

APPROVED
By the Board of Directors of
The Metropolitan Water District
of Southern California
at its meeting held

7-11

NOV 14 1995



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METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Barbara E. Duff
EXECUTIVE SECRETARY

October 18, 1995

To: Board of Directors (Executive Committee--Action)

From: General Counsel

Subject: Administrative Code Revisions

RECOMMENDATION:

It is recommended that sections 4113, 4115, 4401, 4516(c)(1), 6200(b), 6205(c) to (f), 6244, 6326, 6329(a), 6400(b), 6411 and 8119 of the Metropolitan Water District Administrative Code be amended to read as set forth in Attachment A.

N. Gregory Taylor
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General Counsel

REPORT:

From time to time the Administrative Code is revised to reflect changes in District practice, conform with pertinent laws, correct minor errors or provide consistency with previously enacted Administrative Code sections. This letter proposes certain amendments as set forth in Attachment B, where overstrikes reflect deletions and underlining reflects additions. Attachment A sets forth the sections as they would now appear in the Administrative Code.

The proposed modifications include:

1. Editorial changes to Administrative Code sections 4113, 4115, 4401 and 4516(c)(1) to change the term "reclaimed water" or "reclaimed service" to "recycled water" or "recycled service" to conform the language in these sections to the terms which have recently been adopted for the California statutes.

2. Editorial changes to Administrative Code sections 6200(b) and 6205(c), (d), (e) and (f) to change the title of the "personnel division" to "human resources division" to conform to changes in District titles.

3. Language changes to Administrative Code section 6244 which clarify current District policy and practice that employees injured on the job are immediately entitled to receive disability leave benefits upon exhaustion of accumulated sick leave. In other situations, employees are not entitled to disability leave until 40 hours have elapsed following the exhaustion of accumulated sick leave.

4. Language changes to Administrative Code section 6326 to clarify that an employee or director, if authorized, can obtain their own ticket for air travel and will be reimbursed for the ticket and related travel expenses at the same rate as if the ticket was purchased by the District.

5. Editorial changes to Administrative Code sections 6329(a), 6400(b) and 6411 to change the title of "Director of Finance" to "Chief Financial Officer" to conform to changes in District titles.

6. Editorial changes to Administrative Code section 8119 so that the section correctly refers to Public Contract Code section 4107, instead of Government Code section 4107.

These actions are exempt from the provisions of the California Environmental Quality Act in that there is no possibility that they may have a significant effect on the environment.

REVISED (§6326) ATTACHMENTS to 7-11**ATTACHMENT A****Chapter 1****DEFINITIONS**

Sec.

- 4100. General
- 4101. Colorado
- 4102. State
- 4103. Treated Water
- 4104. Untreated Water
- 4105. Domestic and Municipal Purposes
- 4106. Agricultural Purposes
- 4107. Groundwater Replenishment
- 4108. In-Lieu Groundwater Replenishment
- 4109. Reservoir Storage
- 4110. In - Lieu Reservoir Storage
- 4111. Noninterruptible Service
- [4112. Repealed]
- 4113. Recycled Water
- 4114. Seasonal Storage Service
- 4115. Local Projects Program Yield
- 4116. Project Sponsor
- 4117. Interim Agricultural Water Service
- 4118. Cooperative Storage Program
- 4119. Cooperative Storage Program Sale

§ 4113. Recycled Water.

" Recycled water," which is sometimes referred to as subpotable water, is water that does not meet criteria established by the State Department of Health Services for domestic use, and shall mean wastewater which has been collected in a sanitary sewer system and treated within a water reclamation plant, or untreated low quality water extracted from groundwater basins, both types of water being suitable for selected nonpotable uses.

§ 4115. Local Projects Program Yield.

"Local Projects Program Yield" shall mean recycled water developed by a project in the District's Local Projects Program which is available for purchase by the District, and which can be resold by the District to meet a demand on the District for all beneficial uses.

§ 4401. Rates.

(a)

(3) For Recycled Service

Effective Date	Rate
7/1/94	\$113.00
7/1/95	\$113.00

§ 4516. Local Projects Program.

(c)

(1) That the District will purchase the Local Project Program Yield from a project at a rate per acre-foot equal to the local project contribution plus the District's rate for recycled water. The local project contribution is currently \$154 per acre-foot, but may be increased in the future by action of the Board for then-existing as well as future Local Project agreements. The increase shall apply to an existing agreement if the contracting Project Sponsor demonstrates to the satisfaction of the General Manager a need for the increase based on changes in costs of project operation and guarantees production and reuse of certain annual amount of recycled water.

§ 6200. Definitions.

b) "Unclassified service" shall mean and include all officers of the District as listed in Section 6400 of this Code and:

Director of Administrative Services
Director of Human Resources
Director of Public Affairs
Director of Water Quality
Legislative Representatives

Director of Environmental Compliance
Director, Information Systems

Unclassified employees shall mean officers and employees in the unclassified service.

§ 6205. Eligibility and Qualifications for Employment.

(c) After completing the District's "Application for Employment," with the exception of applicants filling nonsupervisory positions at remote field locations, each applicant shall be interviewed initially in the human resources division unless otherwise specified by the Department Head. The human resources division will make a preliminary evaluation of education and professional qualifications, experience, character, and personality. Applicants selected by the human resources division shall then be interviewed by the supervisor initiating the personnel requisition. In remote locations, the preliminary interviews may be conducted by supervisory personnel.

(d) Prior to accepting any applicant for employment, the human resources division shall:

(1) If applicable, determine the applicant's aptitude to perform the duties of the position, arrange for oral, written or manual examination, including machine or equipment operation, as appropriate.

(2) Perform a reference check with at least two previous employers if applicable, or obtain a military service record for recently separated servicemen.

(3) Obtain a motor vehicle driving record from the State Department of Motor Vehicles if the position involves or could involve the use of a District vehicle.

(4) Arrange for preemployment physical examination to determine physical fitness to perform the duties required. Temporary personnel need not be physically examined.

(e) Upon completion of the processing described in Sections 6205(c) and 6205(d) and approval by the supervisor, the human resources division shall forward the application and all pertinent documents to the Department Head for approval of employment.

(f) Upon authorization by the Department Head, the human resources division will complete processing of the applicant for employment.

§ 6244. Use of Accumulated Leave - Industrial Injury.

An employee injured in the scope and course of employment with the District may elect to take as much of accumulated sick leave, or accumulated vacation leave, or disability leave, as when added to disability indemnity under Division 4 of the State Labor Code will result in a payment to the employee of not more than the hourly rate for 40 hours each week provided that sick leave shall be applied first, and that the order of application of vacation leave and disability leave shall be at the option of the employee. An employee using disability leave because of such an injury shall not be subject to Section 6228(b)(2). When an employee uses such accumulated leave because of such an injury and the District is reimbursed by a third person for its damages by reason of such use, there shall be granted, for credit to the employee's sick leave, vacation leave, or disability leave, such sick leave, vacation leave, or disability leave equivalent to the amount so used or proportionately if each is reimbursed only in part. If the District does not collect from the third person the full amount of the compensation paid and other damages for which it is liable to the employee and if the amount collected is not itemized so that there may be ascertained the amount collected in reimbursement for the sick leave, vacation leave, or disability leave used, the amount received shall be credited to vacation leave, sick leave, and disability leave in that order.

§ 6326. Authorized Expenses.

(d) Transportation. - The type of transportation employed shall be selected on the basis of the lowest overall cost to the District after all costs are considered, including the travel time and the salary of the employee; provided, however, that travel by common carrier bus shall not be required.

Trips which require travel in excess of 200 miles one way shall be made by commercial airline unless the circumstances dictate otherwise. Reimbursements for any transportation costs for trips over 200 miles one way by any form of transportation shall generally not exceed the standard round-trip airline coach airfare in effect at the time, as established by the Manager, Purchasing and Stores, plus any personal auto mileage and airport parking that would have been incurred and reimbursable if airline transportation had been used. In lieu of this, if a person is authorized to obtain their own ticket for a trip on a commercial airline, that person can receive the *lesser of the cost of the airline ticket purchased or the* amount of the standard round-trip airline coach airfare in effect at the time, as established by the Manager, Purchasing and Stores, plus, *in any case*, any personal auto mileage and airport parking costs incurred.

Whenever practicable, all air travel ticketing shall be made by the Manager, Purchasing and Stores upon receipt of a written request approved in accordance with Section 6324. Directors' travel requests shall be coordinated through the office of the Executive Secretary. Determination of the standard round-trip coach airfare, for purposes of establishing a reimbursement limit on optional forms of travel, shall be made in

advance whenever practicable. All airline travel shall only be by airplane coach or economy class except: (1) when the Manager, Purchasing and Stores finds that coach or economy seats are unavailable at the time of ticketing, or (2) where the Department Head or the Board's Chair finds that some physical problem, essential business, or exceptional circumstance warrants travel in a higher class. An employee who obtains airline tickets from the Manager, Purchasing and Stores for the purpose of combining personal travel with District travel, or for travel with a family member, shall prior to receipt of such ticket, either make payment for the portion of cost attributable to personal travel or to the family member's travel, or agree in writing to reimburse the District for such cost not later than the date of travel.

§ 6329. Approvals.

(a) Directors' and Department Heads' claims shall be submitted to the Finance Division for review and, if in order, reimbursement shall be made. Such claims shall then be forwarded to the Auditor for audit, except for the Auditor's claims which shall be forwarded to the Chief Financial Officer for audit. The Auditor, or the Chief Financial Officer with regard to any such claim of the Auditor, shall refer unusual or questionable claims of directors or Department Heads to the Chair of the Special Audit Committee for review and discussion with the claimant if necessary, except that the Auditor shall refer any such claim made by the Chair of the Special Audit Committee to the Chair of the Board of Directors for review and discussion with the claimant if necessary. If questions regarding the claim cannot be resolved with the claimant, the claim shall be referred to the Special Audit Committee and the claimant notified. The Special Audit Committee, after conference with the claimant, may reduce or disallow any claim and the claimant shall reimburse the District. Disputes as to claims submitted by employees shall be forwarded by the Finance Division to the General Manager, who after conference with the employee may reduce or disallow any claim and the employee shall reimburse the District.

§ 6400. Creation of Offices.

(b) Principal assistants within the executive offices, with number as authorized from time to time by the Board.

(1) Principal assistants to the General Manager:

- Assistant General Managers
- Deputy General Managers
- Chief Engineer
- Chief of Operations
- Chief of Planning and Resources
- Chief Financial Officer

(2) Principal assistant to the General Counsel:
Assistant General Counsel

(3) Principal assistant to the Auditor:
Assistant Auditor

§ 6411. Principal Assistants.

The powers and duties of the principal assistants to the General Manager are as follows:

(a) The Assistant General Managers, Deputy General Managers, Chief Engineer, Chief of Operations, Chief of Planning and Resources, and Chief Financial Officer shall perform such duties and render such services as may be assigned to them by the General Manager with like effect as though such duties or services were performed or rendered in person by the General Manager. The General Manager shall designate in writing by office and name principal assistants to act in the General Manager's place in the event the General Manager is absent, unable to act in person, or until the appointment and qualification of the General Manager's successor, and shall specify the order in which such principal assistants shall assume the powers and duties of the General Manager in any such event. The designation may be changed by the General Manager at any time and for any reason, but a designation shall be kept on file at all times. The original of the designation shall be filed in the office of the Executive Secretary, and a signed copy shall be delivered to the principal assistants named therein.

(b) The Assistant General Managers, Deputy General Managers, Chief Engineer, Chief of Operations, Chief of Planning and Resources, and Chief Financial Officer shall act in the name of the General Manager, except when empowered by law or in writing by the Board or the General Manager to act in their own names, and

their acts shall be equally effective whether done in their own names or in the name of their principal.

§ 8119. Delegation of Hearing Power.

Hearings on Substitution of Subcontractors.

(a) Whenever the Board is required by Section 4107 of the Public Contract Code to hold a hearing the General Manager is authorized and directed to conduct such hearing, prescribe procedures therefor, give proper notice thereof, receive all evidence and testimony, rule on the admissibility of evidence, prepare a record of the proceedings, and submit such record and recommendations and based only upon such record, the Board shall make the determination required by law.

(b) The General Manager may consent to the substitution of another subcontractor for the subcontractor listed in a prime contractor's original bid whenever the listed subcontractor, after having been notified as required by law, fails to submit written objections within the time allowed by law and the General Manager determines that one of the grounds for substitution listed in Section 4107 of the Public Contract Code has been established to the General Manager's satisfaction.

(c) Any power delegated to the General Manager by this Section 8119 may be redelegated by the General Manager to any officer or employee of the District.

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ATTACHMENT B

Chapter 1

DEFINITIONS

Sec.

- 4100. General
- 4101. Colorado
- 4102. State
- 4103. Treated Water
- 4104. Untreated Water
- 4105. Domestic and Municipal Purposes
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 - Chief Engineer
 - Chief of Operations
 - Chief of Planning and Resources
 - ~~Director of Finance~~ Chief Financial Officer
- (2) Principal assistant to the General Counsel:
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- (3) Principal assistant to the Auditor:
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their acts shall be equally effective whether done in their own names or in the name of their principal.

§ 8119. Delegation of Hearing Power.

Hearings on Substitution of Subcontractors.

(a) Whenever the Board is required by Section 4107 of the ~~Government Code~~ Public Contract Code -to hold a hearing the General Manager is authorized and directed to conduct such hearing, prescribe procedures therefor, give proper notice thereof, receive all evidence and testimony, rule on the admissibility of evidence, prepare a record of the proceedings, and submit such record and recommendations and based only upon such record, the Board shall make the determination required by law.

(b) The General Manager may consent to the substitution of another subcontractor for the subcontractor listed in a prime contractor's original bid whenever the listed subcontractor, after having been notified as required by law, fails to submit written

objections within the time allowed by law and the General Manager determines that one of the grounds for substitution listed in Section 4107 of the ~~Government Code~~ Public Contract Code -has been established to the General Manager's satisfaction.

(c) Any power delegated to the General Manager by this Section 8119 may be redelegated by the General Manager to any officer or employee of the District.

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