Committee on Legislation

Report

The heavy workload of the Executive Committee and the significance of legislative matters to the District make it desirable that a Standing Committee on Legislation be established. This committee would assume the current responsibilities of the Special Committee on Legislation and would report its recommendations directly to the Board instead of through the Executive Committee. An increase in the Executive Committee membership would occur because of the Committee Chairman's ex officio status on that committee.

Implementation of these changes would require various revisions to the Administrative Code as shown on Attachment A. The changes are highlighted on Attachment B.

The current Chair and Vice Chair, as well as the current members, of the Special Committee would serve in the same capacities on the standing committee. The terms of the Chair and Vice Chair would expire on December 31, 1994, in the same manner as for the other standing committees.

Pursuant to Administrative Code Section 2401, the Chairman would recommend to the Executive Committee, for Board approval, the appointment of additional directors, subject to a total committee membership limit of 18 members.

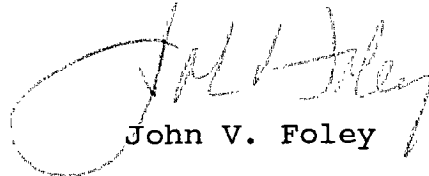
Board Committee Assignment

This letter is referred for action to the Executive Committee because of its jurisdiction over policies and procedures, pursuant to Administrative Code Section 2417(e).

Recommendation

EXECUTIVE COMMITTEE FOR ACTION.

That the Board approve the proposals made in this letter and adopt the changes to the Administrative Code shown on Attachment A.



John V. Foley

Board Letter G**ATTACHMENT A****§ 2400. Identification of Standing Committees.**

The Standing Committees of the Board of Directors are:

Executive Committee
Engineering and Operations Committee
Finance and Insurance Committee
Land Committee
Legal and Claims Committee
Organization and Personnel Committee
Water Problems Committee
Committee on Legislation

§ 2401. Officers and Members of Standing Committees.

(a) Members, Chair, and Vice Chair of standing committees with the exception of the Executive Committee shall be appointed subject to the approval of the Executive Committee and the Board on the basis that each director, with the exception of the Chair of the Board, serve on at least two, but not more than three, standing committees, in addition to the Executive Committee. Such appointment shall be made by the Chair of the Board unless a new Chair-elect has been selected by the Board to take office on the next January 1, in which event appointment of Chair and Vice-Chair of standing committees shall be made by the Chair-elect. No standing committee shall have more than 18 members, except the Executive Committee, which may have 19 members plus all past Chairs.

§ 2410. Membership.

The membership of the Executive Committee shall consist of the Chair, Vice Chairs, Secretary, all past Chairs of the Board who are directors of the District, six additional directors as nonofficer members, and the Chairs of the seven standing committees in addition to the Executive Committee, as ex officio members. In the event a Chair of a Standing Committee is ineligible to serve on the Executive Committee because of the limitation set forth in Section 2201(c), or is otherwise ineligible or is absent, the Vice Chair of the committee shall serve.

§ 2417. Duties and Functions.

The Executive Committee shall study, advise, and make recommendations with regard to:

(a) Public information for governmental and other entities and officials, and for the citizens of California regarding matters affecting the District's interests;

(b) The selection of public information consultants and the determination of the scope of their assignment;

(c) Matters relating to the Colorado River Board of California;

(d) Policies and procedures to be considered by the Board;

(e) Questions raised by the officers and staff in intervals between meetings of the Board and in unexpected situations and emergencies;

(f) Major policy issues;

(g) The selection of the Department Heads and the scope of their duties;

(h) Costs and accounting procedures relating to the District's and other state water service contracts;

(i) Resolution of conflicting committee recommendations pursuant to Section 2314;

(j) Such other matters as may be required under Division 2 of this Administrative Code.

(k) The Executive Committee shall also:

(1) Assign and reassign the directors to the standing committees and designate the Committee Chairs and Vice Chairs, subject to approval by the Board of Directors, and to the limitations on terms of office;

(2) Designate a Board Vice Chair to act in the Board Chair's absence, failure or inability to act if the Chair has not previously made such a designation;

(3) Act on behalf of the Board in unexpected situations and emergencies, subject to subsequent approval or ratification of the actions taken whenever such approval or ratification is required by law;

(4) Provide policy guidance where appropriate to those directors and District staff members who are associated with organizations in which the District has membership;

(5) Conduct hearings on Vendors' Protests:

(i) Hearings requested pursuant to Section 8104(d), and other hearings granted on the Executive Committee's own motion, unless delegated pursuant to Section 8119 shall be held by the committee at its next regular meeting to be held at least 72 hours after filing of the notice of protest. The hearing shall be conducted in accordance with such rules as the Chair of the committee shall announce. The committee shall make a decision on the bidder's or applicant's protest, shall set forth its reasons therefor, and shall cause the Executive Secretary to serve a copy of the decision on the bidder or applicant. The decision of the committee shall be final unless the committee chooses to refer the notice of protest to the Board.

(ii) The Chair of the Executive Committee may redelegate hearings provided for under Section 2417(k)(5)(i) to a minimum of three members of the Executive Committee who shall act in place of the committee in the conduct of the hearing and who shall at the conclusion thereof make their recommendations to the full committee. Such recommendations shall be accompanied by copies of any materials submitted in evidence. Any hearing held and recommendations made pursuant to such delegated authority shall be completed in advance of the time set for the next regular meeting of the full committee following the meeting at which the matter would otherwise have been heard by the committee.

(6) Resolve disputes over tour dates and monitor conduct of tours to assure maximum effectiveness.

§ 2490. Time of Regular Meetings.

The regular meetings of the Legislative Committee shall be held on the Tuesday on which regular Board meetings are held beginning at 8:00 am.

§ 2491. Duties and Functions.

The Legislative Committee shall study, advise and make recommendations to the Board with regard to, and in the following manner:

(a) Review and make recommendations based upon presentations of the General Manager regarding proposals for State and Federal legislation, or amendments thereto, that may affect the District, and coordinate such review with other Committees of the Board;

(b) Review staff and Board members' recommendations for positions on such legislation;

(c) Consider the need for new legislation as identified by members of the Board or the General Manager;

(d) Coordinate with the General Manager opportunities for members of the Board to assist in efforts to inform members of the Legislature or the Congress with regard to proposed legislation; and

(e) Review the effectiveness of legislative advocacy efforts by staff and members of the Board.

Sections 2570, 2571 and 2572 are stricken.

Board Letter G

ATTACHMENT B

§ 2400. Identification of Standing Committees.

The Standing Committees of the Board of Directors are:

Executive Committee
Engineering and Operations Committee
Finance and Insurance Committee
Land Committee
Legal and Claims Committee
Organization and Personnel Committee
Water Problems Committee
Committee on Legislation

§ 2401. Officers and Members of Standing Committees.

(a) Members, Chair, and Vice Chair of standing committees with the exception of the Executive Committee shall be appointed subject to the approval of the Executive Committee and the Board on the basis that each director, with the exception of the Chair of the Board, serve on at least two, but not more than three, standing committees, in addition to the Executive Committee. Such appointment shall be made by the Chair of the Board unless a new Chair-elect has been selected by the Board to take office on the next January 1, in which event appointment of Chair and Vice-Chair of standing committees shall be made by the Chair-elect. No standing committee shall have more than 18 members, except the Executive Committee, which may have ~~18~~ 19 members plus all past Chairs.

§ 2410. Membership.

The membership of the Executive Committee shall consist of the Chair, Vice Chairs, Secretary, all past Chairs of the Board who are directors of the District, six additional directors as nonofficer members, and the Chairs of the ~~six~~ seven standing committees in addition to the Executive Committee, as ex officio members. In the event a Chair of a Standing Committee is ineligible to serve on the Executive Committee because of the limitation set forth in Section 2201(c), or is otherwise ineligible or is absent, the Vice Chair of the committee shall serve.

§ 2417. Duties and Functions.

The Executive Committee shall study, advise, and make recommendations with regard to:

~~(a) Legislation sponsored by the District or in any way affecting the District;~~

(ba) Public information for governmental and other entities and officials, and for the citizens of California regarding matters affecting the District's interests;

(eb) The selection of public information consultants and the determination of the scope of their assignment;

(ec) Matters relating to the Colorado River Board of California;

(ed) Policies and procedures to be considered by the Board;

(ee) Questions raised by the officers and staff in intervals between meetings of the Board and in unexpected situations and emergencies;

(ef) Major policy issues;

(eg) The selection of the Department Heads and the scope of their duties;

(eh) Costs and accounting procedures relating to the District's and other state water service contracts;

(ei) Resolution of conflicting committee recommendations pursuant to Section 2314;

(ej) Such other matters as may be required under Division 2 of this Administrative Code.

(ek) The Executive Committee shall also:

(1) Assign and reassign the directors to the standing committees and designate the Committee Chairs and Vice Chairs, subject to approval by the Board of Directors, and to the limitations on terms of office;

(2) Designate a Board Vice Chair to act in the Board Chair's absence, failure or inability to act if the Chair has not previously made such a designation;

(3) Act on behalf of the Board in unexpected situations and emergencies, subject to subsequent approval or ratification of the actions taken whenever such approval or ratification is required by law;

(4) Provide policy guidance where appropriate to those directors and District staff members who are associated with organizations in which the District has membership;

~~(5) Annually interview and evaluate each of the Department Heads and based on information so developed, and other information deemed relevant, recommend salary and other compensation with changes to be effective at the start of the payroll period nearest to July 1;~~

(65) Conduct hearings on Vendors' Protests:

(i) Hearings requested pursuant to Section 8104(d), and other hearings granted on the Executive Committee's own motion, unless delegated pursuant to Section 8119 shall be held by the committee at its next regular meeting to be held at least 72 hours after filing of the notice of protest. The hearing shall be conducted in accordance with such rules as the Chair of the committee shall announce. The committee shall make a decision on the bidder's or applicant's protest, shall set forth its reasons therefor, and shall cause the Executive Secretary to serve a copy of the decision on the bidder or applicant. The decision of the committee shall be final unless the committee chooses to refer the notice of protest to the Board.

(ii) The Chair of the Executive Committee may redelegate hearings provided for under Section 2417(k)(65)(i) to a minimum of three members of the Executive Committee who shall act in place of the committee in the conduct of the hearing and who shall at the conclusion thereof make their recommendations to the full committee. Such recommendations shall be accompanied by copies of any materials submitted in evidence. Any hearing held and recommendations made pursuant to such delegated authority shall be completed in advance of the time set for the next regular meeting of the full committee following the meeting at which the matter would otherwise have been heard by the committee.

(76) Resolve disputes over tour dates and monitor conduct of tours to assure maximum effectiveness.

§ 2490. Time of Regular Meetings.

The regular meetings of the Legislative Committee shall be held on the Tuesday on which regular Board meetings are held beginning at 8:00 am.

§ 2491. Duties and Functions.

The Legislative Committee shall study, advise and make recommendations to the Board with regard to, and in the following manner:

(a) Review and make recommendations based upon presentations of the General Manager regarding proposals for State and Federal legislation, or amendments thereto, that may affect the District, and coordinate such review with other Committees of the Board;

(b) Review staff and Board members' recommendations for positions on such legislation;

(c) Consider the need for new legislation as identified by members of the Board or the General Manager;

(d) Coordinate with the General Manager opportunities for members of the Board to assist in efforts to inform members of the Legislature or the Congress with regard to proposed legislation; and

(e) Review the effectiveness of legislative advocacy efforts by staff and members of the Board.

§ 2570. Membership.

~~The Special Committee on Legislation shall consist of eleven members, at least one of whom shall be an officer of the Board, one of whom shall be the Chair of the Water Problems Committee or his or her designee, seven of whom shall represent each of the seven standing committees, and two who shall be selected at large, such membership to be selected to give geographic representation to all areas of the District and, to the extent possible, to the diversity of member public agencies and subagencies within the District.~~

~~§ 2571. Duties and Functions.~~

~~The Special Committee on Legislation shall:~~

~~(a) Review and make recommendations based upon presentations of the General Manager regarding proposals for State and Federal legislation, or amendments thereto, that may affect the District, and coordinate such review with other Committees of the Board;~~

~~(b) Review staff and Board members' recommendations for positions on such legislation;~~

~~(c) Consider the need for new legislation as identified by members of the Board or the General Manager;~~

~~(d) Coordinate with the General Manager opportunities for members of the Board to assist in efforts to inform members of the Legislature or the Congress with regard to proposed legislation; and~~

~~(e) Review the effectiveness of legislative advocacy efforts by staff and members of the Board.~~

~~§ 2572. Relations with Standing Committees.~~

~~The Special Committee on Legislation shall report its recommendations to the Executive Committee.~~