



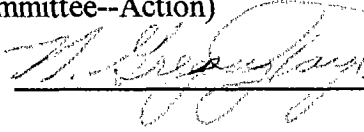
**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

7-6

December 9, 1997

**To:** Board of Directors (Legal and Claims Committee--Action)  
(Executive Committee--Action)

**From:** General Counsel 

**Subject:** Implementation of Ralph M. Brown Act Requirements for 1998  
(Senate Bill No. 138/Kopp) and Corresponding Amendments to  
Metropolitan's Administrative Code

**RECOMMENDATION(S)**

It is recommended that the Metropolitan Water District Administrative Code be amended to read as set forth in Attachment B.

**EXECUTIVE SUMMARY**

The Ralph M. Brown Act (Gov. Code sec. 54950 et. seq.) has been amended effective January 1, 1998. The new legislation necessitates various corresponding changes to Metropolitan's Administrative Code, particularly procedures for adding items to the Board's agenda and providing for a directors' observer status when attending a committee meeting where the director is not a member of that committee. Attachment A reflects the additions (underlined) and deletions (strikethrough) to Sections 2109, 2305 and 2307. Attachment B incorporates the modifications in final form.

CIR:gm

Attachments

## Attachment 7-6A

### § 2109. Board Agenda.

(a) The deadline for submission to the Executive Secretary of items for the Board agenda shall be in conformity with rules promulgated by the General Manager from time to time.

(b) Any matter not on the Board agenda may be presented to the Board upon motion duly made and carried at the Board meeting:

(1) Upon a determination by a majority vote of the Board that an emergency situation exists, as defined in Government Code Section 54956.5; or

(2) Upon a determination by a two-thirds vote of the Board members present at the meeting, or if less than two-thirds of the members are present, a unanimous vote of those members present that the need to take action arose subsequent to the agenda being posted; or

(3) If the item was posted for a prior meeting of the Board occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) The Board agenda shall make provision for public appearances before matters on which action is taken.

(d) The Executive Secretary shall be responsible for any required posting of agendas which shall be in the public lobby of the District's Headquarters Building.

(e) Videotapes of informational presentations prepared by District staff which are distributed in advance of a Board meeting to Board members shall be identified on the Board agenda, and copies of the videotapes shall be available to the public.

### § 2305. Joint Meetings.

At any joint committee meeting, ~~each committee~~ the committees shall vote ~~separately~~ jointly on any action to be taken.

### § 2307. Attendance of Committees.

Insofar as possible all committees shall meet at their scheduled times. All directors have the right to attend any committee meeting. However, at a committee meeting where a director is not a member of that committee, a director shall attend only as an observer.

**Attachment 7-6B**

**§ 2109. Board Agenda.**

(a) The deadline for submission to the Executive Secretary of items for the Board agenda shall be in conformity with rules promulgated by the General Manager from time to time.

(b) Any matter not on the Board agenda may be presented to the Board upon motion duly made and carried at the Board meeting:

(1) Upon a determination by a majority vote of the Board that an emergency situation exists, as defined in Government Code Section 54956.5; or

(2) Upon a determination by a two-thirds vote of the Board members present at the meeting, or if less than two-thirds of the members are present, a unanimous vote of those members present that the need to take action arose subsequent to the agenda being posted; or

(3) If the item was posted for a prior meeting of the Board occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

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(e) Videotapes of informational presentations prepared by District staff which are distributed in advance of a Board meeting to Board members shall be identified on the Board agenda, and copies of the videotapes shall be available to the public.

**§ 2305. Joint Meetings.**

At any joint committee meeting, the committees shall vote jointly on any action to be taken.

**§ 2307. Attendance of Committees.**

Insofar as possible all committees shall meet at their scheduled times. All directors have the right to observe any committee meeting. However, at a committee meeting where a director is not a member of that committee, a director shall attend only as an observer.