

May 21, 1999

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

**From:** General Counsel \_\_\_\_\_

**Subject:** Approval of Technical and Editorial Changes to the New Procedures Pertaining to Board and Committees Structure and Administrative Code Clean-up Items

**RECOMMENDATION(S)**

It is recommended that the technical and editorial changes to the Administrative Code sections describing the new procedures pertaining to the board and committee structure, and the Administrative Code clean-up items, set forth in Attachment A be approved.

**DETAILED REPORT**

At its December 8, 1998 meeting, the Board approved Item 6B on Proposed Changes in Procedures Pertaining to Board and Committee Structure. The Administrative Code sections have been reviewed, and numerous technical and editorial changes have been proposed. The proposed changes are in conformity with the board and committee structure approved at the December 8 meeting, except that two committees, the Subcommittee on Negotiations of Colorado River Issues and the Strategic Planning Committee, have not been included as committees in the Administrative Code because of the temporary nature of their assignments. Attachment A shows the provisions as they will now appear in the Code. Attachment A also updates Administrative Code section 1202 to state Metropolitan's new principal place of business at Union Station, and revises Administrative Code section 5202(e) on Fund Parameters for the Water Rate Stabilization Fund, approved at the March Board meeting, to clarify that the lawful purposes for which amounts in the fund may be expended are determined by the Board. Attachment B shows the changes which have been made to the Code as it existed prior to the approval of Item 6B, with underlining showing additions and strikethroughs showing deletions, as well as the changes made to sections 1202 and 5202(e).

SS\jb

**Attachment 8-10A**

**Attachment 8-10B**

**ATTACHMENT 8-10A****§ 1202. Principal Place of Business.**

The principal place of business and office of the district shall be in the building at 700 North Alameda Street, in the City of Los Angeles, State of California, which building shall be known and designated as "Headquarters Building, The Metropolitan Water District of Southern California."

Ords. 3, 17, 96 and 113; repealed by Ord. 146; Section 110.2 added, as amended, by M.I. 32690 - April 10, 1979; renumbered Section 110.3 by M.I. 36282 - September 9, 1986. Section 110.3 repealed and Section 1202 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40976 - August 19, 1994.

**§ 2100. Regular Meetings.**

Regular meetings of the Board shall be held on the second Tuesday of each month, at the hour of 10:00 a.m.; provided that if said Tuesday falls upon a holiday designated in Section 1106 hereof, such regular meeting shall be held at 10:00 a.m. on the next business day, and the staff shall arrange its affairs accordingly.

Organization and Procedures of the Board - July 19, 1976; amended by M.I. 32690 - April 10, 1979 and M.I. 33414 - September 8, 1980; see also Ords. 85 and 113; repealed by Ord. 146; Sections 201.2 and 201.2.1 renumbered Section 201.3.1 January 8, 1985; amended by M.I. 35590 - April 9, 1985. Section 201.3.1 repealed and Section 2100 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36563 - April 14, 1987; amended by M.I. 37492 - January 10, 1989; amended by M.I. 39500 - March 10, 1992.

**§ 2101. Special Meetings.**

In accordance with Government Code Section 54956 special meetings of the Board may be called by the Chair of the Board, or by a majority of the directors. The Executive Secretary shall be responsible for arranging deliveries of special meeting notices and for receiving written waivers of notice. Directors shall be notified of special meetings.

The call and notice shall be posted at least 24 hours prior to the special meeting in the public reception area of the District's Headquarters Building.

Ord. 113; repealed by Ord. 146; added, as amended, by M.I. 32690 - April 10, 1979; Section 201.2.2 renumbered Section 201.3.2 January 8, 1985; amended by M.I. 36412 - December 9, 1986. Section 201.3.2 repealed and Section 2101 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37492 - January 10, 1989.

**§ 2102. Emergency Meetings.**

The Executive Secretary shall be responsible for providing the notice of emergency meetings and the public postings required by Government Code Section 54956.5.

Section 201.2.3 - M.I. 34112 - February 9, 1982; renumbered Section 201.3.3 January 8, 1985; amended by M.I. 36412 - December 9, 1986. Section 201.3.3 repealed and Section 2102 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37492 - January 10, 1989.

**§ 2103. Place of Meetings.**

All regular meetings of the Board shall be held in the room known and designated as the "Board Room" located in the District's Headquarters Building; provided, that if, by reason of fire, flood,

earthquake, or other emergency, it shall be unsafe to meet in said Board Room, the meetings may be held for the duration of such emergency at such place as is designated by the Chair, either within or without the boundaries of the District, in which event notice of such place of meeting shall be given by the Executive Secretary in the same manner required under Government Code Section 54956 for special meetings.

Ords. 85, 96 and 113; repealed by Ord. 146; Section 201.2.4 added, as amended, by M.I. 32690 - April 10, 1979; further amended by M.I. 33453 - October 14, 1980; renumbered by M.I. 34112 - February 9, 1982; Section 201.2.5 renumbered Section 201.3.5 January 8, 1985. Section 201.3.5 repealed and Section 2104 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; renumbered to Section 2103 and amended by M.I. 37492 - January 10, 1989 (previous Section 2103 repealed).

[§ 2104 - repealed by M.I. 37722 - June 13, 1989]

### **§ 2105. Closed Meeting Procedure.**

(a) The Chair shall be responsible for ensuring that procedural requirements, other than requirements for notice, are fulfilled when a closed meeting is held. The Executive Secretary shall be responsible for fulfilling any notice requirements relating to closed meetings. The General Counsel shall be responsible for the preparation of any documents required by Government Code Section 54956.9 with regard to litigation. The General Counsel, General Manager and when appropriate the Auditor shall designate staff members and others who shall remain in the closed session to assist the Board in its deliberations. The General Counsel shall also designate staff members to record the minutes of the closed meeting.

(b) No person attending a closed session may disclose any matter discussed in the session where to do so would be contrary to the purpose for which the session was held. Any director who has not attended a closed session and wishes to be advised of the content of the session may inquire of any director who attended the closed session. The person contacted may advise the inquiring director of the content of the session. The advised director shall not disclose the matter for which the session was held.

(c) If a director, a Department Head, or a person other than a District staff member is reported to have violated Section 2105(b), the matter shall be referred to the Executive Committee for investigation and consideration of any appropriate action warranted including, but not limited to, legal action, censure, removal from one or more committee assignments, and recommendation to the member's appointing agency that steps be taken to remove that individual from the Board. Before taking any action and as part of the consideration, the Executive Committee shall provide the person under investigation with an opportunity to meet with it or a subcommittee appointed by it, and present reasons and evidence why action should not be taken.

(d) If a member of the staff is reported to have violated Section 2105(b), the matter shall be referred to the appropriate Department Head for investigation; the Department Head shall report to the Executive Committee any action taken including, but not limited to, legal action and initiation of discipline.

Ords. 85 and 113; repealed by Ord. 146; Sections 201.2.5.3 through 201.2.5.5 added, as amended, by M.I. 32690 - April 10, 1979; amended by M.I. 33493 - November 18, 1980; renumbered Sections 201.2.6.6.4 through 201.2.6.5 by M.I. 34112 - February 9, 1982; renumbered Sections 201.3.9 through 201.3.9.2 and amended by M.I. 35469 - January 8, 1985 Sections 201.3.9 through 201.3.9.2 repealed and Sections 2108(a) through 2108(b) adopted by

M.I. 36464 - January 13, 1987; renumbered to Section 2105, paragraphs (a) and (b) deleted and new language adopted by M.I. 37492 - January 10, 1989 (previous Sections 2106 through 2107 repealed).

Sections 201.2.5.6.1 through 201.2.5.6.3 - M.I. 33600 - February 10, 1981; renumbered Sections 201.2.6.6.1 through 201.2.6.6.3 and amended by M.I. 34112 - February 9, 1982; amended by M.I. 35061 - March 13, 1984; renumbered Sections 201.3.9.3 through 201.3.9.5 - January 8, 1985. Sections 201.3.9.3 through 201.3.9.5 repealed and Sections 2108(c) through 2108(e) adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; renumbered to Section 2105(b) through (d) by M.I. 37492 - January 10, 1989; Section 2105 paragraph (a) amended by M.I. 41684 - December 14, 1995.

### **§ 2106. Adjourned Meetings.**

If all members are absent from any regular or adjourned regular meeting, the Executive Secretary may declare the meeting adjourned and shall cause a written notice of the adjournment to be given pursuant to Government Code Section 54955 which shall be posted in the public reception area of the District's Headquarters Building.

Ord. 113; repealed by Ord. 146; Section 201.2.6 added, as amended, by M.I. 32690 - April 10, 1979; renumbered Section 201.2.7 and amended by M.I. 34112 - February 9, 1982; renumbered Section 201.3.10 - January 8, 1985. Section 201.3.10 repealed and Section 2109 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended and renumbered 2106 by M.I. 37492 - January 10, 1989.

### **§ 2107. Legal Department Representation.**

In order to maintain continuity of legal advice, a second representative of the Legal Department shall attend with the General Counsel all meetings of the Board to the extent possible.

Section 203.1 based on M.I. 20914 - October 11, 1960. Section 203.1 repealed and Section 2110 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended and renumbered Section 2107 by M.I. 37492 - January 10, 1989.

### **§ 2108. Minutes.**

Minutes of the Board meeting shall be prepared and mailed to each director as soon as convenient after each meeting. Such minutes shall not include the text of ordinances and resolutions adopted, which shall be recorded in separate volumes by the Executive Secretary. Minutes of the Board and monthly reports filed therewith are to be sent to the city clerks and water departments of the member public agencies who have requests on file with the Executive Secretary for such material.

Section 203.2 based on M.I. 147 - May 13, 1929, M.I. 435 - December 27, 1929, and M.I. 15950 - September 28, 1954. Section 203.2 repealed and Section 2111 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended and renumbered Section 2108 by M.I. 37492 - January 10, 1989.

### **§ 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) The Executive Committee shall review the Board agenda prior to the Board meeting, and may remove or defer items on the agenda. 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, or if less than two-thirds of the members are 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.

Paragraph (a) [formerly Section 203.3.1] based on M.I. 21755 - November 14, 1961 as amended by Consent Calendar Procedure - July 8, 1975; amended by M.I. 34302 - July 13, 1982; paragraph (b) [formerly Section 203.3.2] based on M.I. 21756 - November 14, 1961; and paragraph (c) [formerly Section 203.3.3] based on M.I. 21832 - December 12, 1961; paragraphs (d) and (e) [formerly Section 203.3.4 and 203.3.5] added by M.I. 36412 - December 9, 1986. Section 203.3 repealed and Section 2112 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (e) amended by M.I. 36491 - February 10, 1987; amended and renumbered Section 2109 by M.I. 37492 - January 10, 1989; paragraphs (b)(1) through (b)(3) added, and paragraph (c) deleted, paragraphs (d) and (e) renumbered to (c) and (d) by M.I. 37722 - June 13, 1989; paragraph (e) added by M.I. 39036 - June 11, 1991.

## Article 2

### CONSENT CALENDAR

Sec.

2120. Purpose and Scope

2121. Consent Calendar

2122. Committee Procedure

2123. Board Meeting Procedure

#### **§ 2120. Purpose and Scope.**

It is the purpose of the Consent Calendar procedure to expedite Board consideration of noncontroversial matters so as to enable the Board to devote added time to other matters. The procedure ensures that if any item on the calendar is disputed, individual consideration will be given to it.

Organization and Procedures of the Board - July 19, 1976. Section 202.1 repealed and Section 2120 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

#### **§ 2121. Consent Calendar.**

(a) Consent Calendar items shall be set forth in a separate section of the Board's agenda.

(b) Matters for the Consent Calendar shall be recommended by the Department Heads and shall be submitted to the Executive Secretary not less than seven working days prior to the meeting of the Board and, except as provided below, pertinent materials sufficient to enable a member to formulate an opinion on each Consent Calendar item shall be included with the agenda mailed to directors. Such materials need not be included with the agenda as to matters which are to be considered in committee in closed session, but such materials shall be available at the meeting of the Board for distribution to directors who request them.

(c) Matters may not be placed on the Consent Calendar if a roll call vote is required; if a vote other than a simple majority is required; or if the amount involved is \$2,000,000 or more.

Organization and Procedures of the Board - July 19, 1976; Section 202.3 amended and by M.I. 33453 - October 14, 1980. Paragraph (c) [formerly 202.3.3] previously 202.3.4 amended and renumbered by M.I. 33453 - October 14, 1980; amended by M.I. 34889 - October 11, 1983; amended by M.I. 35592 - April 9, 1985. Section 202.2 repealed and Section 2121 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36811 - September 22, 1987; paragraph (c) amended by M.I. 39036 - June 11, 1991.

#### **§ 2122. Committee Procedure.**

(a) Matters recommended by a Department Head for inclusion on the Consent Calendar shall be so identified on the committee agendas.

(b) A Consent Calendar matter shall be removed if the standing committee to which it has been submitted does not recommend approval with a quorum of the committee present or if it recommends approval only after making changes to the recommendation of the Department Head.

Organization and Procedures of the Board - July 19, 1976. Paragraph (b) [formerly Section 202.3.2] amended by M.I. 35592 - April 9, 1985. Section 202.3 repealed and Section 2122 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36811 - September 22, 1987.

**§ 2123. Board Meeting Procedure.**

(a) Copies of the Board Agenda shall be made available at the entrance to the Board Room on the day of the Board meeting.

(b) As the first order of business after any ceremonial matters or opening reports, the Chair shall ask if any director or member of the public requests removal of a Consent Calendar matter. Upon such request, such matter shall be automatically removed from the Consent Calendar and shall be considered in the manner of a regular item; provided, however, that any such matter considered in committee in closed session shall be considered in closed session by the Board.

(c) A motion by any member shall then be in order to approve the remaining matters on the Consent Calendar and the vote thereon shall be on all the matters collectively.

(d) If the vote is favorable, then before the result of the vote is announced, the Chair shall ask whether there are any abstentions or negative votes to be cast on any item and shall cause the Secretary to record such abstention or negative vote. Each matter on the Consent Calendar shall be recorded in the minutes separately and the vote for the Consent Calendar shall be shown as the vote for each matter together with any abstentions or negative votes.

Organization and Procedures of the Board - July 19, 1976. Paragraph (b) [formerly Section 202.4.2] amended by M.I. 33453 - October 14, 1980. Section 202.4 repealed and Section 2123 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36811 - September 22, 1987.

**Article 3**

**MISCELLANEOUS BOARD RULES**

Sec.

- 2140. Duties of the Board Executive Officer
- 2141 Duties of the Board Executive Secretary
- 2142. Communications to Board
- 2143. Monthly Staff Reports
- 2144. Bid Tabulations
- 2145. Appearances before Board and Committees
- 2146. Use of Board and Committee Facilities
- 2147. Availability for Public Inspection of Certain Board and  
Committee Material
- 2148. Time limits upon presentations

**§ 2140. Duties of the Board Executive Officer.**

Under the direction of the General Manager, the duties of the Board Executive Officer are to:

- (a) Provide administrative and ministerial services for the Board and directors; and,
- (b) Act as the liaison between the Board and management.

**2141. Duties of the Board Executive Secretary.**

The duties of the Board Executive Secretary are to:

- (a) Provide administrative and ministerial services for the Board and directors under the direction of the Board Executive Officer;
- (b) Act as the liaison between the Board and management under the direction of the Board Executive Officer;
- (c) Accept service of process on behalf of the District; and
- (d) Report to the Board Executive Officer.

**§. 2142. Communications to Board.**

(a) A communication from a Department Head to the Board may be withdrawn by the Department Head at any time prior to its approval by a committee. After approval by a committee, a communication may be withdrawn by the Department Head only with the concurrence of the chair of any committee which has approved the recommendation contained in the communication.

(b) The Executive Secretary shall send copies of all items for the Board and other important communications received to the General Manager and the General Counsel unless they already have such copies.

M.I. 16909 - January 24, 1956; M.I. 19888 - August 20, 1959; paragraph (a) [formerly 203.4.1] added and paragraph (b) [formerly 203.4.2] renumbered by M.I. 35027 - February 14, 1984; paragraph (c) [formerly 203.4.3] was former Section 433.5.8.2, added by M.I. 35166 - June 12, 1984 and renumbered 203.4.3 - January 8, 1985. Section 203.4 repealed and Section 2140 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2143. Monthly Staff Reports.**

The monthly departmental reports of the General Manager and General Counsel shall be mailed in advance of the Board meeting to each director by the department organizing the report but they are not to be distributed at such meeting. These reports are to be orally summarized at the Board meeting mentioning only significant changes from previous reports.

Section 203.5 based on M.I. 12516 - October 14, 1949; M.I. 14449 - July 29, 1952; M.I. 14519 - August 19, 1952; M.I. 19058 - October 14, 1958; M.I. 19151 - November 18, 1958; M.I. 19178 - November 25, 1958; M.I. 30159 - February 5, 1974. Section 203.5 repealed and Section 2141 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2144. Bid Tabulations.**

Each director is to be furnished with a tabulation of all bids received for each proposed award of contract presented to the Board for approval. Therefore, the reading of that portion of the General Manager's letter listing the bids shall be dispensed with.

Section 203.6 based on M.I. 15251 - September 15, 1953 and M.I. 15348 - November 10, 1953. Section 203.6 repealed and Section 2142 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2145. Appearances before Board and Committees.**

(a) Persons desiring to appear before the Board at a regular meeting shall so signify when asked by the Chair to do so at the time the agenda item required by Section 2109(d) is called. They shall state the purpose of their appearance. They shall, if the purpose relates to an item already or to be considered by a committee, be referred by the Chair of the Board to the appropriate committee unless the Chair determines that referral is not appropriate or the person expresses a desire to address the Board directly. The person may address the Board on matters within the Board's subject matter jurisdiction subject to reasonable time limits on the issue and individual speakers as established by the Chair.

(b) Upon referral, or if the request is made to the committee in the first instance, the Committee Chair shall place the matter on the committee's agenda. If the committee determines that the matter should be referred to the Board, or if it is considered by the Board in the first instance, the Chair of the Board shall place the matter on the agenda.

Section 203.7 - M.I. 32113 - January 10, 1978; amended and renumbered Sections 203.7.1 and 203.7.2 by M.I. 36412 - December 9, 1986. Section 203.7 repealed and Section 2143 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37492 - January 10, 1989.

#### **§ 2146. Use of Board and Committee Facilities.**

All requests for use of the Board and committee rooms shall be submitted to the Executive Secretary, and the use of such rooms by outside agencies and groups shall be limited to matters connected with water.

Section 203.8 - M.I. 33453 - October 14, 1980; amended by M.I. 33484 - November 18, 1980. Section 203.8 repealed and Section 2144 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

#### **§ 2147. Availability for Public Inspection of Certain Board and Committee Material.**

The Executive Secretary shall make available, for inspection by the public prior to commencement of and during a Board or Board committee meeting, copies of the meeting agenda and of any written or videotaped materials that are not exempt from public disclosure under Sections 10200 - 10205 and that have been distributed in advance to the Board or committee members for discussion or consideration at the meeting. If non-exempt written or videotaped materials are distributed to the members during their discussion at the meeting, copies thereof shall be made available for public inspection at the same time or as soon thereafter as practicable. Upon request, the District shall provide facilities for public viewing of videotaped materials distributed to Board members.

Section 203.9 - M.I. 33523 - December 9, 1980. Section 203.9 repealed and Section 2145 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 39036 - June 11, 1991.

#### **§ 2148. Time limits upon presentations.**

Members of the public addressing the Board shall be limited to three minutes at each meeting. Organizations shall be limited to a total of five minutes if more than one representative wishes to speak. Each director may speak for no more than three minutes on each matter before the Board. The Chair, or the Board by majority vote, may allow additional time.

M.I. 40164 - April 13, 1993.

## Chapter 2

### BOARD OFFICERS

Sec.

2200. Establishment of Offices

2201. Terms of Office: Limitations

2202. Selection of Officers

2203. Vacancy in Office

2204. Delegation of Duties to Vice Chair

2205. Duties of the Chair

2206. Duties of the Secretary of the Board

#### **§ 2200. Establishment of Offices.**

There shall be one office of Chair and one office of Secretary of the Board. There shall be one office of Vice Chair of the Board serving at the pleasure of the Chair. In addition, the Vice Chair with an unexpired term as of January 1, 1999 shall remain in office until the expiration of that term of office.

Organization and Procedures of the Board - July 19, 1976; amended by M.I. 33453 - October 14, 1980; Sections 201.1 and 201.1.1, renumbered January 8, 1985. Section 201.2.1 repealed and Section 2200 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 39911 - November 10, 1992; amended by M.I. 41147 - December 13, 1994.

#### **§ 2201. Terms of Office; Limitations.**

(a) The term of office of officers of the Board shall commence on January 1 of the year immediately following their election.

(b) A director may serve as a Board officer for not more than two consecutive full two-year terms.

(c) A director shall not be eligible to serve in a combination of offices of the Board, as a nonofficer member of the Executive Committee or as an ex officio member thereof for more than four consecutive full two-year terms except that any member may serve in the office of Chair for two consecutive full two-year terms without regard to previously held office and may thereafter serve as a member of the Executive Committee in the capacity as a past Chair.

Organization and Procedures of the Board - July 19, 1976; amended by M.I. 32690 - April 10, 1979; M.I. 33453 - October 14, 1980; M.I. 34399 - September 14, 1982; and M.I. 34673 - April 12, 1983; Sections 201.1.2 through 201.1.2.3, renumbered January 8, 1985. Section 201.2.2 repealed and Section 2201 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (c) amended by M.I. 37406 - November 8, 1988.

**§ 2202. Selection of Officers.**

The Chair shall be nominated by the Special Nominating Committee or from the floor and elected in even-numbered years at the October meeting of the Board. The Secretary shall be nominated by the Special Nominating Committee or from the floor and elected in even-numbered years at the November meeting of the Board. One Vice Chair shall be selected by the Chair, with the approval of the Executive Committee and Board, and shall serve at the pleasure of the Chair. Selection of the offices shall be made without regard to the regions which are represented.

Section 201.1.3, Organization and Procedures of the Board - July 19, 1976; repealed by M.I. 33453 - October 14, 1980; Section 201.1.4 - M.I. 32213 - March 14, 1978; previous Section 201.1.4 repealed by same M.I.; amended by M.I. 32996 - November 13, 1979; amended and renumbered as 201.1.3 by M.I. 33453 - October 14, 1980; amended by M.I. 34673 - April 12, 1983; renumbered Section 201.2.3 by January 8, 1985; amended by M.I. 36240 - August 19, 1986. Section 201.2.3 repealed and Section 2202 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 39449 - February 11, 1992; amended by M.I. 39911 - November 10, 1992; amended by M.I. 41147 - December 13, 1994.

**§ 2203. Vacancy in Office.**

Whenever a vacancy occurs in an office of Chair or Secretary of the Board during a term of office, nominations shall be submitted to and an election shall be held by the Board to fill the vacancy within 90 days of the date of the vacancy if there remain 90 days or more in the term at the time the vacancy occurs.

Section 201.1.4 - M.I. 34673 - April 12, 1983; renumbered Section 201.2.4 on January 8, 1985. Section 201.2.4 repealed and Section 2203 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2204. Delegation of Duties to Vice Chair.**

The Vice Chair selected by the Chair shall act in the Chair's absence, failure or inability to act. The Chair shall assign one or more duties of the Chair to the Vice Chair selected by the Chair and to the Vice Chair serving the remainder of the unexpired term.

Section 201.1.5 Organization and Procedures of the Board - July 19, 1976; amended by M.I. 32213 - March 14, 1978; amended and renumbered Section 202.1.4 by M.I. 33453 - October 14, 1980; renumbered Section 201.1.5 by M.I. 34673 - April 12, 1983; renumbered Section 201.2.5 - January 8, 1985. Section 201.2.5 repealed and Section 2204 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2205. Duties of the Chair**

As prescribed by the Board, the Chair's duties include:

- (a) Presiding over meetings of the Board;
- (b) Ex officio membership on standing or special committees as designated in this Code;
- (c) Making committee appointments as set forth in this Code; and
- (d) Other Board duties not specifically delegated to another Board officer or director.

Section 201.2.6 - M.I. 36265 - September 9, 1986. Section 201.2.6 repealed and Section 2205 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§2206. Duties of the Secretary of the Board.**

The duties of the Secretary of the Board are to:

- (a) Sign all Board Meeting Minutes; and,
- (b) Sign all official Board documents on behalf of the Board, unless signature of an item has been delegated to the Executive Secretary or another person.

### Chapter 3

#### RULES GOVERNING COMMITTEES

Sec.

- 2300. Definitions
- 2301. Special Meetings
- 2302. Reports
- 2303. Record of Actions
- 2304. Quorum
- 2305. Joint Meetings
- 2306. Adjournment of Meetings
- 2307. Attendance of Committees
- 2308. Obligations of Staff
- 2309. Meetings Open to Public
- 2310. Ad Hoc Committees
- 2311. Subcommittees
- 2312. Temporary Membership on Committees
- 2313. Agendas
- 2314. Resolution of Conflicting Committee Recommendations
- 2315. Standing Committee Inspection Trips

#### **§ 2300. Definitions.**

Unless otherwise qualified in this Chapter, the term "committee" includes standing committee, special committee, ad hoc committee, and subcommittee.

Organization and Procedures of the Board - July 13, 1976. Section 213.1 repealed and Section 2300 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2301. Special Meetings.**

Special meetings of any committee shall be called upon order of its chair or by a majority of the members of the committee. Notice of special meetings shall be provided as set forth in Section 2102 of this Code.

Organization and Procedures of the Board - July 13, 1976. Section 213.2 repealed and Section 2301 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2302. Reports.**

The reports of the committees shall be in writing. Reports of standing, special and ad hoc committees shall be addressed to the Board; reports of a subcommittee shall be addressed to its parent standing committee.

Organization and Procedures of the Board - July 13, 1976; Section 213.3 amended by M.I. 33453 - October 14, 1980. Section 213.3 repealed and Section 2302 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2303. Record of Actions.**

Except as to matters which may lawfully be considered or acted upon in closed session, a record shall be kept of the actions taken by each committee and a member of the staff shall be designated for the purpose. The record shall indicate the attendance at the time each action was taken.

Organization and Procedures of the Board - July 13, 1976; Section 213.4 amended by M.I. 334935 - November 18, 1980. Section 213.4 repealed and Section 2303 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2304. Quorum.**

A quorum of a committee shall be a majority of the membership of a committee. Committees shall function in the absence of a quorum.

Organization and Procedures of the Board - July 13, 1976. Section 213.5 repealed and Section 2304 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2305. Joint Meetings.**

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

Organization and Procedures of the Board - July 13, 1976. Section 213.6 repealed and Section 2305 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2306. Adjournment of Meetings.**

The Executive Secretary may declare regular or adjourned regular meetings of committees or subcommittees adjourned when no committee or subcommittee members are present at such meetings. The Executive Secretary shall give notice of committee or subcommittee meeting adjournment in the manner established by statute and otherwise function as clerk of the committees and subcommittees for the purpose of any statute.

Section 213.7 based on M.I. 30940 - July 8, 1975. Section 213.7 repealed and Section 2306 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 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.

Section 213.8 based on M.I. 21175 - February 14, 1961. Section 213.8 repealed and Section 2307 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2308. Obligations of Staff.**

All references and assignments to Board committees include, without the necessity of specific instruction, the request to the District's staff to render assistance and perform such functions and services to the committees as may be requested. Such references and requests shall be routed through the appropriate Department Head or his/her designee, or the Board Executive Officer.

Section 213.9 based on M.I. 19298 - January 27, 1959; repealed by M.I. 33453 - October 14, 1980; Section 213.10 based on M.I. 19810 - July 21, 1959; renumbered Section 213.9 by M.I. 33453 - October 14, 1980. Section 213.9 repealed and Section 2309 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2309. Meetings Open to Public.**

The provisions of Sections 2105(b) through 2105(d) shall apply to committee meetings.

Paragraphs (a) and (b) [formerly Sections 213.11 through 213.11.2] - M.I. 33493 - November 18, 1980; paragraph (c) [formerly Section 213.11.3] added by M.I. 33600 - February 10, 1981 and amended by M.I. 35061 - March 13, 1984; renumbered Section 213.10 by M.I. 35469 - January 8, 1985. Section 213.10 repealed and Section 2309 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraphs (a) and (b) repealed and paragraph (c) amended and renumbered Section 2309 by M.I. 37492 - January 10, 1989.

**§ 2310. Ad Hoc Committees.**

Ad Hoc Committees may be created by the Board to undertake special assignments on behalf of the Board. An ad hoc committee shall exist for a specified term or until its special assignments are completed, whichever comes first, but its existence may be extended for an added term or added assignments by action of the Board. Unless otherwise specified, members of an ad hoc committee shall be appointed by the Chair of the Board and shall serve at the Chair's pleasure.

Organization and Procedures of the Board - July 19, 1976; Section 212.2 amended by M.I. 33453 - October 14, 1980. Section 212.2 repealed and Section 2310 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2311. Subcommittees.**

With the approval of the Chair of the Board, subcommittees may be created by any standing committee of the Board to undertake specific assignments on behalf of the committee. The standing committee creating a subcommittee shall establish the term of the subcommittee and may extend such term as it deems desirable. At least two thirds of a subcommittee's membership shall be from the parent committee, and shall be appointed by the chair of the subcommittee's parent committee and shall serve at the chair's pleasure. The remaining at large members shall be appointed by the chair of the parent committee after consultation with the Chair of the Board. An at large member who is the Chair of a subcommittee becomes a member of the parent committee for the time period that member serves as Chair of the subcommittee.

Organization and Procedures of the Board - July 19, 1976; Section 212.3 amended by M.I. 33453 - October 14, 1980.  
Section 212.3 repealed and Section 2311 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987;  
amended by M.I. 42193 - December 10, 1996

**§ 2312. Temporary Membership on Committees.**

Whenever any member of a Standing, Special or Ad Hoc Committee is absent from a committee assignment for an extended period the Chair of the Board may appoint another director to serve on such committee in place of the absent director for the duration of the absence whenever such appointment is deemed to be important to the effective functioning of the committee.

Section 212.4 - M.I. 34825 - August 17, 1983. Section 212.4 repealed and Section 2312 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2313. Agendas.**

Committee agendas shall be prepared, posted and acted upon in the same manner as required for Board meetings.

Section 213.11 - M.I. 36412 - December 9, 1986. Section 213.11 repealed and Section 2313 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37492 - January 10, 1989.

**§ 2314. Resolution of Conflicting Committee Recommendations.**

Whenever the recommendations of two or more committees, not including the Executive Committee, to which a matter has been referred for initial consideration differ, such matter shall be considered by the Executive Committee whose recommendation on such matter shall be presented to the Board as the sole committee recommendation. If a conflict arises concerning a matter referred to the Executive Committee, as well as other committees, for initial consideration can not be resolved by the Executive Committee, the recommendation of each committee shall be presented to the Board.

M.I. 40010 - January 12, 1993.

**§ 2315. Standing Committee Inspection Trips.**

When deemed to be of value by the Executive Committee, any standing, special, sub, or ad hoc committee may schedule one- or two-day inspection trips that will aid its members in the deliberations of matters before that committee. Trips of longer duration require approval by the Chairman and Board officers. Such inspection trips should be coordinated through the Communications Division.

M.I. 40768 - April 12, 1994.

**Chapter 4**

**STANDING COMMITTEES**

Article		Sec.
1	General	2400
2	Executive Committee	2410
3	Engineering and Operations Committee	2430
4	Budget and Finance Committee	2440
5	[Repealed]	2450
6	Legal and Claims Committee	2460
7	Water Planning and Resources Committee	2470
8	Committee on Communications and Legislation	2480

**Article 1**

**GENERAL**

Sec.

- 2400. Identification of Standing Committees
- 2401. Officers and Members of Standing Committees

**§ 2400. Identification of Standing Committees.**

The Standing Committees of the Board of Directors are:

Executive Committee

Engineering and Operations Committee

Budget and Finance Committee

Legal and Claims Committee

Water Planning and Resources Committee

## Committee on Communications and Legislation

Organization and Procedures of the Board - July 19, 1976. Section 211.1.1 repealed and Section 2400 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40715 - March 8, 1994; amended by M.I. 41389 - May 9, 1995; amended by M.I. 42193 - December 10, 1996; amended by M.I. 42892 - April 14, 1998.

**§ 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 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.

(b) Chair and Vice Chair of standing committees with the exception of the Executive Committee are to be appointed in even-numbered years at the December meeting of the Board for a two-year term commencing on January 1 of odd-numbered years. No director shall be appointed to the same committee office for more than two consecutive full terms.

(c) The Chair of the Board or the Vice Chair to whom the Chair has assigned the Chair's membership pursuant to Section 2204 is a member ex-officio, with right to vote, of all standing and special committees of the Board. However, the Chair nor the Vice Chair to whom the Chair's membership has been assigned shall not be considered a member of any committee of which the officer is a member ex-officio for the purpose of determining whether a quorum of the committee is present unless the Chair or Vice Chair is actually present at the meeting of the committee.

Organization and Procedures of the Board - July 19, 1976; Section 211.1.2 amended by M.I. 32213 - March 14, 1978. Paragraph (a) [formerly Section 211.1.2.1] amended by M.I. 32690 - April 10, 1979; paragraph (b) [formerly Section 211.1.2.2] amended by M.I. 32996 - November 13, 1979; paragraph (a) amended by M.I. 34889 - October 11, 1983; amended by M.I. 36240 - August 19, 1986; see also Ords. 113 and 133, repealed by Ord. 146. Section 211.1.2 through 211.1.2.2 repealed and Sections 2401(a) and (b) adopted by M.I. 36464 - January 13, 1987; paragraph (a) amended by M.I. 40011 - January 12, 1993; paragraph (a) amended by M.I. 40715 - March 8, 1994; paragraph (a) amended by M.I. 42193 - December 10, 1996; paragraph (a) amended by M.I. 42631 - September 9, 1997.

Paragraph (c) [formerly Section 211.1.2.4], Ords. 113 and 133; repealed by Ord. 146; added, as amended, by M.I. 32690 - April 10, 1979; renumbered 211.1.2.3 by M.I. 34673 - April 12, 1983; amended by M.I. 35592 - April 9, 1985. Section 211.1.2.3 repealed and Section 2401(c) adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36811 - September 22, 1987; paragraph (a) amended by M.I. 37570 - March 14, 1989; paragraph (a) amended by M.I.42892 - April 14, 1998.

## Article 2

### EXECUTIVE COMMITTEE

Sec.

- 2410. Membership
- 2411. Selection of Nonofficer Members
- 2412. Vacancy in Membership
- 2413. Term of Office for Nonofficer Members
- 2414. Limitation on Service
- 2415. Officers
- 2416. Time of Regular Meeting
- 2417. Duties and Functions
- 2418. Action by Board Officers
- 2419. Subcommittee on Rules
- 2420. Subcommittee on Organization and Personnel
- 2421. Subcommittee on Real Property and Asset Management

#### **§ 2410. Membership.**

The membership of the Executive Committee shall consist of the Chair, Vice Chair, Secretary, all past Chairs of the Board who are directors of the District, six additional directors as nonofficer members, and the Chairs of the five standing committees in addition to the Executive Committee, as ex officio members. In addition, two additional nonofficer members shall be appointed as transitional members to the Committee by the Chair of the Board to serve from January 1, 1999 to January 1, 2000. 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.

Organization and Procedures of the Board - July 19, 1976; Section 211.2.1.1 amended by M.I. 32213 - March 14, 1978, M.I. 32996 - November 13, 1979, M.I. 33453 - October 14, 1980; M.I. 34186 - April 13, 1982; M.I. 34301 - July 13, 1982; M.I. 34399 - September 14, 1982; and M.I. 34673 - April 12, 1983; amended by M.I. 36455 - January 13, 1987. Section 211.2.1.1 repealed and Section 2410 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37406 - November 8, 1988; amended by M.I. 40715 - March 8, 1994; amended by M.I. 42193 - December 10, 1996.

**§ 2411. Selection of Nonofficer Members.**

Nonofficer members of the Executive Committee, except for the two transitional members, shall be nominated by the Special Nominating Committee or from the floor and elected at the December meeting of the Board. Three of the six nonofficer members shall be nominated and elected in even-numbered years and three in odd-numbered years.

M.I. 34673 - April 12, 1983; text in former Section 211.2.1.2 Organization and Procedures of the Board - July 19, 1976; amended by M.I. 32690 - April 10, 1979; M.I. 33453 - October 14, 1980; and M.I. 34399 - September 14, 1982; see also Ords. 113 and 133; repealed by Ord. 146 now included in Section 2414(b). Section 211.2.1.2 repealed and Section 2411 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2412. Vacancy in Membership.**

Whenever a vacancy occurs in the membership of the nonofficer members of the Executive Committee during a term of office, nominations shall be submitted to and an election shall be held by the Board to fill the vacancy within 90 days of the date of the vacancy if there remain 90 days or more in the term at the time the vacancy occurs.

Section 211.2.1.3 - M.I. 34673 - April 12, 1983; amended by M.I. 35592 - April 9, 1985. Section 211.2.1.3 repealed and Section 2412 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2413. Term of Office for Nonofficer Members.**

The term of office for nonofficer members shall be two years and shall commence on January 1 of the year immediately following their election.

Section 211.2.1.4 - M.I. 34673 - April 12, 1983. Section 211.2.1.4 repealed and Section 2413 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2414. Limitation on Service.**

(a) Each director may be elected as a nonofficer member of the Executive Committee for not more than two consecutive full two-year terms.

(b) Subject to Section 2415, a member of the Executive Committee other than ex officio members shall not serve as the Chair of any Standing Committee other than the Executive Committee; this restriction shall not apply to any special, interim, temporary or subcommittee appointed from time to time to resolve current problems, or to meet special conditions.

Section 211.2.1.5 - M.I. 34673 - April 12, 1983. Section 211.2.1.5 repealed and Section 2414 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2415. Officers.**

The Chair of the Board shall be the Chair of the Executive Committee and the Vice Chairs of the Board shall be the Vice Chairs of the Executive Committee and their terms shall be concurrent with their terms as officers of the Board.

Section 211.2.1.6 - M.I. 34673 - April 12, 1983. Section 211.2.1.6 repealed and Section 2415 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2416. Time of Regular Meeting.**

The Executive Committee shall hold two regular meetings. The first meeting shall be held on the Tuesday which is two weeks prior to the Tuesday on which the regular Board meeting is held. The second meeting shall be held on the Tuesday on which regular Board meetings are held beginning at 8:00 a.m.

Organization and Procedures of the Board - July 19, 1976. Section 211.2.2 repealed and Section 2416 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36563 - April 14, 1987; amended by M.I. 40004 - January 12, 1993; amended by M.I. 40110 - March 9, 1993, amended by M.I. 40376 - August 24, 1993.

**§ 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) Official dealings with the United States Government, the State of California or other states, member public agencies or their subagencies, foreign governments and other entities or persons in matters of public policy or other activities as deemed appropriate;

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

(d) Major policy issues to be considered by the Board, including proposed amendments to the Metropolitan Water District Act;

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

(f) The terms and conditions of employment of all consultants and advisors not within the jurisdiction of other committees.

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

(h) Monitor the progress of, and propose modifications to, the Board's goals in light of then existing and projected future conditions;

(i) The Executive Committee shall retain ultimate responsibility for those duties as are specifically assigned to the subcommittees of the Executive Committee as set forth in sections 2419, 2420, and 2421.

(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 inspection dates and monitor conduct of inspection trips to assure maximum effectiveness.

Section 211.2.3 - Organization and Procedures of the Board - July 19, 1976; paragraph (b) [formerly Section 211.2.3.2] amended by M.I. 32869 - August 17, 1979; section amended by M.I. 32924 - September 18, 1979; paragraphs (e), (f) and (h) [formerly Sections 211.2.3.5, 211.2.3.6 and 211.2.3.8] amended by M.I. 33453 - October 14, 1980; paragraph (h)(4) [formerly Section 211.2.3.8.4] added by M.I. 34399 - September 14, 1982. Section 211.2.3 repealed and Section 2417 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; new paragraphs (g), (h), (i) and (j) added, former paragraphs (g) and (h) renumbered, new paragraphs (l)(5), (6) and (7) added by M.I. 40004 - January 12, 1993; paragraph (a) deleted and paragraphs renumbered by M.I. 40715 - March 8, 1994; paragraph (5) deleted and subsequent paragraphs renumbered by M.I. 40715 and M.I. 40728 - March 8, 1994.

**§ 2418. Action by Board Officers.**

If, in the opinion of the Chair, it is impracticable that the full committee perform a function to be performed by the Executive Committee between regular meetings, such function may be performed by the Officers of the Board, acting at a meeting called for that purpose, with equal effect as if performed by the full committee.

Section 211.2.4 - M.I. 35855 - November 19, 1985. Section 211.2.4 repealed and Section 2418 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2419. Subcommittee on Rules**

Within the Executive Committee there shall be a Subcommittee on Rules, consisting of six members of the Executive Committee appointed by, and serving at the pleasure of, the Chair of the Executive Committee. The Subcommittee on Rules shall:

(a) Review and approve board and committee agendas without further action by the Executive Committee. Notwithstanding the jurisdiction of standing committees in this Code, the Subcommittee on Rules shall have the authority to direct which committee shall consider an item.

(b) Review and approve the scheduling of board and committee meetings.

(c) Study, advise and make recommendations with regard to policies and procedures to be considered by the Board, or committees thereof, except for proposed amendments to the Metropolitan Water District Act or this Code affecting the organization and personnel policies of the District, the acquisition, ownership and sale of land by the District, or other policy matters within the jurisdiction of a specific standing committee.

**§ 2420. Subcommittee on Organization and Personnel.**

Within the Executive Committee there shall be a Subcommittee on Organization and Personnel consisting of nine members appointed by, and serving at the pleasure of, the Chair of the Executive Committee. Six of the members of this subcommittee shall be members of the Executive Committee, and three members of the subcommittee will not be members of the Executive Committee, but appointed at large from the members of the board. The Subcommittee on Organization and Personnel is to study, advise and make recommendations with regard to:

(a) The form of the District's organization and the flow of authority and responsibility.

(b) Periodic independent reviews and studies of the organization, classification of positions, job duties, salaries, and salary ranges.

(c) Relations between the District and its employees including all matters affecting wage, hours, pension plans and other employee benefits, and other terms and conditions of employment.

(d) Areas of special concern to the District and its employees, including, but not limited to, equal employment opportunity, affirmative action, and work rules pertaining to the health and safety of employees.

(e) Policies and rules regarding the employment, discipline and discharge of District officers and employees;

(f) The selection of the Department Heads, the scope of their duties, and the annual interview and evaluation of the performance of each Department Head, including recommendations to the Executive Committee on the salary and other compensation of each Department Head in advance of the June meetings, with any changes to be effective at the start of the payroll period nearest to July 1;

(g) Proposed amendments to the Metropolitan Water District Act and Code affecting the organization and personnel policies of the District.

**§ 2421. Subcommittee on Real Property and Asset Management.**

Within the Executive Committee there shall be a Subcommittee on Real Property and Asset Management consisting of nine members appointed by, and serving at the pleasure of, the Chair of the Executive Committee. Six of the members of this subcommittee shall be members of the Executive Committee, and three members of the subcommittee will not be members of the Executive Committee, but appointed at large from the members of the board. The Subcommittee on Real Property and Asset Management is to study, advise and make recommendations with regard to:

- (a) Proposed rules and proposals regarding business development opportunities, including real property transactions.
- (b) Policies for the acquisition of rights-of-way;
- (c) The purchase, sale, and leasing of land and buildings, including the performance of oversight and coordination of the District's various office and garage space needs.
- (d) The incidental use of land in farming operations and otherwise;
- (e) The operation and maintenance of buildings;
- (f) The selection of appraisers and the determination of the scope of their assignments;
- (g) The fixing of purchase price, and the initiation and conduct of condemnation and other proceedings relating to the purchase or sale of land or interests in property and related negotiations, including holding the hearing and making recommendations to the Board of Directors as to whether to adopt a resolution of necessity to acquire property by eminent domain, as set forth in Section 8207(a);
- (h) The purchase, management and disposition of personal property assets such as equipment and vehicles;
- (i) Proposed amendments to the Metropolitan Water District Act and Code affecting the acquisition, ownership and sale of land by the District;
- (j) Approval and oversight of facilities master plans, including budgeting for capital improvements and long-term facilities commitments; and,

- (k) Approval and oversight of information technology strategies, projects and activities, including budgeting and tracking of information technology resources and asset management.

### Article 3

#### ENGINEERING AND OPERATIONS COMMITTEE

Sec.

2430. Time of Regular Meetings

2431. Duties and Functions

#### **§ 2430. Time of Regular Meetings.**

The regular meetings of the Engineering and Operations Committee shall be held on the Monday preceding regular Board meetings beginning at 9:30 a.m.

Organization and Procedures of the Board - July 19, 1976. Section 211.3.1 repealed and Section 2430 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37432 - December 13, 1988.

#### **§ 2431. Duties and Functions.**

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

- (a) Plans, specifications and bids;
- (b) The initiation, scheduling, contracting, and performance of construction programs and work, and the equipment or materials to be used, replaced, disposed of, or salvaged;
- (c) The operation, protection, and maintenance of the plants and facilities required for the production, exchange, sale, storage, treatment, and delivery of water and power and for the storage and treatment of water; and for the distribution of electrical energy to the aqueduct pumping plants;
- (d) The providing of storage and distribution facilities and connections for the delivery of water;
- (e) Such matters as may come to its attention on inspection trips of the aqueduct works which the committee shall make at least once a year;
- (f) Construction claims;
- (g) Engineering aspects of State Water Project facilities;
- (h) The selection of engineering and geologic consultants and the determination of the scope of their assignments;
- (i) Energy matters in general;
- (j) Consider the effect on the District of existing and proposed federal, state, and local water quality and environmental statutes and regulations;

(k) Consider issues related to the quality of water furnished by the District to its member agencies;

(l) Review the effect of water quality issues on the water supply available in the District's service area.

(m) Study, advise, and make recommendations regarding environmental compliance and requirements.

(n) Monitor changes in desalination technology.

(o) Proposed amendments to the Metropolitan Water District Act affecting the engineering and operations functions of the District.

Organization and Procedures of the Board - July 19, 1976; Sections 211.3.2 amended and paragraph (j) [formerly Section 211.3.2.10] added by M.I. 32924 - September 18, 1979. Section 211.3.2 repealed and Section 2431 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

## Article 4

### BUDGET AND FINANCE COMMITTEE

Sec.

2440. Time of Regular Meetings

2441. Duties and Functions

#### **§ 2440. Time of Regular Meetings.**

The regular meetings of the Budget and Finance Committee shall be held on the Monday preceding regular Board meetings beginning at 12:30 p.m.

Organization and Procedures of the Board - July 19, 1976; Section 211.4.1 amended by M.I. 31897 - August 19, 1977. Section 211.4.1 repealed and Section 2440 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36563 - April 14, 1987; amended by M.I. 40004 - January 12, 1993; amended by M.I. 42193 - December 10, 1996.

#### **§ 2441. Duties and Functions.**

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

- (a) Preparation of budgets;
- (b) Sale of bonds and borrowing and repayment of money;
- (c) Disposition and investment of funds;
- (d) Authorization of appropriations;
- (e) The determination of revenues to be obtained through sales of water, water standby or availability of service charges, and the levying of taxes;
- (f) The financial impact and requirements of policies concerning annexation;
- (g) The financial aspects of the District's risk management program;
- (h) Questions pertaining to insurance coverage and self-insurance;
- (i) The selection of financial and insurance consultants and the determination of the scope of their assignments;
- (j) Form and contents of accounts, financial reports, and financial statements;
- (k) Proposed amendments to the Metropolitan Water District Act affecting the finance and insurance functions of the District;
- (l) Policies and procedures related to budget development and cost containment;

(m) Goals and objectives related to financial planning for Metropolitan, including but not limited to revenues, operating expenses, reserve policies, internally funded construction, debt management, investments and capital financing strategies.

(n) The selling prices of water and conditions governing sales of water;

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

(p) Policies regarding the sale of water for various uses;

(q) Policies regarding allocation of water standby or availability of service revenue requirements among member public agencies;

(r) Water standby or availability of service charges within the District;

(s) Review and make recommendations regarding determinations by the General Manager with respect to appeals concerning readiness-to-serve charges, new demand charges, and connection maintenance charges, and report its recommendations, as appropriate, to affirm or reverse the General Manager's determinations.

(t) Review and make recommendations regarding appeals from determinations by the General Manager to deny or qualify an application for exemption from the water standby charge, and report its recommendations, as appropriate, to affirm or reverse the General Manager's determinations.

[Article 5 - Land Committee, Sec. 2450, Repealed - M.I. 42193 - December 10, 1996]

**Article 6**

**LEGAL AND CLAIMS COMMITTEE**

Sec.

2460. Time of Regular Meetings

2461. Duties and Functions

2462. [Repealed]

**§ 2460. Time of Regular Meetings.**

The regular meetings of the Legal and Claims Committee shall be held on the Monday preceding regular Board meetings beginning at 9:30 a.m.

Organization and Procedures of the Board - July 19, 1976. Section 211.6.1 repealed and Section 2460 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36563 - April 14, 1987; amended by M.I. 37432 - December 13, 1988; amended by M.I. 39500 - March 10, 1992; amended by M.I. 41450 - June 13, 1995; amended by M.I. 42504 - July 8, 1997.

**§ 2461. Duties and Functions.**

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

- (a) Litigation and claims brought by or against the District;
- (b) Condemnation matters, when they involve settlements requiring Board approval and inverse condemnation matters;
- (c) Public liability insurance matters, including self-insurance aspects, and matters pertaining to errors and omissions insurance;
- (d) Policy considerations concerning District contracts;
- (e) The selection of candidates for consideration by the Executive Committee to serve as the General Counsel and Assistant General Counsel and the determination of the scope of the assignments of the General Counsel;
- (f) The selection of special counsel and the determination of the scope of their assignments;
- (g) Proposed amendments of the Metropolitan Water District Act and the Public Employees' Retirement Law, legislation dealing with public agencies, and proposed District ordinances;
- (h) The organization and contents of the Code;

(i) Legal aspects and legal consequences of executed memorandum of understanding between the General Manager and an organization representing employees.

Organization and Procedures of the Board - July 19, 1976; paragraph (f) [formerly Section 211.6.2.6] amended by M.I. 32690 - April 10, 1979; amended and paragraph (h) [formerly Section 211.6.2.8] added by M.I. 32924 - September 18, 1979; paragraph (f) amended by M.I. 35058 - March 13, 1984. Section 211.6.2 repealed and Section 2461 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (e) amended, new paragraph (f) added, and other paragraphs renumbered by M.I. 40010 - January 12, 1993.

[§ 2462 repealed by M.I. 37529 - February 14, 1989.]

Organization and Procedures of the Board - July 19, 1976. Section 211.7.1 repealed and Section 2470 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36563 - April 14, 1987; amended by M.I. 37432 - December 13, 1988; amended by M.I. 39500 - March 10, 1992; amended by M.I. 40004 - January 12, 1993.

Organization and Procedures of the Board - July 19, 1976; Section 211.7.2 amended and paragraphs (h) and (i) [formerly Sections 211.7.2.8 and 211.7.2.9] added by M.I. 32924 - September 18, 1979. Section 211.7.2 repealed and Section 2471 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (h) amended by M.I. 40010 - January 12, 1993; paragraph (j) added by M.I. \_\_\_\_\_ - September 14, 1998.

**Article 7**

**WATER PLANNING AND RESOURCES COMMITTEE**

Sec.

2480. Time of Regular Meetings

2481. Duties and Functions

**§ 2480. Time of Regular Meetings.**

The regular meetings of the Water Planning and Resources Committee shall be held on the Monday preceding regular Board meetings beginning at 12:30 p.m.

Organization and Procedures of the Board - July 19, 1976; Section 211.8.1 amended by M.I. 32086 - December 13, 1977. Section 211.8.1 repealed and Section 2480 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36563 - April 14, 1987; amended by M.I. 37432 - December 13, 1988; amended by M.I. 39500 - March 10, 1992; amended by M.I. 40004 - January 12, 1993; amended by M.I. 41389 - May 9, 1995.

**§ 2481. Duties and Functions.**

The Water Planning and Resources Committee shall study, advise, and make recommendations with regard to:

- (a) Policies, sources, and means of importing water required by the District;
- (b) Changes in the District's aqueduct system to provide for the changing needs of the District's member agencies;
- (c) Policies and procedures regarding the delivery and exchange of water for various uses;
- (d) Policies regarding annexation and the requirements, procedures, terms, and conditions for annexations;
- (e) Energy matters relating to water supply;
- (f) Policies regarding water conservation, reclamation, reuse and underground storage of water and the use thereof;
- (g) Proposed amendments to the Metropolitan Water District Act affecting the water or annexation policies of the District.
- (h) Study, advise and make recommendations regarding the protection of the District's water supply from, and mitigation of the impacts of water development on, the Bay/Delta Estuary;
- (i) Study, advise and make recommendations regarding comprehensive solutions to Bay/Delta Estuary problems which will benefit water supply reliability, water quality and environmental and other beneficial instream uses of the waters of the Bay/Delta Estuary;

(j) Study, advise and make recommendations regarding the Integrated Resource Planning Process; and

(k) Consider the effect of existing and proposed federal, state and local environmental, water supply and water conveyance statutes and regulations on the District's interest in the Bay/Delta Estuary.

Organization and Procedures of the Board - July 19, 1976; Sections 211.8.2 amended and paragraph (h) [formerly Section 211.8.2.8] added by M.I. 32924 - September 18, 1979. Section 211.8.2 repealed and Section 2481 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraphs (e) through (f) added and following paragraphs renumbered by M.I. 37449 - December 13, 1988; amended by M.I. 41389 - May 9, 1995.

## Article 8

### COMMUNICATIONS AND LEGISLATION COMMITTEE

Sec.

2490. Time of Regular Meetings

2491. Duties and Functions

#### **§ 2490. Time of Regular Meetings.**

The regular meetings of the Communications and Legislation Committee shall be held on the Monday preceding regular Board meetings beginning at 2:30 p.m.

M.I. 40715 - March 8, 1994; amended by M.I. 42892 - April 14, 1998.

#### **§ 2491. Duties and Functions.**

The Communications and Legislation 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;

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

(f) Review the effectiveness of Metropolitan's public affairs, government affairs and external communications efforts;

(g) Provide direction to the Communications Division to ensure pro-active, timely messages, which reflect Board policies, and Metropolitan programs and activities to the member agencies and the general public; and,

(h) The selection of public information consultants and the determination of the scope of their assignment.

M.I. 40715 - March 8, 1994; amended by M.I. 42193 - December 10, 1996; paragraph (g) amended by M.I. 42892 - April 14, 1998

**Chapter 5**

**OTHER COMMITTEES: MISCELLANEOUS COMMITTEE MATTERS**

Article		Sec.
1	Special Committees	2500
2	Special Nominating Committee	2520
3	[Repealed]	2530
4	[Repealed]	2540
5	Special Audit Committee	2560
8.5	[Repealed]	
10	[Repealed]	

**Article 1**

**SPECIAL COMMITTEES**

Sec.

2500. General

**§ 2500. General.**

Special committees may be created by the Board to undertake special assignments on behalf of the Board and shall report directly to the Board unless otherwise directed. A special committee shall continue in existence indefinitely. Unless otherwise specified, members of a special committee shall be appointed by the Chair of the Board and shall serve at the Chair's pleasure.

Organization and Procedures of the Board - July 19, 1976; Section 212.1.1 amended by M.I. 33453 - October 14, 1980; amended by M.I. 36225 - August 19, 1986. Section 212.1.1 repealed and Section 2500 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

## Article 2

### SPECIAL NOMINATING COMMITTEE

Sec.

2520. Membership

2521. Term of Members

2522. Duties and Functions

#### § 2520. Membership.

Five directors selected at large. Three members of the Special Nominating Committee shall be appointed at the February meeting of the Board in odd-numbered years, and two members shall be appointed at the February meeting of the Board in even-numbered years, by the Chairman of the Board with the approval of the Executive Committee and the Board. With the exception of its ex officio members, no member of the Executive Committee shall be eligible to serve as a member of this Special Nominating Committee.

Organization and Procedures of the Board - July 19, 1976; Section 212.1.3.1 amended by M.I. 32213 - March 14, 1978; M.I. 34399 - September 14, 1982; M.I. 34430 - October 12, 1982; amended by M.I. 34570 - February 8, 1983. Section 212.1.3.1 repealed and Section 2520 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

#### § 2521. Term of Members.

The term of members of the Special Nominating Committee shall be two years beginning on March 1 immediately following the member's appointment for a regular term. No member of the Special Nominating Committee shall serve more than two consecutive full terms.

Organization and Procedures of the Board - July 19, 1976; Section 212.1.3.2 amended by M.I. 32213 - March 14, 1978; M.I. 32604 - February 13, 1979 and M.I. 32996 - November 13, 1979; amended by M.I. 34370 - August 18, 1982; M.I. 34399 - September 14, 1982; and M.I. 34570 - February 8, 1983; amended by M.I. 35592 - April 9, 1985. Section 212.1.3.3 repealed and Section 2521 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

#### § 2522. Duties and Functions.

(a) The Special Nominating Committee shall nominate members for the offices of Chairman and Secretary of the Board, and nonofficer members of the Executive Committee so as to provide, insofar as practical, adequate regional representation for the benefit of the entire District. More than one member may be nominated for each of the offices.

(b) The Special Nominating Committee shall establish procedures for the fair and impartial election of members to the offices of Chairman and Secretary of the Board, including, but not limited to, sponsorship of forums for communication of the views of the candidates to Board members.

Nominations by the committee shall be made at the meeting of the Board at which an election is scheduled. Written notice of any proposed nomination shall be given by the committee to each director at least 20 days prior to the scheduled date of the election.

(c) Members of the Special Nominating Committee may be nominated by the committee. If a member is under consideration, he shall be so advised by the committee and shall immediately cease further participation in the committee's deliberations and action on that office.

Organization and Procedures of the Board - July 19, 1976; Section 212.1.3.3 amended and paragraph (c) [formerly Section 212.1.3.3.3] added by M.I. 32213 - March 14, 1978; paragraph (b) [formerly Section 212.1.3.3.2] amended by M.I. 34673 - April 12, 1983. Section 212.1.3.3 repealed and Section 2522 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

[Article 3 - Special Budget and Financial Analysis Committee, Sec. 2530 - 2532, Repealed]

[Article 4 - Special Committee for Communications Study, Sec. 2540 - 2541, Repealed]

Section 212.1.6.3 - M.I. 36155 - July 8, 1986. Section 212.1.6.3 repealed and Section 2552 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 39207 - September 17, 1991; paragraph (b) amended by M.I. 41389 - May 9, 1995; amended by M.I. 41633 - November 14, 1995; amended by M.I. 42193 - December 10, 1996.

## Article 5

### SPECIAL AUDIT COMMITTEE

Sec.

2560. Membership

2561. Duties and Functions

#### § 2560. Membership.

The Special Audit Committee shall consist of eleven members selected at large by the Chairman of the Board after consulting with the Chair of each of the standing committees. At least three of the members shall be members of the Budget and Finance Committee and each of the Board's other four standing committees shall be represented by at least one member.

M.I. 39358 - December 10, 1991; previously Section 2570 renumbered Section 2560 and amended by M.I. 40004 - January 12, 1993 (previous section 2560 was repealed by M.I. 40004); amended by M.I. 41600 - October 10, 1995; amended by M.I. 42193 - December 10, 1996.

#### § 2561. Duties and Functions.

(a) The Special Audit Committee shall study, advise, and make recommendations with regard to:

(1) All reports of the Auditor and external auditors, including the audited financial statements of the District.

(2) The Audit Department's Charter, annual work plan and annual budget.

(3) The selection of candidates for consideration by the Executive Committee to serve as the Auditor and the selection of the Assistant Auditor, as well as the external auditors or special audit consultants, and the determination of the scope of their assignments.

(4) Requests from the other executive officers or from other committees of the Board for audits and reviews not included in annual work plan.

(5) The Auditor's performance and compensation for purposes of evaluation by the Executive Committee and the Subcommittee on Organization and Personnel pursuant to Sections 2417(i) and 2420(f), respectively.

(b) Except as otherwise provided in this section, the Special Audit Committee shall submit its recommendations and reports to such committees as it deems to have an interest in the subject of the recommendations and to the Executive Committee.

M.I. 39358 - December 10, 1991; previously Section 2571 renumbered Section 2561 and paragraphs (a)(3) and (b) amended by M.I. 40010 - January 12, 1993 (previous section 2561 was repealed by M.I. 40004); paragraph (a)(5) added by M.I. 40691 - February 8, 1994; paragraphs (a)(2), (a)(4) and (a)(5) amended by M.I. 41600 - October 10, 1995; paragraph (b) amended by M.I. 41633 - November 14, 1995.

**Chapter 6**  
**DIRECTORS**

Article	Sec.
1    General	2600
2    Inspection Trips	2610
3    Responsibilities of New Directors	2615
4    Miscellaneous	2620

**Article 1**  
**GENERAL**

Sec.

2600. Directors. Assumption of Office

**§ 2600. Assumption of Office.**

(a) Before entering upon the duties of his office, each person appointed to be a director shall take and subscribe to an oath or affirmation conforming to that prescribed by Section 3 of Article XX of the California Constitution. Said oath or affirmation shall only be taken before a District officer or employee authorized to administer the oath.

(b) A person shall assume all rights and powers and be subject to all liabilities, duties and obligations of a director upon the taking of the oath administered in accordance with the provisions of Section 2600(a).

Section 201.1 - M.I. 35470 - January 8, 1985. Section 201.1 repealed and Section 2600 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

## Article 2

### INSPECTION TRIPS

Sec.

2610. Authorization

2611. Colorado River Aqueduct System

2612. State Water Project

2613. One-Day Inspection Trips

2614. General Provisions

#### **§ 2610. Authorization.**

During each fiscal year (July 1 to June 30) each of the District's directors may sponsor field inspection trips of District and related facilities for the purpose of providing leading citizens and other interested persons, preferably from the agency represented by the director, with firsthand knowledge of the District's operations, as follows:

Either (A) one two-day trip or one three-day trip over the Colorado River Aqueduct System under Section 2611 and one one-day trip under Section 2613, or (B) three one-day trips over local State Water Project and District facilities and one one-day trip under Section 2613.

Res. 7651 - September 16, 1975; Section 401.1 amended by M.I. 32339 - July 11, 1978, repealed and new Chapter 401 reenacted by M.I. 33178 - March 11, 1980; Section 401.1 amended by M.I. 35592 - April 9, 1985; amended by M.I. 35785 - September 10, 1985; amended by M.I. 35852 - November 19, 1985. Section 401.1 repealed and Section 2610 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40768 - April 12, 1994.

#### **§ 2611. Colorado River Aqueduct System.**

(a) The District will provide at its expense transportation, meals and lodging for trips over the Colorado River Aqueduct System and the District areas served by the aqueduct.

(b) The trip will include a stopover at the District Gene Field Headquarters guest lodge for either one night or two successive nights. Transportation is to be provided by a chartered bus or the District's van with driver. Lodging is to be provided at the Gene Field Headquarters guest lodge and meals and incidental expenses for members of the party are to be provided both en route and at Gene Field Headquarters.

(c) Lodging at District expense on Colorado River Aqueduct System trips is to be confined to lodging at Gene Field Headquarters guest lodge except in the event of lack of accommodations at the guest lodge.

Res. 7651 - September 16, 1975; repealed and new Chapter 401 reenacted by M.I. 33178 - March 11, 1980; paragraph (b) [formerly Section 401.2.1] amended by M.I. 35592 - April 9, 1985. Section 401.2 repealed and Section 2611 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40768 - April 12, 1994.

### **§ 2612. State Water Project.**

A two-day or a three-day inspection trip over State Water Project facilities is available upon written request indicating the reason for the proposed trip and a participants list in conformance with Section 2614. The Executive Committee must approve each trip.

(b) Transportation, meals and lodging for the three-day trips will be provided by the District at its expense. District facilities should be used whenever possible. If hotel or motel accommodations are required, moderately priced, double rooms shall be provided.

(c) When air travel is used, the District will pay the cost of air travel accident insurance in the amount of \$50,000 for each guest and the incidental expenses of the guests.

Res. 7651 - September 16, 1975; repealed and new Chapter 401 reenacted by M.I. 33178 - March 11, 1980; paragraph (a) [formerly Section 401.3] amended by M.I. 35785 - September 10, 1985. Section 401.3 repealed and Section 2612 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40768 - April 12, 1994.

### **§ 2613. One-Day Inspection Trips.**

The District will provide at its expense a chartered bus or the District's van with driver for inspection of District and State Water Project facilities. In addition, the District will provide at its expense normal meals that occur during the inspection trip and will pay the incidental expenses of the guests.

Res. 7651 - September 16, 1975; repealed and new Chapter 401 reenacted by M.I. 33178 - March 11, 1980; Section 401.4 amended by M.I. 35592 - April 9, 1985. Section 401.4 repealed and Section 2613 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40768 - April 12, 1994.

### **§ 2614. General Provisions.**

(a) The purpose of these trips is to disseminate District information; provide elected and appointed officials, members of the business and environmental communities, members of the media, and other leading citizens and interested persons from each member public agency with visual inspection of District and related facilities; and acquaint them with issues facing the water industry and the District's operations, programs, and objectives, both present and future. Each director shall be responsible for the individual selection of guests, the choice of inspection trip and the inspection trip dates.

(b) It is each director's obligation to periodically sponsor inspection trips.

(c) In order to give these educational inspection trips the broadest coverage, it shall be the practice to avoid having repeat guests. Generally, inspection trip guests should be selected from within

the area of the public agency represented by the sponsoring director. Each director should strive to select guests who occupy positions of leadership in their communities and other interested persons.

(d) Directors who have a limited number of opinion leaders whom they feel would be of benefit to Metropolitan to include on an inspection trip may co-sponsor a trip with another director in a like situation.

(e) Directors shall accompany their guests on inspection trips they sponsor except in cases of illness, emergency or other exceptional circumstances, and shall accompany them throughout all portions of the trip.

(f) The number of invited guests on any District inspection trip shall not exceed 36.

(g) District expense for transportation and meals on any inspection trip is to be limited to the normal travel routes to and from District facilities.

(h) If the director sponsoring the trip so desires, a reasonable amount of time will be set aside during the inspection trip for a discussion of the water problems of the member public agency as they relate to the District. Reasonable distribution of written material concerning the member public agency also will be permitted.

(i) Itineraries, transportation, lodging and meals for District inspection trips shall be standardized to the extent possible in order to minimize costs. Variations from standard itineraries to accommodate special conditions may be authorized by the Executive Committee.

(j) Directors are urged to consider scheduling their Colorado River Aqueduct inspection trips for Thursday, Friday and Saturday or Saturday, Sunday, and Monday rather than Friday, Saturday, and Sunday in order to allow two trips to be conducted over the same weekend and, thus, accommodate more directors' requests for preferred-month dates.

(k) Trip groups numbering ten or less may be required to share the Gene Field Headquarters guest lodge with another group or groups.

(l) The Communications Division will not accept reservations for inspection trips prior to April 1 for the following fiscal year.

(m) Inspection trip dates are assigned on a date/time-request-received basis. Conflicts will be resolved by consultation with affected directors. Continuing disputes shall be resolved by the Executive Committee.

(n) In the event a director is unable to schedule a trip because of lack of an open date when he/she submits his/her reservation, he/she shall be accorded priority the next fiscal year.

(o) Alcoholic beverages will not be provided at District expense.

(p) Tipping of District employees, is strictly prohibited and any employee accepting a gratuity is subject to dismissal. The Communications Representative on the trip will handle the tip for the bus driver and any other tips which are appropriate.

(q) All necessary expenses of any District director or any member of the District staff incurred in connection with any of the above trips will be paid by the District.

(r) The Executive Committee may permit directors within the same member public agency to transfer inspection trips among themselves if the subcommittee determines that the transfer is in the best interests of the District. Acceptance of an inspection trip sponsored by another director shall not affect a director's right to sponsor an inspection trip under the other provisions of this chapter. Directors of one public agency may not transfer their inspection trips to directors of another public agency.

Res. 7651 - September 16, 1975, as amended by Res. 7665 - April 13, 1976, M.I. 32339 - July 11, 1978, M.I. 32690 -- April 10, 1979, M.I. 32869 - August 17, 1979, M.I. 32944 - October 9, 1979, and M.I. 33042 - December 11, 1979 repealed and new Chapter 401 - Section 401.5 reenacted by M.I. 33178 - March 11, 1980; paragraphs (k) and (m) [formerly Sections 401.5.11 and 401.5.13] amended by M.I. 35592 - April 9, 1985; paragraphs (h), (m) and (o) [formerly Sections 401.5.8, 401.5.13 and 401.5.15] amended by M.I. 35765 - August 20, 1985; paragraph (m) amended by M.I. 35992 - March 11, 1986. Section 401.5 repealed and Section 2614 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40768 - April 12, 1994.

**Article 3**

**RESPONSIBILITIES OF NEW DIRECTORS**

Sec.

2615. Obligations

2616. Inspection Trip Sponsorship Duty

**§ 2615. Obligations.**

It is the obligation of new members of the Board of Directors to participate in orientation and training.

(a) New director inspection trips of Colorado River Aqueduct and Eastside Reservoir Project facilities shall be scheduled quarterly by the Communications Division.

(b) Each new appointee to the Board within the first six months of being seated shall arrange for a member of the Communications Division staff to provide a one-day orientation excursion to view various local District facilities.

M.I. 40768 - April 12, 1994.

**§ 2616. Inspection Trip Sponsorship Duty.**

New directors are encouraged to participate as soon as possible in an inspection trip of the Colorado River Aqueduct system being sponsored by a fellow director, and, subsequently, to sponsor such a trip within his/her first year on the Board.

M.I. 40768 - April 12, 1994.

## Article 4

### MISCELLANEOUS

Sec.

2620. Identification

2621. Blood Donations

#### **§ 2620. Identification.**

Identification cards shall be issued to all directors.

Section 409.1 based on M.I. 22585 - December 11, 1962. Section 409.1 repealed and Section 2620 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; Article 3 renumbered by M.I. 40768 - April 12, 1994.

#### **§ 2621. Blood Donations.**

Directors are now included as eligible recipients in the Employees' Association's blood bank. This eligibility also includes members of the immediate families of Metropolitan directors, whether or not said parties have ever donated blood, regardless of where the blood or derivatives are needed in the United States. "Immediate family" is defined as spouse, child, mother, father, brother, or sister.

Section 409.3 - M.I. 28948 - November 9, 1971; renumbered Section 409.2 by M.I. 35592 - April 9, 1985.  
Section 409.2 repealed and Section 2621 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**Chapter 7**

**PERIODIC STAFF REPORTS TO BOARD AND COMMITTEES**

Article	Sec.
1 Annual Reports	2700
2 Semi-annual Reports	2715
3 Quarterly Reports	2720
4 Monthly Reports	2740
5 Miscellaneous Reports	2750

**Article 1**

**ANNUAL REPORTS**

Sec.

2700. General Manager's Annual Reports

2701. Treasurer's Annual Reports

**§ 2700. General Manager's Annual Reports.**

The General Manager shall annually make the following reports:

(a) To the Board:

- (1) On financial matters generally;
- (2) After consulting with the General Counsel, on the results of his review made pursuant to Section 5204 of District compliance with minimum fund requirements outlined in Sections 5201-5204 and with the articles and covenants contained in resolutions of issuance;
- (3) On all leases made during the preceding year under the authority of Section 8222 and 8223; and
- (4) On the status of appropriations pursuant to Section 5108(c).

(b) To the Engineering and Operations Committee on all consulting agreements in effect during the preceding year and the exercise of authority under Section 8103(k). Each such report shall indicate when a consultant is a former employee of the District.

**§ 2701. Treasurer's Annual Reports.**

The Treasurer shall annually make the following reports:

- (a) To the Board, on the investment policy of the District.
- (b) To the Budget and Finance Committee:
  - (1) All payments after loss of a bond interest coupon made pursuant to Section 5104; and
  - (2) All issuances of duplicate bonds made pursuant to Section 5105.

Section 2701 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (b) amended by M.I. 42193 - December 10, 1996.

**Article 2**

**SEMI-ANNUAL REPORTS**

Sec.

2715. General Manager's Semi-Annual Reports

**§ 2715. General Manager's Semi-Annual Reports.**

The General Manager shall semi-annually report to the Executive Committee on the implementation of Sections 6300-6305 and on the status of the Affirmative Action Program.

Section 2715 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

### Article 3

#### QUARTERLY REPORTS

Sec.

2720. General Manager's Quarterly Reports

2721. General Counsel's Quarterly Reports

2722. Auditor's Quarterly Reports

#### **§ 2720. General Manager's Quarterly Reports.**

The General Manager shall quarterly make the following reports:

(a) To the Engineering and Operations Committee:

- (1) On service connections approved by the General Manager pursuant to Sections 4700-4708 with the estimated cost and approximate location of each;
- (2) On the execution of any relocation agreements involving an amount in excess of \$100,000 under the authority of Section 8118(a);
- (3) On the execution of any contract authorized pursuant to Section 8121; and
- (4) On the status of the Local Projects Program, including the execution of any Local Projects Program agreements under the authority of Section 4516.

(b) To the Subcommittee on Real Property and Asset Management:

- (1) Deeds or grants accepted during the preceding quarter;
- (2) Easements, or similar rights, granted during the preceding quarter under the authority of Section 8220, and shall also include in such report any relocation or protection agreement made in connection therewith;
- (3) All leases made during the preceding quarter under the authority of Sections 8222 and 8223;
- (4) The details of any transactions during the preceding quarter in which an improvement was disposed of in such a manner as to make the improvement available for subsequent use by a party other than the District; and
- (5) Property sold pursuant to the authority granted by Section 8240 et seq.
- (6) The status of all information technology projects throughout the organization.

(c) To the Legal and Claims Committee, jointly with the General Counsel, the exercise of any power delegated to them by Sections 6431, 6433 and 6434.

(d) To the Subcommittee on Organization and Personnel on the employment of any consultant, the extension of any consulting agreement, and on the exercise of authority under Section 8103(k) and 8117 during the preceding calendar quarter. The report covering the last calendar quarter of the year may be combined with and included in the annual report. Each such report shall indicate when a consultant is a former employee of the District.

(e) To the Water Planning and Resources Committee on the status of the Local Projects Program, including the execution of any Local Projects Program agreements under the authority of Section 4516.

Section 2720 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraphs (a) and (d) amended by M.I. 39036 - June 11, 1991; paragraphs (a)(4) and (b)(e) added by M.I. 39080 - July 9, 1991; paragraph (f) added by M.I. 39840 - September 15, 1992; paragraph (f) repealed by M.I. 40768 - April 12, 1994; paragraph (e) amended by M.I. 41389 - May 9, 1995; paragraph (c) amended by M.I. 41615 - October 10, 1995; paragraph (b) amended by M.I. 42193 - December 10, 1996.

### **§ 2721. General Counsel's Quarterly Reports.**

The General Counsel shall quarterly report to the Executive Committee the exercise of any power delegated to him by Section 6431.

Section 2721 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

### **§ 2722. Auditor's Quarterly Reports.**

The Auditor shall report to the Executive Committee the exercise of any power delegated to him by Section 6452.

M.I. 40603 - January 13, 1987, effective April 1, 1987.

## Article 4

### MONTHLY REPORTS

Sec.

2740. General Manager's Monthly Reports

2741. General Counsel's Monthly Reports

2742. Treasurer's Monthly Reports

#### **§ 2740. General Manager's Monthly Reports.**

(a) The General Manager shall monthly make a report to the Board providing a summary of receipts and expenditures and variances thereof from estimates.

(b) The General Manager shall monthly report to the Board the execution of any power or transmission contract authorized by Section 8118(c) and any transaction made under such contract.

Section 2740 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (b) added by M.I. 37096 - April 12, 1988.

#### **§ 2741. General Counsel's Monthly Reports.**

The General Counsel shall monthly make the following reports:

(a) To the Board, a determination as to eligibility of securities invested in by the Treasurer in the preceding month.

(b) To the Legal and Claims Committee, any changes made by staff in the organization of the Code and in the titles of divisions, chapters, sections and subsections.

Section 2741 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (b) amended by M.I. 37529 - February 14, 1989.

#### **§ 2742. Treasurer's Monthly Reports.**

The Treasurer shall monthly make the following reports:

(a) To the Board, transactions made pursuant to the delegation made by Section 5101(a).

(b) To the Board and to the General Manager, a report showing the type of investment, institution, date of maturity, amount of deposit, current market value for all securities with a maturity of more than 12 months, and rate of interest. The report shall specify in detail investments in repurchase or reverse repurchase agreements made pursuant to subdivision (i) of Section 53601 and subdivision (i) of Section 53635 of the Government Code. The report shall also state its relationship to the statement of investment policy. A subsidiary ledger of investments may be used in the report in accordance with accepted accounting practices.

Section 2742 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**Article 5**

**MISCELLANEOUS REPORTS**

Sec.

2750. Escheat to District of Unclaimed Funds

2751. Report of Exercise of Authority

2752. Rejection of Bids

**§ 2750. Escheat to District of Unclaimed Funds.**

The Treasurer shall file a report with the Budget and Finance Committee after each publication made pursuant to Section 5113 regarding moneys unclaimed in the District treasury.

Section 2750 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 42193 - December 10, 1996.

**§ 2751. Report of Exercise of Authority.**

The General Manager shall report to the next following meeting of the Budget and Finance Committee of the Board any exercise of authority pursuant to Sections 5300-5303.

Section 2751 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 42193 - December 10, 1996.

**§ 2752. Rejection of Bids.**

The General Manager shall, whenever the lowest bid that is rejected is \$125,000 or more, report the action to the Engineering and Operations Committee.

Section 2752 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 39036 - June 11, 1991.

**§ 4304. Apportionment of Revenues and Setting of Water Rates and Charges to Raise Firm Revenue.**

(a) Not later than at its December meeting the General Manager shall present to the Budget and Finance Committee of the Board determinations of the total revenues and of the revenues to be derived from water sales and firm revenue sources, if any, required during the fiscal year beginning the following July 1 as determined by the General Manager in accordance with current Board policies.

(b) Not later than at its December meeting the Budget and Finance Committee shall consider the General Manager's determinations made pursuant to Section 4304(a).

(c) Not later than at its January meeting the General Manager shall present to the Budget and Finance Committee recommendations of rates for the various classes of water to become effective the following July 1, which rates shall be the General Manager's determination, made in accordance with current Board policies, of the rates necessary to produce substantially the revenues to be derived from

water sales during the fiscal year beginning the following July 1 which the Budget and Finance Committee has determined to be necessary.

(d) The General Manager shall also present to the Budget and Finance Committee at its January meeting recommendations regarding the imposition of a water standby charge or an availability charge to become effective the following July 1, which charge shall be the General Manager's determination, made in accordance with current Board policies, of the charge necessary to produce substantially the revenues to be derived from firm revenue sources, if any, exclusive of taxes, during the fiscal year beginning the following July 1 which the Budget and Finance Committee has determined to be necessary.

(e) Not later than its January meeting the Budget and Finance Committee shall set a time or times for, and shall thereafter hold, one or more meetings of the Budget and Finance Committee to be held prior to its regular March meeting at which interested parties may present their views regarding the proposed water rates to said committee.

(f) The Budget and Finance Committee shall also make at its January meeting a preliminary determination of the type of firm revenue, if any, to be raised for the following fiscal year and recommend to the Board a form of resolution of intention to impose either a water standby charge or an availability of service charge sufficient to raise such firm revenue, exclusive of taxes, to become effective the following July 1, to implement such determination. The committee shall also recommend to the Board that it (1) authorize and direct the General Manager to satisfy all notice requirements for implementation of such charge and (2) set dates, times and locations for, and thereafter hold, prior to the regular April meeting, one or more adjourned meetings of the Board, for public hearings and consideration of the imposition of the charge, at which interested parties may present their views regarding the proposed charge. In the alternative, the notice of the dates, times and locations of the public hearings may be stated in the resolution of intention.

(g) At its regular March meeting the Budget and Finance Committee shall make its determination regarding the water rates to become effective the following July 1 and shall recommend said rates to the Board at the Board's regular March meeting.

(h) At its March meeting, the Board shall establish water rates for deliveries beginning the following July 1.

(i) Not later than its regular May meeting, the Budget and Finance Committee shall make its final determination regarding the firm revenue charge, if any, to become effective the following July 1, and shall recommend such charge, if any, to the Board at its regular May meeting.

(j) Not later than its May meeting, the Board shall consider and take action upon the recommendations, if any, of the Budget and Finance Committee regarding a firm revenue source, exclusive of taxes, to be effective the following July 1.

(k) Proposals for changes in water rates to become effective at times other than on July 1 shall require adequate notice to the public and a hearing before such proposals are acted upon by the Board, unless the Board finds that an immediate change in water rates is urgent.

and other paragraphs renumbered by M.I. 39976 - December 8, 1992; paragraphs (b) through (g), (i) and (j) amended by M.I. 41389 - May 9, 1995; paragraphs (a)-(d) amended by M.I. 42193 - December 10, 1996.

### § 5202. Fund Parameters.

The minimum cash and securities to be held in the various ledger funds as of June 30 of each year shall be as follows:

(a) For the Revenue Remainder Fund cash and securities on hand on June 30 of each year shall be equal to the portion of fixed costs of the District estimated to be recovered by water sales revenues for the eighteen months beginning with the immediately succeeding July 1. Such funds are to be used in the event that revenues are insufficient to pay the costs of the District.

(b) For the Pay-As-You-Go Fund, cash and securities on hand on June 30 of each year shall be at least equal to one-half of the estimated amount needed to fund pay-as-you go expenditures, as defined in Section 5109, during the next fiscal year.

(c) Amounts remaining in the Revenue Remainder Fund and Pay-As-You-Go Fund collectively on June 30 of each year after meeting the requirements set forth in Section 5202 (a) and (b) shall be transferred to the Water Rate Stabilization Fund and, to the extent required under Section 5202 (d), to the Water Treatment Surcharge Stabilization Fund.

(d) After making the transfer of funds as set forth in Section 5202 (c), a determination shall be made to substantially identify the portion, if any, of such transferred funds attributable to collections of treatment surcharge revenue in excess of waters treatment cost. Such funds shall be transferred to the Water Treatment Surcharge Stabilization Fund to be available for the principal purpose of mitigating required increases in the surcharge for water treatment. If such determination indicates a deficiency in treatment surcharge revenue occurred during the fiscal year, a transfer of funds shall be made from the Water Treatment Surcharge Stabilization Funds as needed to reimburse funds used for the deficiency. Notwithstanding the principal purpose of the Water Treatment Surcharge Stabilization Fund, amounts assigned to this fund shall be available for any other lawful purpose of the District.

(e) Amounts in the Water Rate Stabilization Fund shall be held for the principal purpose of maintaining stable and predictable water rates and charges. The amount to be held in the Water Rate Stabilization Fund shall be targeted to be equal to the portion of the fixed costs of the District estimated to be recovered by water sales revenues during the two years immediately following the eighteen-month period referenced in Section 5202 (a). Funds in excess of such targeted amount shall be utilized for capital expenditures of the District, in lieu of the issuance of additional debt, or for the redemption, defeasance, or purchase of outstanding bonds or commercial paper of the District, as determined by the Board. Provided that the District's fixed charge coverage ratio is at or above 1.2, amounts in the Water Rate Stabilization Fund may be expended for any lawful purpose of the District, as determined by the Board of Directors.

SS\jb

pcdocs #13364

**ATTACHMENT 8-10B****§ 1202. Principal Place of Business.**

The principal place of business and office of the district shall be in the building at ~~350 South Grand Avenue~~ 700 North Alameda Street, in the City of Los Angeles, State of California, which building shall be known and designated as "Headquarters Building, The Metropolitan Water District of Southern California."

Ords. 3, 17, 96 and 113; repealed by Ord. 146; Section 110.2 added, as amended, by M.I. 32690 - April 10, 1979; renumbered Section 110.3 by M.I. 36282 - September 9, 1986. Section 110.3 repealed and Section 1202 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40976 - August 19, 1994.

**§ 2100. Regular Meetings.**

Regular meetings of the Board shall be held on the second Tuesday of each month, at the hour of ~~12:30 p.m.~~ 10:00 a.m.; provided that if said Tuesday falls upon a holiday designated in Section 1106 hereof, such regular meeting shall be held at ~~12:30 p.m.~~ 10:00 a.m. on the next business day, and the staff shall arrange its affairs accordingly.

Organization and Procedures of the Board - July 19, 1976; amended by M.I. 32690 - April 10, 1979 and M.I. 33414 - September 8, 1980; see also Ords. 85 and 113; repealed by Ord. 146; Sections 201.2 and 201.2.1 renumbered Section 201.3.1 January 8, 1985; amended by M.I. 35590 - April 9, 1985. Section 201.3.1 repealed and Section 2100 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36563 - April 14, 1987; amended by M.I. 37492 - January 10, 1989; amended by M.I. 39500 - March 10, 1992.

**§ 2101. Special Meetings.**

In accordance with Government Code Section 54956 special meetings of the Board may be called by the Chair of the Board, or by a majority of the directors. The Executive Secretary shall be responsible for arranging deliveries of special meeting notices and for receiving written waivers of notice. Directors shall be notified of special meetings.

The call and notice shall be posted at least 24 hours prior to the special meeting in the public reception area of the District's Headquarters Building.

Ord. 113; repealed by Ord. 146; added, as amended, by M.I. 32690 - April 10, 1979; Section 201.2.2 renumbered Section 201.3.2 January 8, 1985; amended by M.I. 36412 - December 9, 1986. Section 201.3.2 repealed and Section 2101 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37492 - January 10, 1989.

**§ 2102. Emergency Meetings.**

The Executive Secretary shall be responsible for providing the notice of emergency meetings and the public postings required by Government Code Section 54956.5.

Section 201.2.3 - M.I. 34112 - February 9, 1982; renumbered Section 201.3.3 January 8, 1985; amended by M.I. 36412 - December 9, 1986. Section 201.3.3 repealed and Section 2102 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37492 - January 10, 1989.

**§ 2103. Place of Meetings.**

All regular meetings of the Board shall be held in the room known and designated as the "Board Room" located in the District's Headquarters Building; provided, that if, by reason of fire, flood, earthquake, or other emergency, it shall be unsafe to meet in said Board Room, the meetings may be held for the duration of such emergency at such place as is designated by the Chair, either within or without the boundaries of the District, in which event notice of such place of meeting shall be given by the Executive Secretary in the same manner required under Government Code Section 54956 for special meetings.

Ords. 85, 96 and 113; repealed by Ord. 146; Section 201.2.4 added, as amended, by M.I. 32690 - April 10, 1979; further amended by M.I. 33453 - October 14, 1980; renumbered by M.I. 34112 - February 9, 1982; Section 201.2.5 renumbered Section 201.3.5 January 8, 1985. Section 201.3.5 repealed and Section 2104 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; renumbered to Section 2103 and amended by M.I. 37492 - January 10, 1989 (previous Section 2103 repealed).

[§ 2104 - repealed by M.I. 37722 - June 13, 1989]

**§ 2105. Closed Meeting Procedure.**

(a) The Chair shall be responsible for ensuring that procedural requirements, other than requirements for notice, are fulfilled when a closed meeting is held. The Executive Secretary shall be responsible for fulfilling any notice requirements relating to closed meetings. The General Counsel shall be responsible for the preparation of any documents required by Government Code Section 54956.9 with regard to litigation. The General Counsel, General Manager and when appropriate the Auditor shall designate staff members and others who shall remain in the closed session to assist the Board in its deliberations. The General Counsel shall also designate staff members to record the minutes of the closed meeting.

(b) No person attending a closed session may disclose any matter discussed in the session where to do so would be contrary to the purpose for which the session was held. Any director who has not attended a closed session and wishes to be advised of the content of the session may inquire of any director who attended the closed session. The person contacted may advise the inquiring director of the content of the session. The advised director shall not disclose the matter for which the session was held.

(c) If a director, a Department Head, or a person other than a District staff member is reported to have violated Section 2105(b), the matter shall be referred to the Executive Committee for investigation and consideration of any appropriate action warranted including, but not limited to, legal action, censure, removal from one or more committee assignments, and recommendation to the member's appointing agency that steps be taken to remove that individual from the Board. Before taking any action and as part of the consideration, the Executive Committee shall provide the person under investigation with an opportunity to meet with it or a subcommittee appointed by it, and present reasons and evidence why action should not be taken.

(d) If a member of the staff is reported to have violated Section 2105(b), the matter shall be referred to the appropriate Department Head for investigation; the Department Head shall report to the

Executive Committee any action taken including, but not limited to, legal action and initiation of discipline.

Ords. 85 and 113; repealed by Ord. 146; Sections 201.2.5.3 through 201.2.5.5 added, as amended, by M.I. 32690 - April 10, 1979; amended by M.I. 33493 - November 18, 1980; renumbered Sections 201.2.6.6.4 through 201.2.6.6.5 by M.I. 34112 - February 9, 1982; renumbered Sections 201.3.9 through 201.3.9.2 and amended by M.I. 35469 - January 8, 1985 Sections 201.3.9 through 201.3.9.2 repealed and Sections 2108(a) through 2108(b) adopted by M.I. 36464 - January 13, 1987; renumbered to Section 2105, paragraphs (a) and (b) deleted and new language adopted by M.I. 37492 - January 10, 1989 (previous Sections 2106 through 2107 repealed).

Sections 201.2.5.6.1 through 201.2.5.6.3 - M.I. 33600 - February 10, 1981; renumbered Sections 201.2.6.6.1 through 201.2.6.6.3 and amended by M.I. 34112 - February 9, 1982; amended by M.I. 35061 - March 13, 1984; renumbered Sections 201.3.9.3 through 201.3.9.5 - January 8, 1985. Sections 201.3.9.3 through 201.3.9.5 repealed and Sections 2108(c) through 2108(e) adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; renumbered to Section 2105(b) through (d) by M.I. 37492 - January 10, 1989; Section 2105 paragraph (a) amended by M.I. 41684 - December 14, 1995.

### **§ 2106. Adjourned Meetings.**

If all members are absent from any regular or adjourned regular meeting, the Executive Secretary may declare the meeting adjourned and shall cause a written notice of the adjournment to be given pursuant to Government Code Section 54955 which shall be posted in the public reception area of the District's Headquarters Building.

Ord. 113; repealed by Ord. 146; Section 201.2.6 added, as amended, by M.I. 32690 - April 10, 1979; renumbered Section 201.2.7 and amended by M.I. 34112 - February 9, 1982; renumbered Section 201.3.10 - January 8, 1985. Section 201.3.10 repealed and Section 2109 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended and renumbered 2106 by M.I. 37492 - January 10, 1989.

### **§ 2107. Legal Department Representation.**

In order to maintain continuity of legal advice, a second representative of the Legal Department shall attend with the General Counsel all meetings of the Board to the extent possible.

Section 203.1 based on M.I. 20914 - October 11, 1960. Section 203.1 repealed and Section 2110 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended and renumbered Section 2107 by M.I. 37492 - January 10, 1989.

### **§ 2108. Minutes.**

Minutes of the Board meeting shall be prepared and mailed to each director as soon as convenient after each meeting. Such minutes shall not include the text of ordinances and resolutions adopted, which shall be recorded in separate volumes by the Executive Secretary. Minutes of the Board and monthly reports filed therewith are to be sent to the city clerks and water departments of the member public agencies who have requests on file with the Executive Secretary for such material.

Section 203.2 based on M.I. 147 - May 13, 1929, M.I. 435 - December 27, 1929, and M.I. 15950 - September 28, 1954. Section 203.2 repealed and Section 2111 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended and renumbered Section 2108 by M.I. 37492 - January 10, 1989.

**§ 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) The Executive Committee shall review the Board agenda prior to the Board meeting, and may remove or defer items on the agenda. Any ~~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, or if less than two-thirds of the members are 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.

Paragraph (a) [formerly Section 203.3.1] based on M.I. 21755 - November 14, 1961 as amended by Consent Calendar Procedure - July 8, 1975; amended by M.I. 34302 - July 13, 1982; paragraph (b) [formerly Section 203.3.2] based on M.I. 21756 - November 14, 1961; and paragraph (c) [formerly Section 203.3.3] based on M.I. 21832 - December 12, 1961; paragraphs (d) and (e) [formerly Section 203.3.4 and 203.3.5] added by M.I. 36412 - December 9, 1986. Section 203.3 repealed and Section 2112 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (e) amended by M.I. 36491 - February 10, 1987; amended and renumbered Section 2109 by M.I. 37492 - January 10, 1989; paragraphs (b)(1) through (b)(3) added, and paragraph (c) deleted, paragraphs (d) and (e) renumbered to (c) and (d) by M.I. 37722 - June 13, 1989; paragraph (e) added by M.I. 39036 - June 11, 1991.

## Article 2

### CONSENT CALENDAR

Sec.

2120. Purpose and Scope

2121. Consent Calendar

2122. Committee Procedure

2123. Board Meeting Procedure

#### **§ 2120. Purpose and Scope.**

It is the purpose of the Consent Calendar procedure to expedite Board consideration of noncontroversial matters so as to enable the Board to devote added time to other matters. The procedure ensures that if any item on the calendar is disputed, individual consideration will be given to it.

Organization and Procedures of the Board - July 19, 1976. Section 202.1 repealed and Section 2120 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

#### **§ 2121. Consent Calendar.**

(a) Consent Calendar items shall be set forth in a separate section of the Board's agenda.

(b) Matters for the Consent Calendar shall be recommended by the Department Heads and shall be submitted to the Executive Secretary not less than seven working days prior to the meeting of the Board and, except as provided below, pertinent materials sufficient to enable a member to formulate an opinion on each Consent Calendar item shall be included with the agenda mailed to directors. Such materials need not be included with the agenda as to matters which are to be considered in committee in closed session, but such materials shall be available at the meeting of the Board for distribution to directors who request them.

(c) Matters may not be placed on the Consent Calendar if a roll call vote is required; if a vote other than a simple majority is required; or if the amount involved is \$2,000,000 or more.

Organization and Procedures of the Board - July 19, 1976; Section 202.3 amended and by M.I. 33453 - October 14, 1980. Paragraph (c) [formerly 202.3.3] previously 202.3.4 amended and renumbered by M.I. 33453 - October 14, 1980; amended by M.I. 34889 - October 11, 1983; amended by M.I. 35592 - April 9, 1985. Section 202.2 repealed and Section 2121 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36811 - September 22, 1987; paragraph (c) amended by M.I. 39036 - June 11, 1991.

#### **§ 2122. Committee Procedure.**

(a) Matters recommended by a Department Head for inclusion on the Consent Calendar shall be so identified on the committee agendas.

(b) A Consent Calendar matter shall be removed if the standing committee to which it has been submitted does not recommend approval with a quorum of the committee present or if it recommends approval only after making changes to the recommendation of the Department Head.

Organization and Procedures of the Board - July 19, 1976. Paragraph (b) [formerly Section 202.3.2] amended by M.I. 35592 - April 9, 1985. Section 202.3 repealed and Section 2122 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36811 - September 22, 1987.

### § 2123. Board Meeting Procedure.

(a) Copies of the Board Agenda shall be made available at the entrance to the Board Room on the day of the Board meeting.

(b) As the first order of business after any ~~invocation or~~ ceremonial matters or opening reports, the Chair shall ask if any director or member of the public requests removal of a Consent Calendar matter. Upon such request, such matter shall be automatically removed from the Consent Calendar and shall be considered in the manner of a regular item; provided, however, that any such matter considered in committee in closed session shall be considered in closed session by the Board.

(c) A motion by any member shall then be in order to approve the remaining matters on the Consent Calendar and the vote thereon shall be on all the matters collectively.

(d) If the vote is favorable, then before the result of the vote is announced, the Chair shall ask whether there are any abstentions or negative votes to be cast on any item and shall cause the Secretary to record such abstention or negative vote. Each matter on the Consent Calendar shall be recorded in the minutes separately and the vote for the Consent Calendar shall be shown as the vote for each matter together with any abstentions or negative votes.

Organization and Procedures of the Board - July 19, 1976. Paragraph (b) [formerly Section 202.4.2] amended by M.I. 33453 - October 14, 1980. Section 202.4 repealed and Section 2123 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36811 - September 22, 1987.

Article 3

MISCELLANEOUS BOARD RULES

Sec.

2140. Duties of the Board Executive Officer

2141 Duties of the Board Executive Secretary

2142. Communications to Board

21413. Monthly Staff Reports

21424. Bid Tabulations

21435. Appearances before Board and Committees

21446. Use of Board and Committee Facilities

21457. Availability for Public Inspection of Certain Board and

Committee Material

21468. Time limits upon presentations

**§ 2140. Duties of the Board Executive Officer.**

Under the direction of the General Manager, the duties of the Board Executive Officer are to:

(a) Provide administrative and ministerial services for the Board and directors; and,

(b) Act as the liaison between the Board and management.

**2141. Duties of the Board Executive Secretary.**

The duties of the Board Executive Secretary are to:

(a) Provide administrative and ministerial services for the Board and directors under the direction of the Board Executive Officer;

(b) Act as the liaison between the Board and management under the direction of the Board Executive Officer;

(c) Accept service of process on behalf of the District; and

(d) Report to the Board Executive Officer.

**§ ~~2140.~~ 2142. Communications to Board.**

(a) A communication from a Department Head to the Board may be withdrawn by the Department Head at any time prior to its approval by a committee. After approval by a committee, a communication may be withdrawn by the Department Head only with the concurrence of the chair of any committee which has approved the recommendation contained in the communication.

(b) The Executive Secretary shall send copies of all items for the Board and other important communications received to the General Manager and the General Counsel unless they already have such copies.

~~(c) Copies of the reports of Department Heads submitting their recommendations on pay rate adjustments for personnel shall be sent to all directors at least ten days in advance of the Board meeting at which said reports are considered.~~

M.I. 16909 - January 24, 1956; M.I. 19888 - August 20, 1959; paragraph (a) [formerly 203.4.1] added and paragraph (b) [formerly 203.4.2] renumbered by M.I. 35027 - February 14, 1984; paragraph (c) [formerly 203.4.3] was former Section 433.5.8.2, added by M.I. 35166 - June 12, 1984 and renumbered 203.4.3 - January 8, 1985. Section 203.4 repealed and Section 2140 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ ~~2141~~ 2143. Monthly Staff Reports.**

The monthly departmental reports of the General Manager and General Counsel shall be mailed in advance of the Board meeting to each director by the department organizing the report but they are not to be distributed at such meeting. These reports are to be orally summarized at the Board meeting mentioning only significant changes from previous reports.

Section 203.5 based on M.I. 12516 - October 14, 1949; M.I. 14449 - July 29, 1952; M.I. 14519 - August 19, 1952; M.I. 19058 - October 14, 1958; M.I. 19151 - November 18, 1958; M.I. 19178 - November 25, 1958; M.I. 30159 - February 5, 1974. Section 203.5 repealed and Section 2141 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ ~~2142~~ 2144. Bid Tabulations.**

Each director is to be furnished with a tabulation of all bids received for each proposed award of contract presented to the Board for approval. Therefore, the reading of that portion of the General Manager's letter listing the bids shall be dispensed with.

Section 203.6 based on M.I. 15251 - September 15, 1953 and M.I. 15348 - November 10, 1953. Section 203.6 repealed and Section 2142 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ ~~2143~~ 2145. Appearances before Board and Committees.**

(a) Persons desiring to appear before the Board at a regular meeting shall so signify when asked by the Chair to do so at the time the agenda item required by Section 2109(d) is called. They shall state the purpose of their appearance. They shall, if the purpose relates to an item already or to be considered by a committee, be referred by the Chair of the Board to the appropriate committee unless the Chair determines that referral is not appropriate or the person expresses a desire to address the Board directly. The person may address the Board on matters within the Board's subject matter jurisdiction subject to reasonable time limits on the issue and individual speakers as established by the Chair.

(b) Upon referral, or if the request is made to the committee in the first instance, the Committee Chair shall place the matter on the committee's agenda. If the committee determines that the matter should be referred to the Board, or if it is considered by the Board in the first instance, the Chair of the Board shall place the matter on the agenda.

Section 203.7 - M.I. 32113 - January 10, 1978; amended and renumbered Sections 203.7.1 and 203.7.2 by M.I. 36412 - December 9, 1986. Section 203.7 repealed and Section 2143 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37492 - January 10, 1989.

§ ~~2144~~ 2146. **Use of Board and Committee Facilities.**

All requests for use of the Board and committee rooms shall be submitted to the Executive Secretary, and the use of such rooms by outside agencies and groups shall be limited to matters connected with water.

Section 203.8 - M.I. 33453 - October 14, 1980; amended by M.I. 33484 - November 18, 1980. Section 203.8 repealed and Section 2144 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

§ ~~2145~~ 2147. **Availability for Public Inspection of Certain Board and Committee Material.**

The Executive Secretary shall make available, for inspection by the public prior to commencement of and during a Board or Board committee meeting, copies of the meeting agenda and of any written or videotaped materials that are not exempt from public disclosure under Sections 10200 - 10205 and that have been distributed in advance to the Board or committee members for discussion or consideration at the meeting. If non-exempt written or videotaped materials are distributed to the members during their discussion at the meeting, copies thereof shall be made available for public inspection at the same time or as soon thereafter as practicable. Upon request, the District shall provide facilities for public viewing of videotaped materials distributed to Board members.

Section 203.9 - M.I. 33523 - December 9, 1980. Section 203.9 repealed and Section 2145 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 39036 - June 11, 1991.

§ ~~2146~~ 2148. **Time limits upon presentations.**

Members of the public addressing the Board shall be limited to three minutes at each meeting. Organizations shall be limited to a total of five minutes if more than one representative wishes to speak. Each director may speak for no more than three minutes on each matter before the Board. The Chair, or the Board by majority vote, may allow additional time.

M.I. 40164 - April 13, 1993.

## Chapter 2

### BOARD OFFICERS

Sec.

2200. Establishment of Offices

2201. Terms of Office: Limitations

2202. Selection of Officers

2203. Vacancy in Office

2204. Delegation of Duties to Vice Chair

2205. Duties of the Chair

2206. Duties of the Secretary of the Board

#### § 2200. Establishment of Offices.

There shall be one office of Chair and one office of Secretary of the Board. There shall be ~~five~~ one offices of Vice Chair of the Board serving at the pleasure of the Chair. ~~including that provided for in Section 59 of the Metropolitan Water District Act, each office to be of equal status. In addition, the Vice Chair with an unexpired term as of January 1, 1999 shall remain in office until the expiration of that term of office.~~

Organization and Procedures of the Board - July 19, 1976; amended by M.I. 33453 - October 14, 1980; Sections 201.1 and 201.1.1, renumbered January 8, 1985. Section 201.2.1 repealed and Section 2200 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 39911 - November 10, 1992; amended by M.I. 41147 - December 13, 1994.

#### § 2201. Terms of Office; Limitations.

(a) The term of office of officers of the Board shall commence on January 1 of the year immediately following their election.

(b) A director may serve as a Board officer for not more than two consecutive full two-year terms.

(c) A director shall not be eligible to serve in a combination of offices of the Board, as a nonofficer member of the Executive Committee or as an ex officio member thereof for more than four consecutive full two-year terms except that any member may serve in the office of Chair for two consecutive full two-year terms without regard to previously held office and may thereafter serve as a member of the Executive Committee in the capacity as a past Chair.

Organization and Procedures of the Board - July 19, 1976; amended by M.I. 32690 - April 10, 1979; M.I. 33453 - October 14, 1980; M.I. 34399 - September 14, 1982; and M.I. 34673 - April 12, 1983; Sections 201.1.2 through

201.1.2.3, renumbered January 8, 1985. Section 201.2.2 repealed and Section 2201 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (c) amended by M.I. 37406 - November 8, 1988.

## § 2202. Selection of Officers.

The Chair shall be nominated by the Special Nominating Committee or from the floor and elected in even-numbered years at the October meeting of the Board. ~~Three of the Vice Chairs and~~ ~~€~~The Secretary shall be nominated by the Special Nominating Committee or from the floor and elected in even-numbered years at the November meeting of the Board, ~~and two Vice Chairs shall be elected in odd-numbered years at the November meeting of the Board.~~ One Vice Chair shall be selected by the Chair, with the approval of the Executive Committee and Board, and shall serve at the pleasure of the Chair. Selection of the offices shall be made without regard to the regions which are represented.

Section 201.1.3, Organization and Procedures of the Board - July 19, 1976; repealed by M.I. 33453 - October 14, 1980; Section 201.1.4 - M.I. 32213 - March 14, 1978; previous Section 201.1.4 repealed by same M.I.; amended by M.I. 32996 - November 13, 1979; amended and renumbered as 201.1.3 by M.I. 33453 - October 14, 1980; amended by M.I. 34673 - April 12, 1983; renumbered Section 201.2.3 by January 8, 1985; amended by M.I. 36240 - August 19, 1986. Section 201.2.3 repealed and Section 2202 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 39449 - February 11, 1992; amended by M.I. 39911 - November 10, 1992; amended by M.I. 41147 - December 13, 1994.

## § 2203. Vacancy in Office.

Whenever a vacancy occurs in an office of Chair, ~~Vice Chair~~, or Secretary of the Board during a term of office, nominations shall be submitted to and an election shall be held by the Board to fill the vacancy within 90 days of the date of the vacancy if there remain 90 days or more in the term at the time the vacancy occurs.

Section 201.1.4 - M.I. 34673 - April 12, 1983; renumbered Section 201.2.4 on January 8, 1985. Section 201.2.4 repealed and Section 2203 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

## § 2204. ~~Designation of~~ Delegation of Duties to Vice Chair.

~~The Chair, or the Executive Committee in the Chair's absence, failure or inability to do so, shall designate a Vice Chair to act in the Chair's absence, failure or inability to act. Such designation shall be in writing.~~ The Vice Chair selected by the Chair shall act in the Chair's absence, failure or inability to act. The Chair shall assign one or more duties of the Chair to the Vice Chair selected by the Chair and to the Vice Chair serving the remainder of the unexpired term.

Section 201.1.5 Organization and Procedures of the Board - July 19, 1976; amended by M.I. 32213 - March 14, 1978; amended and renumbered Section 202.1.4 by M.I. 33453 - October 14, 1980; renumbered Section 201.1.5 by M.I. 34673 - April 12, 1983; renumbered Section 201.2.5 - January 8, 1985. Section 201.2.5 repealed and Section 2204 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

## § 2205. Duties of the Chair

As prescribed by the Board, the Chair's duties include:

(a) Presiding over meetings of the Board;

(b) Ex officio membership on standing or special committees as designated in this Code;

(c) Making committee appointments as set forth in this Code; and

(d) Other Board duties not specifically delegated to another Board officer or director.

**~~§ 2205.— Delegation of Duties to Vice Chairs.~~**

~~—————In addition to the designation provided for by Section 2204, the Chair shall assign to each Vice Chair one or more of the duties of the Chair. The Chair may also assign the Chair's membership ex officio on a standing or special committee of the Board. The Chair may withdraw any such assignment. Any assignment or withdrawal shall be in writing. Actions taken by a Vice Chair pursuant to an assignment shall have the same effect as if taken by the Chair. The Vice Chairs shall report to the Chair on the performance of their assignments.~~

Section 201.2.6 - M.I. 36265 - September 9, 1986. Section 201.2.6 repealed and Section 2205 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§2206. Duties of the Secretary of the Board.**

The duties of the Secretary of the Board are to:

(a) Sign all Board Meeting Minutes; and,

(b) Sign all official Board documents on behalf of the Board, unless signature of an item has been delegated to the Executive Secretary or another person.

### Chapter 3

## RULES GOVERNING COMMITTEES

Sec.

- 2300. Definitions
- 2301. Special Meetings
- 2302. Reports
- 2303. Record of Actions
- 2304. Quorum
- 2305. Joint Meetings
- 2306. Adjournment of Meetings
- 2307. Attendance of Committees
- 2308. Obligations of Staff
- 2309. Meetings Open to Public
- 2310. Ad Hoc Committees
- 2311. Subcommittees
- 2312. Temporary Membership on Committees
- 2313. Agendas
- 2314. Resolution of Conflicting Committee Recommendations
- 2315. Standing Committee Inspection Trips

### **§ 2300. Definitions.**

Unless otherwise qualified in this Chapter, the term "committee" includes standing committee, special committee, ad hoc committee, and subcommittee.

Organization and Procedures of the Board - July 13, 1976. Section 213.1 repealed and Section 2300 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2301. Special Meetings.**

Special meetings of any committee shall be called upon order of its chair or by a majority of the members of the committee. [Notice of special meetings shall be provided as set forth in Section 2102 of this Code.](#)

Organization and Procedures of the Board - July 13, 1976. Section 213.2 repealed and Section 2301 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2302. Reports.**

The reports of the committees shall be in writing. Reports of standing, special and ad hoc committees shall be addressed to the Board; reports of a subcommittee shall be addressed to its parent standing committee.

Organization and Procedures of the Board - July 13, 1976; Section 213.3 amended by M.I. 33453 - October 14, 1980. Section 213.3 repealed and Section 2302 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2303. Record of Actions.**

Except as to matters which may lawfully be considered or acted upon in closed session, a record shall be kept of the actions taken by each committee and a member of the staff shall be designated for the purpose. The record shall indicate the attendance at the time each action was taken.

Organization and Procedures of the Board - July 13, 1976; Section 213.4 amended by M.I. 334935 - November 18, 1980. Section 213.4 repealed and Section 2303 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2304. Quorum.**

A quorum of a committee shall be a majority of the membership of a committee. Committees shall function in the absence of a quorum.

Organization and Procedures of the Board - July 13, 1976. Section 213.5 repealed and Section 2304 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2305. Joint Meetings.**

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

Organization and Procedures of the Board - July 13, 1976. Section 213.6 repealed and Section 2305 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2306. Adjournment of Meetings.**

The Executive Secretary may declare regular or adjourned regular meetings of committees or subcommittees adjourned when no committee or subcommittee members are present at such meetings. The Executive Secretary shall give notice of committee or subcommittee meeting adjournment in the manner established by statute and otherwise function as clerk of the committees and subcommittees for the purpose of any statute.

Section 213.7 based on M.I. 30940 - July 8, 1975. Section 213.7 repealed and Section 2306 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 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.

Section 213.8 based on M.I. 21175 - February 14, 1961. Section 213.8 repealed and Section 2307 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2308. Obligations of Staff.**

All references and assignments to Board committees include, without the necessity of specific instruction, the request to the District's staff to render assistance and perform such functions and services to the committees as may be requested. [Such references and requests shall be routed through the appropriate Department Head or his/her designee, or the Board Executive Officer.](#)

Section 213.9 based on M.I. 19298 - January 27, 1959; repealed by M.I. 33453 - October 14, 1980; Section 213.10 based on M.I. 19810 - July 21, 1959; renumbered Section 213.9 by M.I. 33453 - October 14, 1980. Section 213.9 repealed and Section 2309 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2309. Meetings Open to Public.**

The provisions of Sections 2105(b) through 2105(d) shall apply to committee meetings.

Paragraphs (a) and (b) [formerly Sections 213.11 through 213.11.2] - M.I. 33493 - November 18, 1980; paragraph (c) [formerly Section 213.11.3] added by M.I. 33600 - February 10, 1981 and amended by M.I. 35061 - March 13, 1984; renumbered Section 213.10 by M.I. 35469 - January 8, 1985. Section 213.10 repealed and Section 2309 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraphs (a) and (b) repealed and paragraph (c) amended and renumbered Section 2309 by M.I. 37492 - January 10, 1989.

**§ 2310. Ad Hoc Committees.**

Ad Hoc Committees may be created by the Board to undertake special assignments on behalf of the Board. An ad hoc committee shall exist for a specified term or until its special assignments are completed, whichever comes first, but its existence may be extended for an added term or added assignments by action of the Board. Unless otherwise specified, members of an ad hoc committee shall be appointed by the Chair of the Board and shall serve at the Chair's pleasure.

Organization and Procedures of the Board - July 19, 1976; Section 212.2 amended by M.I. 33453 - October 14, 1980. Section 212.2 repealed and Section 2310 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2311. Subcommittees.**

With the approval of the Chair of the Board, Ssubcommittees may be created by any standing committee of the Board to undertake specific assignments on behalf of the committee. The standing committee creating a subcommittee shall establish the term of the subcommittee and may extend such term as it deems desirable. At least two thirds of a subcommittee's membership shall be from the parent committee, and shall be appointed by the chair of the subcommittee's parent committee and shall serve at the chair's pleasure. The remaining at large members shall be appointed by the chair of the parent committee after consultation with the Chair of the Board. An at large member who is the Chair of a subcommittee becomes a member of the parent committee for the time period that member serves as Chair of the subcommittee.

Organization and Procedures of the Board - July 19, 1976; Section 212.3 amended by M.I. 33453 - October 14, 1980. Section 212.3 repealed and Section 2311 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 42193 - December 10, 1996

**§ 2312. Temporary Membership on Committees.**

Whenever any member of a Standing, Special or Ad Hoc Committee is absent from a committee assignment for an extended period the Chair of the Board may appoint another director to serve on such committee in place of the absent director for the duration of the absence whenever such appointment is deemed to be important to the effective functioning of the committee.

Section 212.4 - M.I. 34825 - August 17, 1983. Section 212.4 repealed and Section 2312 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2313. Agendas.**

Committee agendas shall be prepared, posted and acted upon in the same manner as required for Board meetings.

Section 213.11 - M.I. 36412 - December 9, 1986. Section 213.11 repealed and Section 2313 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37492 - January 10, 1989.

**§ 2314. Resolution of Conflicting Committee Recommendations.**

Whenever the recommendations of two or more committees, not including the Executive Committee, to which a matter has been referred for initial consideration differ, such matter shall be considered by the Executive Committee whose recommendation on such matter shall be presented to the Board as the sole committee recommendation. ~~Whenever the recommendations of two or more committees, including the Executive Committee, to which a matter has been referred for initial consideration differ,~~ If a conflict arises concerning a matter referred to the Executive Committee, as well as other committees, for initial consideration can not be resolved by the Executive Committee, the recommendation of each committee shall be presented to the Board.

M.I. 40010 - January 12, 1993.

**§ 2315. Standing Committee Inspection Trips.**

When deemed to be of value by the Executive Committee~~Subcommittee on Travel and Inspection Trips~~, any standing, special, sub, or ad hoc committee may schedule one- or two-day inspection trips that will aid its members in the deliberations of matters before that committee. Trips of longer duration require approval by the Chairman and Board officers. Such inspection trips should be coordinated through the Public Affairs Communications Division.

M.I. 40768 - April 12, 1994.

**Chapter 4**

**STANDING COMMITTEES**

Article	Sec.
1 General	2400
2 Executive Committee	2410
3 Engineering and Operations Committee	2430
4 Budget and Finance Committee	2440
5 [Repealed]	2450
6 Legal and Claims Committee	2460
<del>7 Organization and Personnel</del>	<del>2470</del>
7 Water Planning and Resources Committee	248 <u>7</u> 0
8 Committee on Communications and Legislation	249 <u>8</u> 0

**Article 1**

**GENERAL**

Sec.

2400. Identification of Standing Committees

2401. Officers and Members of Standing Committees

**§ 2400. Identification of Standing Committees.**

The Standing Committees of the Board of Directors are:

Executive Committee

Engineering and Operations Committee

Budget and Finance Committee

Legal and Claims Committee

~~Organization and Personnel Committee~~

## Water Planning and Resources Committee

## Committee on Communications and Legislation

Organization and Procedures of the Board - July 19, 1976. Section 211.1.1 repealed and Section 2400 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40715 - March 8, 1994; amended by M.I. 41389 - May 9, 1995; amended by M.I. 42193 - December 10, 1996; amended by M.I. 42892 - April 14, 1998.

**§ 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 ~~one 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, except the Committee on Communications and Legislation, shall have more than 21 members. The Committee on Communications and Legislation may have 24 members.~~

(b) Chair and Vice Chair of standing committees with the exception of the Executive Committee are to be ~~elected~~ appointed in even-numbered years at the December meeting of the Board for a two-year term commencing on January 1 of odd-numbered years. No director shall be ~~elected~~ appointed to ~~to~~ the same committee office for more than two consecutive full terms.

(c) The Chair of the Board or the Vice Chair to whom the Chair has assigned the Chair's membership pursuant to Section ~~2205~~ 2204 is a member ex-officio, with right to vote, of all standing and special committees of the Board. However, the Chair nor the Vice Chair to whom the Chair's membership has been assigned shall not be considered a member of any committee of which the officer is a member ex-officio for the purpose of determining whether a quorum of the committee is present unless the Chair or Vice Chair is actually present at the meeting of the committee.

Organization and Procedures of the Board - July 19, 1976; Section 211.1.2 amended by M.I. 32213 - March 14, 1978. Paragraph (a) [formerly Section 211.1.2.1] amended by M.I. 32690 - April 10, 1979; paragraph (b) [formerly Section 211.1.2.2] amended by M.I. 32996 - November 13, 1979; paragraph (a) amended by M.I. 34889 - October 11, 1983; amended by M.I. 36240 - August 19, 1986; see also Ords. 113 and 133, repealed by Ord. 146. Section 211.1.2 through 211.1.2.2 repealed and Sections 2401(a) and (b) adopted by M.I. 36464 - January 13, 1987; paragraph (a) amended by M.I. 40011 - January 12, 1993; paragraph (a) amended by M.I. 40715 - March 8, 1994; paragraph (a) amended by M.I. 42193 - December 10, 1996; paragraph (a) amended by M.I. 42631 - September 9, 1997.

Paragraph (c) [formerly Section 211.1.2.4], Ords. 113 and 133; repealed by Ord. 146; added, as amended, by M.I. 32690 - April 10, 1979; renumbered 211.1.2.3 by M.I. 34673 - April 12, 1983; amended by M.I. 35592 - April 9, 1985. Section 211.1.2.3 repealed and Section 2401(c) adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36811 - September 22, 1987; paragraph (a) amended by M.I. 37570 - March 14, 1989; paragraph (a) amended by M.I.42892 - April 14, 1998.

## Article 2

### EXECUTIVE COMMITTEE

Sec.

- 2410. Membership
- 2411. Selection of Nonofficer Members
- 2412. Vacancy in Membership
- 2413. Term of Office for Nonofficer Members
- 2414. Limitation on Service
- 2415. Officers
- 2416. Time of Regular Meeting
- 2417. Duties and Functions
- 2418. Action by Board Officers
- 2419. [Subcommittee on Rules](#)
- 2420. [Subcommittee on Organization and Personnel](#)
- 2421. [Subcommittee on Real Property and Asset Management](#)

#### § 2410. Membership.

The membership of the Executive Committee shall consist of the Chair, Vice Chair~~s~~, 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~~five standing committees in addition to the Executive Committee, as ex officio members. In addition, two additional nonofficer members shall be appointed as transitional members to the Committee by the Chair of the Board to serve from January 1, 1999 to January 1, 2000. 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.

Organization and Procedures of the Board - July 19, 1976; ~~Section~~ection 211.2.1.1 amended by M.I. 32213 - March 14, 1978, M.I. 32996 - November 13, 1979, M.I. 33453 - October 14, 1980; M.I. 34186 - April 13, 1982; M.I. 34301 - July 13, 1982; M.I. 34399 - September 14, 1982; and M.I. 34673 - April 12, 1983; amended by M.I. 36455 - January 13, 1987. Section 211.2.1.1 repealed and Section 2410 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37406 - November 8, 1988; amended by M.I. 40715 - March 8, 1994; amended by M.I. 42193 - December 10, 1996.

**§ 2411. Selection of Nonofficer Members.**

Nonofficer members of the Executive Committee, except for the two transitional members, shall be nominated by the Special Nominating Committee or from the floor and elected at the December meeting of the Board. Three of the six nonofficer members shall be nominated and elected in even-numbered years and three in odd-numbered years.

M.I. 34673 - April 12, 1983; text in former Section 211.2.1.2 Organization and Procedures of the Board - July 19, 1976; amended by M.I. 32690 - April 10, 1979; M.I. 33453 - October 14, 1980; and M.I. 34399 - September 14, 1982; see also Ords. 113 and 133; repealed by Ord. 146 now included in Section 2414(b). Section 211.2.1.2 repealed and Section 2411 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2412. Vacancy in Membership.**

Whenever a vacancy occurs in the membership of the nonofficer members of the Executive Committee during a term of office, nominations shall be submitted to and an election shall be held by the Board to fill the vacancy within 90 days of the date of the vacancy if there remain 90 days or more in the term at the time the vacancy occurs.

Section 211.2.1.3 - M.I. 34673 - April 12, 1983; amended by M.I. 35592 - April 9, 1985. Section 211.2.1.3 repealed and Section 2412 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2413. Term of Office for Nonofficer Members.**

The term of office for nonofficer members shall be two years and shall commence on January 1 of the year immediately following their election.

Section 211.2.1.4 - M.I. 34673 - April 12, 1983. Section 211.2.1.4 repealed and Section 2413 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2414. Limitation on Service.**

(a) Each director may be elected as a nonofficer member of the Executive Committee for not more than two consecutive full two-year terms.

(b) Subject to Section 2415, a member of the Executive Committee other than ex officio members shall not serve as the Chair of any Standing Committee other than the Executive Committee; this restriction shall not apply to any special, interim, temporary or subcommittee appointed from time to time to resolve current problems, or to meet special conditions.

Section 211.2.1.5 - M.I. 34673 - April 12, 1983. Section 211.2.1.5 repealed and Section 2414 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2415. Officers.**

The Chair of the Board shall be the Chair of the Executive Committee and the Vice Chairs of the Board shall be the Vice Chairs of the Executive Committee and their terms shall be concurrent with their terms as officers of the Board.

Section 211.2.1.6 - M.I. 34673 - April 12, 1983. Section 211.2.1.6 repealed and Section 2415 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**§ 2416. Time of Regular Meeting.**

The ~~regular meeting of the~~ Executive Committee shall hold two regular meetings. The first meeting shall be held on the Tuesday which is two weeks prior to the Tuesday on which the regular Board meeting is held. The second meeting shall be held on the Tuesday on which regular Board meetings are held beginning at ~~9:30~~ 8:00 a.m.

Organization and Procedures of the Board - July 19, 1976. Section 211.2.2 repealed and Section 2416 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36563 - April 14, 1987; amended by M.I. 40004 - January 12, 1993; amended by M.I. 40110 - March 9, 1993, amended by M.I. 40376 - August 24, 1993.

**§ 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~~ Official dealings with the United States Government, the State of California or other states, member public agencies or their subagencies, foreign governments and other entities or persons in matters of public policy or other activities as deemed appropriate;

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

(d) Major policy issues ~~Policies and procedures~~ to be considered by the Board, including proposed amendments to the Metropolitan Water District Act;

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

(f) The terms and conditions of employment of all consultants and advisors not within the jurisdiction of other committees.

~~(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;

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

(h) Monitor the progress of, and propose modifications to, the Board's goals in light of then existing and projected future conditions;

(i) The Executive Committee shall retain ultimate responsibility for those duties as are specifically assigned to the subcommittees of the Executive Committee as set forth in sections 2419, 2420, and 2421.

(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~~ inspection dates and monitor conduct of ~~tour~~ inspection trips to assure maximum effectiveness.

Section 211.2.3 - Organization and Procedures of the Board - July 19, 1976; paragraph (b) [formerly Section 211.2.3.2] amended by M.I. 32869 - August 17, 1979; section amended by M.I. 32924 - September 18, 1979; paragraphs (e), (f) and (h) [formerly Sections 211.2.3.5, 211.2.3.6 and 211.2.3.8] amended by M.I. 33453 - October 14, 1980; paragraph (h)(4) [formerly Section 211.2.3.8.4] added by M.I. 34399 - September 14, 1982. Section 211.2.3 repealed and Section 2417 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; new paragraphs (g), (h), (i) and (j) added, former paragraphs (g) and (h) renumbered, new paragraphs (l)(5), (6) and (7) added by M.I. 40004 - January 12, 1993; paragraph (a) deleted and paragraphs renumbered by M.I. 40715 - March 8, 1994; paragraph (5) deleted and subsequent paragraphs renumbered by M.I. 40715 and M.I. 40728 - March 8, 1994.

#### **§ 2418. Action by Board Officers.**

If, in the opinion of the Chair, it is impracticable that the full committee perform a function to be performed by the Executive Committee between regular meetings, such function may be performed by the Officers of the Board, acting at a meeting called for that purpose, with equal effect as if performed by the full committee.

Section 211.2.4 - M.I. 35855 - November 19, 1985. Section 211.2.4 repealed and Section 2418 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

#### **§ 2419. Subcommittee on Rules**

Within the Executive Committee there shall be a Subcommittee on Rules, consisting of six members of the Executive Committee appointed by, and serving at the pleasure of, the Chair of the Executive Committee. The Subcommittee on Rules shall:

(a) Review and approve board and committee agendas without further action by the Executive Committee. Notwithstanding the jurisdiction of standing committees in this Code, the Subcommittee on Rules shall have the authority to direct which committee shall consider an item.

(b) Review and approve the scheduling of board and committee meetings.

(c) Study, advise and make recommendations with regard to policies and procedures to be considered by the Board, or committees thereof, except for proposed amendments to the Metropolitan Water District Act or this Code affecting the organization and personnel policies of the District, the acquisition, ownership and sale of land by the District, or other policy matters within the jurisdiction of a specific standing committee.

#### **§ 2420. Subcommittee on Organization and Personnel.**

Within the Executive Committee there shall be a Subcommittee on Organization and Personnel consisting of nine members appointed by, and serving at the pleasure of, the Chair of the Executive Committee. Six of the members of this subcommittee shall be members of the Executive Committee, and three members of the subcommittee will not be members of the Executive Committee, but appointed at large from the members of the board. The Subcommittee on Organization and Personnel is to study, advise and make recommendations with regard to:

(a) The form of the District's organization and the flow of authority and responsibility.

(b) Periodic independent reviews and studies of the organization, classification of positions, job duties, salaries, and salary ranges.

(c) Relations between the District and its employees including all matters affecting wage, hours, pension plans and other employee benefits, and other terms and conditions of employment.

(d) Areas of special concern to the District and its employees, including, but not limited to, equal employment opportunity, affirmative action, and work rules pertaining to the health and safety of employees.

(e) Policies and rules regarding the employment, discipline and discharge of District officers and employees;

(f) The selection of the Department Heads, the scope of their duties, and the annual interview and evaluation of the performance of each Department Head, including recommendations to the Executive Committee on the salary and other compensation of each Department Head in advance of the June meetings, with any changes to be effective at the start of the payroll period nearest to July 1;

(g) Proposed amendments to the Metropolitan Water District Act and Code affecting the organization and personnel policies of the District.

#### **§ 2421. Subcommittee on Real Property and Asset Management.**

Within the Executive Committee there shall be a Subcommittee on Real Property and Asset Management consisting of nine members appointed by, and serving at the pleasure of, the Chair of the Executive Committee. Six of the members of this subcommittee shall be members of the Executive Committee, and three members of the subcommittee will not be members of the Executive Committee, but appointed at large from the members of the board. The Subcommittee on Real Property and Asset Management is to study, advise and make recommendations with regard to:

(a) Proposed rules and proposals regarding business development opportunities, including real property transactions.

(b) Policies for the acquisition of rights-of-way;

(c) The purchase, sale, and leasing of land and buildings, including the performance of oversight and coordination of the District's various office and garage space needs.

(d) The incidental use of land in farming operations and otherwise;

(e) The operation and maintenance of buildings;

(f) The selection of appraisers and the determination of the scope of their assignments;

(g) The fixing of purchase price, and the initiation and conduct of condemnation and other proceedings relating to the purchase or sale of land or interests in property and related negotiations, including holding the hearing and making recommendations to the Board of

- Directors as to whether to adopt a resolution of necessity to acquire property by eminent domain, as set forth in Section 8207(a);
- (h) The purchase, management and disposition of personal property assets such as equipment and vehicles;
- (i) Proposed amendments to the Metropolitan Water District Act and Code affecting the acquisition, ownership and sale of land by the District;
- (j) Approval and oversight of facilities master plans, including budgeting for capital improvements and long-term facilities commitments; and,
- (k) Approval and oversight of information technology strategies, projects and activities, including budgeting and tracking of information technology resources and asset management.

**Article 3**

**ENGINEERING AND OPERATIONS COMMITTEE**

Sec.

2430. Time of Regular Meetings

2431. Duties and Functions

**§ 2430. Time of Regular Meetings.**

The regular meetings of the Engineering and Operations Committee shall be held on the Monday preceding regular Board meetings beginning at ~~8:30~~ 9:30 a.m.

Organization and Procedures of the Board - July 19, 1976. Section 211.3.1 repealed and Section 2430 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37432 - December 13, 1988.

**§ 2431. Duties and Functions.**

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

- (a) Plans, specifications and bids;
- (b) The initiation, scheduling, contracting, and performance of construction programs and work, and the equipment or materials to be used, replaced, disposed of, or salvaged;
- (c) The operation, protection, and maintenance of the plants and facilities required for the production, exchange, sale, storage, treatment, and delivery of water and power and for the storage and treatment of water; and for the distribution of electrical energy to the aqueduct pumping plants;
- (d) The providing of storage and distribution facilities and connections for the delivery of water;
- (e) Such matters as may come to its attention on inspection trips of the aqueduct works which the committee shall make at least once a year;
- (f) Construction claims;
- (g) Engineering aspects of State Water Project facilities;
- (h) The selection of engineering and geologic consultants and the determination of the scope of their assignments;
- (i) Energy matters in general;
- (j) Consider the effect on the District of existing and proposed federal, state, and local water quality and environmental statutes and regulations;

(k) Consider issues related to the quality of water furnished by the District to its member agencies;

(l) Review the effect of water quality issues on the water supply available in the District's service area.

(m) Study, advise, and make recommendations regarding environmental compliance and requirements.

(n) Monitor changes in desalination technology.

(jo) Proposed amendments to the Metropolitan Water District Act affecting the engineering and operations functions of the District.

Organization and Procedures of the Board - July 19, 1976; Sections 211.3.2 amended and paragraph (j) [formerly Section 211.3.2.10] added by M.I. 32924 - September 18, 1979. Section 211.3.2 repealed and Section 2431 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**Article 4**

**BUDGET AND FINANCE COMMITTEE**

Sec.

2440. Time of Regular Meetings

2441. Duties and Functions

**§ 2440. Time of Regular Meetings.**

The regular meetings of the Budget and Finance Committee shall be held on the Monday preceding regular Board meetings beginning at ~~11:00 a.m~~ 12:30 p.m.

Organization and Procedures of the Board - July 19, 1976; Section 211.4.1 amended by M.I. 31897 - August 19, 1977. Section 211.4.1 repealed and Section 2440 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36563 - April 14, 1987; amended by M.I. 40004 - January 12, 1993; amended by M.I. 42193 - December 10, 1996.

**§ 2441. Duties and Functions.**

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

- (a) Preparation of budgets;
- (b) Sale of bonds and borrowing and repayment of money;
- (c) Disposition and investment of funds;
- (d) Authorization of appropriations;
- (e) The determination of revenues to be obtained through sales of water, water standby or availability of service charges, and the levying of taxes;
- (f) The financial impact and requirements of policies concerning annexation;
- (g) The financial aspects of the District's risk management program;
- (h) Questions pertaining to insurance coverage and self-insurance;
- (~~h~~i) The selection of financial and insurance consultants and the determination of the scope of their assignments, ~~and the selection of attorneys to act as bond counsel~~;
- (~~k~~j) Form and contents of accounts, financial reports, and financial statements;
- (~~k~~) Proposed amendments to the Metropolitan Water District Act affecting the finance and insurance functions of the District;

(n) Policies and procedures related to budget development and cost containment;

(o) ~~Policies~~ Goals and objectives related to financial planning for Metropolitan, including but not limited to revenues, operating expenses, reserve policies, internally funded construction, debt management, investments and capital financing strategies.

(n) The selling prices of water and conditions governing sales of water;

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

(p) Policies regarding the sale of water for various uses;

(q) Policies regarding allocation of water standby or availability of service revenue requirements among member public agencies;

(r) Water standby or availability of service charges within the District;

(s) Review and make recommendations regarding determinations by the General Manager with respect to appeals concerning readiness-to-serve charges, new demand charges, and connection maintenance charges, and report its recommendations, as appropriate, to affirm or reverse the General Manager's determinations.

(t) Review and make recommendations regarding appeals from determinations by the General Manager to deny or qualify an application for exemption from the water standby charge, and report its recommendations, as appropriate, to affirm or reverse the General Manager's determinations.

~~Organization and Procedures of the Board—July 19, 1976; Section 211.4.2 amended and paragraphs (l) and (m) [formerly Sections 211.4.2.12—211.4.2.13] added by M.I. 32924—September 18, 1979. Section 211.4.2 repealed and Section 2441 adopted by M.I. 36464—January 13, 1987, effective April 1, 1987; paragraph (j) amended by M.I. 37000—February 9, 1988; amended by M.I. 37449—December 13, 1988; paragraphs (i) and (j) amended; paragraph (l) deleted and paragraph (m) renumbered by M.I. 39358—December 10, 1991; amended by M.I. 42193—December 10, 1996.~~

[Article 5 - Land Committee, Sec. 2450, Repealed - M.I. 42193 - December 10, 1996]

## Article 6

### LEGAL AND CLAIMS COMMITTEE

Sec.

2460. Time of Regular Meetings

2461. Duties and Functions

2462. [Repealed]

#### § 2460. Time of Regular Meetings.

The regular meetings of the Legal and Claims Committee shall be held on the Monday preceding regular Board meetings beginning at 79:30 a.m.

Organization and Procedures of the Board - July 19, 1976. Section 211.6.1 repealed and Section 2460 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36563 - April 14, 1987; amended by M.I. 37432 - December 13, 1988; amended by M.I. 39500 - March 10, 1992; amended by M.I. 41450 - June 13, 1995; amended by M.I. 42504 - July 8, 1997.

#### § 2461. Duties and Functions.

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

- (a) Litigation and claims brought by or against the District;
- (b) Condemnation matters, when they involve settlements requiring Board approval and inverse condemnation matters;
- (c) Public liability insurance matters, including self-insurance aspects, and matters pertaining to errors and omissions insurance;
- (d) Policy considerations concerning District contracts;
- (e) The selection of candidates for consideration by the Executive Committee to serve as the General Counsel and Assistant General Counsel and the determination of the scope of the assignments of the General Counsel;
- (f) The selection ~~of the Assistant General Counsel and~~ of special counsel and the determination of the scope of their assignments;
- (g) Proposed amendments of the Metropolitan Water District Act and the Public Employees' Retirement Law, legislation dealing with public agencies, and proposed District ordinances;
- (h) The organization and contents of the Code;

(i) Legal aspects and legal consequences of executed memorandum of understanding between the General Manager and an organization representing employees.

Organization and Procedures of the Board - July 19, 1976; paragraph (f) [formerly Section 211.6.2.6] amended by M.I. 32690 - April 10, 1979; amended and paragraph (h) [formerly Section 211.6.2.8] added by M.I. 32924 - September 18, 1979; paragraph (f) amended by M.I. 35058 - March 13, 1984. Section 211.6.2 repealed and Section 2461 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (e) amended, new paragraph (f) added, and other paragraphs renumbered by M.I. 40010 - January 12, 1993.

[§ 2462 repealed by M.I. 37529 - February 14, 1989.]

~~Article 7~~

~~ORGANIZATION AND PERSONNEL COMMITTEE~~

Sec.

~~2470. Time of Regular Meetings~~

~~2471. Duties and Functions~~

~~§ 2470. Time of Regular Meetings.~~

~~—The regular meetings of the Organization and Personnel Committee shall be held on the Monday preceding regular Board meetings beginning at 12:30 p.m.~~

Organization and Procedures of the Board - July 19, 1976. Section 211.7.1 repealed and Section 2470 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36563 - April 14, 1987; amended by M.I. 37432 - December 13, 1988; amended by M.I. 39500 - March 10, 1992; amended by M.I. 40004 - January 12, 1993.

~~§ 2471. Duties and Functions.~~

~~—The Organization and Personnel Committee shall study, advise and make recommendations with regard to:~~

~~(a) The form of the District's organization and the flow of authority and responsibility;~~

~~—(b) Periodic independent reviews and studies of the organization, the classification of positions, job duties, salaries, and salary ranges;~~

~~—(c) Relations between the District and its employees including all matters affecting wages, hours, pension plans and other employee benefits, and other terms and conditions of employment;~~

~~—(d) Areas of special concern to the District and its employees, including, but not limited to, equal employment opportunity, affirmative action, and work rules pertaining to the health and safety of employees;~~

~~—(e) Policies and rules regarding the employment, discipline and discharge of District officers and employees;~~

~~—(f) The selection of management and personnel consultants and the determination of the scope of their assignments;~~

~~—(g) The terms and conditions of employment of all consultants, advisors, and special counsel;~~

~~(h) The selection of candidates for consideration by the Executive Committee to serve as Department Heads and the selection of other individuals to serve in positions requiring Board approval;~~

~~(i) Proposed amendments to the Metropolitan Water District Act affecting the organization and personnel policies of the District.~~

~~(j) Proposed rules and proposals regarding business development opportunities, excluding real property transactions.~~

Organization and Procedures of the Board - July 19, 1976; Section 211.7.2 amended and paragraphs (h) and (i) [formerly Sections 211.7.2.8 and 211.7.2.9] added by M.I. 32924 - September 18, 1979. Section 211.7.2 repealed and Section 2471 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (h) amended by M.I. 40010 - January 12, 1993; paragraph (j) added by M.I. \_\_\_\_\_ - September 14, 1998.

Article 87

**WATER PLANNING AND RESOURCES COMMITTEE**

Sec.

2480. Time of Regular Meetings

2481. Duties and Functions

**§ 2480. Time of Regular Meetings.**

The regular meetings of the Water Planning and Resources Committee shall be held on the Monday preceding regular Board meetings beginning at ~~2:00 p.m~~ 12:30 p.m.

Organization and Procedures of the Board - July 19, 1976; Section 211.8.1 amended by M.I. 32086 - December 13, 1977. Section 211.8.1 repealed and Section 2480 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36563 - April 14, 1987; amended by M.I. 37432 - December 13, 1988; amended by M.I. 39500 - March 10, 1992; amended by M.I. 40004 - January 12, 1993; amended by M.I. 41389 - May 9, 1995.

**§ 2481. Duties and Functions.**

The Water Planning and Resources Committee shall study, advise, and make recommendations with regard to:

- (a) Policies, sources, and means of importing water required by the District;
- (b) Changes in the District's aqueduct system to provide for the changing needs of the District's member agencies;
- (~~c~~) Policies and procedures regarding the ~~sale and~~ delivery and exchange of water for various uses;
- ~~(e) Policies regarding allocation of water standby or availability of service revenue requirements among member public agencies;~~
- ~~(f) Water standby or availability of service charges within the District;~~
- (~~g~~) Policies regarding annexation and the requirements, procedures, terms, and conditions for annexations;
- (~~h~~) Energy matters relating to water supply;
- (~~i~~) Policies regarding water conservation, reclamation, reuse and underground storage of water and the use thereof;
- (~~j~~) Proposed amendments to the Metropolitan Water District Act affecting the water or annexation policies of the District.

(h) Study, advise and make recommendations regarding the protection of the District's water supply from, and mitigation of the impacts of water development on, the Bay/Delta Estuary;

(i) Study, advise and make recommendations regarding comprehensive solutions to Bay/Delta Estuary problems which will benefit water supply reliability, water quality and environmental and other beneficial instream uses of the waters of the Bay/Delta Estuary;

(j) Study, advise and make recommendations regarding the Integrated Resource Planning Process; and

(k) Consider the effect of existing and proposed federal, state and local environmental, water supply and water conveyance statutes and regulations on the District's interest in the Bay/Delta Estuary.

Organization and Procedures of the Board - July 19, 1976; Sections 211.8.2 amended and paragraph (h) [formerly Section 211.8.2.8] added by M.I. 32924 - September 18, 1979. Section 211.8.2 repealed and Section 2481 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraphs (e) through (f) added and following paragraphs renumbered by M.I. 37449 - December 13, 1988; amended by M.I. 41389 - May 9, 1995.

Article 98

~~COMMITTEE ON~~ COMMUNICATIONS AND LEGISLATION COMMITTEE

Sec.

2490. Time of Regular Meetings

2491. Duties and Functions

**§ 2490. Time of Regular Meetings.**

The regular meetings of the ~~Committee on~~ Communications and Legislation Committee shall be held on the ~~Tuesday Monday on-preceding which~~ regular Board meetings ~~are held~~ beginning at ~~8:00 am.~~ 2:30 p.m.

M.I. 40715 - March 8, 1994; amended by M.I. 42892 - April 14, 1998.

**§ 2491. Duties and Functions.**

The ~~Committee on~~ Communications and Legislation 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;
- (e) Review the effectiveness of legislative advocacy efforts by staff and members of the Board;
- (f) Review the effectiveness of Metropolitan's public affairs, government affairs and external communications efforts; ~~and~~
- (g) Provide direction to the Communications Division to ensure pro-active, timely messages, which reflect Board policies, and Metropolitan programs and activities to the member agencies and the general public; and,-

(h) The selection of public information consultants and the determination of the scope of their assignment.

M.I. 40715 - March 8, 1994; amended by M.I. 42193 - December 10, 1996; paragraph (g) amended by M.I. 42892 - April 14, 1998

**Chapter 5**

**OTHER COMMITTEES: MISCELLANEOUS COMMITTEE MATTERS**

Article		Sec.
1	Special Committees	2500
2	Special Nominating Committee	2520
3	[Repealed]	2530
4	[Repealed]	2540
<del>5</del>	<del>Special Committee on Water Quality, Desalination, and Environmental Compliance</del>	<del>2550</del>
6	Special Audit Committee	2560
<del>7</del>	<del>Special Committee on Real Property Management</del>	<del>2570</del>
<del>7.5</del>	<del>Special Committee on Department Head Compensation</del>	<del>2575</del>
<del>8</del>	<del>Special Goals and Objectives Committee</del>	<del>2580</del>
8.5	[Repealed]	
<del>9</del>	<del>Ad Hoc Committees</del>	<del>2590</del>
10	[Repealed]	

**Article 1**

**SPECIAL COMMITTEES**

Sec.

2500. General

**§ 2500. General.**

Special committees may be created by the Board to undertake special assignments on behalf of the Board and shall report directly to the Board unless otherwise directed. A special committee shall continue in existence indefinitely. Unless otherwise specified, members of a special committee shall be appointed by the Chair of the Board and shall serve at the Chair's pleasure.

Organization and Procedures of the Board - July 19, 1976; Section 212.1.1 amended by M.I. 33453 - October 14, 1980; amended by M.I. 36225 - August 19, 1986. Section 212.1.1 repealed and Section 2500 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

## Article 2

### SPECIAL NOMINATING COMMITTEE

Sec.

2520. Membership

2521. Term of Members

2522. Duties and Functions

#### § 2520. Membership.

Five directors selected at large. Three members of the Special Nominating Committee shall be appointed at the February meeting of the Board in odd-numbered years, and two members shall be appointed at the February meeting of the Board in even-numbered years, by the Chairman of the Board with the approval of the Executive Committee and the Board. With the exception of its ex officio members, no member of the Executive Committee shall be eligible to serve as a member of this Special Nominating Committee.

Organization and Procedures of the Board - July 19, 1976; Section 212.1.3.1 amended by M.I. 32213 - March 14, 1978; M.I. 34399 - September 14, 1982; M.I. 34430 - October 12, 1982; amended by M.I. 34570 - February 8, 1983. Section 212.1.3.1 repealed and Section 2520 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

#### § 2521. Term of Members.

The term of members of the Special Nominating Committee shall be two years beginning on March 1 immediately following the member's appointment for a regular term. No member of the Special Nominating Committee shall serve more than two consecutive full terms.

Organization and Procedures of the Board - July 19, 1976; Section 212.1.3.2 amended by M.I. 32213 - March 14, 1978; M.I. 32604 - February 13, 1979 and M.I. 32996 - November 13, 1979; amended by M.I. 34370 - August 18, 1982; M.I. 34399 - September 14, 1982; and M.I. 34570 - February 8, 1983; amended by M.I. 35592 - April 9, 1985. Section 212.1.3.3 repealed and Section 2521 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

#### § 2522. Duties and Functions.

(a) The Special Nominating Committee shall nominate members for the offices of Chairman, ~~Vice Chairmen~~, and Secretary of the Board, and nonofficer members of the Executive Committee so as to provide, insofar as practical, adequate regional representation for the benefit of the entire District. More than one member may be nominated for each of the offices.

(b) The Special Nominating Committee shall establish procedures for the fair and impartial election of members to the offices of Chairman and Secretary of the Board, including, but not limited to, sponsorship of forums for communication of the views of the candidates to Board members.

Nominations by the committee shall be made at the meeting of the Board at which an election is

scheduled. Written notice of any proposed nomination shall be given by the committee to each director at least 20 days prior to the scheduled date of the election.

(c) Members of the Special Nominating Committee may be nominated by the committee. If a member is under consideration, he shall be so advised by the committee and shall immediately cease further participation in the committee's deliberations and action on that office.

Organization and Procedures of the Board - July 19, 1976; Section 212.1.3.3 amended and paragraph (c) [formerly Section 212.1.3.3.3] added by M.I. 32213 - March 14, 1978; paragraph (b) [formerly Section 212.1.3.3.2] amended by M.I. 34673 - April 12, 1983. Section 212.1.3.3 repealed and Section 2522 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

[Article 3 - Special Budget and Financial Analysis Committee, Sec. 2530 - 2532, Repealed]

[Article 4 - Special Committee for Communications Study, Sec. 2540 - 2541, Repealed]

**Article 5**

**~~SPECIAL COMMITTEE ON WATER QUALITY, DESALINATION,  
AND ENVIRONMENTAL COMPLIANCE~~**

~~Sec.~~

~~2550.—Membership~~

~~2551.—Duties and Functions~~

~~2552.—Relations with Standing Committees~~

**~~§ 2550.—Membership.~~**

~~—The Special Committee on Water Quality, Desalination, and Environmental Compliance shall consist of seven directors selected at large.~~

~~Section 212.1.6.1—M.I. 36155—July 8, 1986. Section 212.1.6.1 repealed and Section 2550 adopted by M.I. 36464—January 13, 1987, effective April 1, 1987; amended by M.I. 39207—September 17, 1991; amended by M.I. 42193—December 10, 1996.~~

**~~§ 2551.—Duties and Functions.~~**

~~Section 212.1.6.2—M.I. 36155—July 8, 1986. Section 212.1.6.2 repealed and Section 2551 adopted by M.I. 36464—January 13, 1987, effective April 1, 1987; paragraph (a) amended and paragraph (d) added by M.I. 39207—September 17, 1991; amended by M.I. 42193—December 10, 1996.~~

**~~§ 2552.—Relations with Standing Committees.~~**

~~—The Special Committee on Water Quality, Desalination, and Environmental Compliance shall make reports to the Engineering and Operations Committee.~~

~~Section 212.1.6.3 - M.I. 36155 - July 8, 1986. Section 212.1.6.3 repealed and Section 2552 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 39207 - September 17, 1991; paragraph (b) amended by M.I. 41389 - May 9, 1995; amended by M.I. 41633 - November 14, 1995; amended by M.I. 42193 - December 10, 1996.~~

Article 56

**SPECIAL AUDIT COMMITTEE**

Sec.

2560. Membership

2561. Duties and Functions

**§ 2560. Membership.**

The Special Audit Committee shall consist of eleven members selected at large by the Chairman of the Board after consulting with the Chair of each of the standing committees. At least three of the members shall be members of the Budget and Finance Committee and each of the Board's other ~~five~~four standing committees shall be represented by at least one member.

M.I. 39358 - December 10, 1991; previously Section 2570 renumbered Section 2560 and amended by M.I. 40004 - January 12, 1993 (previous section 2560 was repealed by M.I. 40004); amended by M.I. 41600 - October 10, 1995; amended by M.I. 42193 - December 10, 1996.

**§ 2561. Duties and Functions.**

(a) The Special Audit Committee shall study, advise, and make recommendations with regard to:

(1) All reports of the Auditor and external auditors, including the audited financial statements of the District.

(2) The Audit Department's Charter, annual work plan and annual budget.

(3) The selection of candidates for consideration by the Executive Committee to serve as the Auditor and the selection of the Assistant Auditor, as well as the external auditors or special audit consultants, and the determination of the scope of their assignments.

(4) Requests from the other executive officers or from other committees of the Board for audits and reviews not included in annual work plan.

(5) The Auditor's performance and compensation for purposes of evaluation by the ~~Special Committee on Department Head Compensation~~ Executive Committee and the Subcommittee on Organization and Personnel pursuant to Sections ~~2576~~ 2417(j) and 2420(f), respectively.

(b) Except as otherwise provided in this section, the Special Audit Committee shall submit its recommendations and reports to such committees as it deems to have an interest in the subject of the recommendations and to the Executive Committee.

M.I. 39358 - December 10, 1991; previously Section 2571 renumbered Section 2561 and paragraphs (a)(3) and (b) amended by M.I. 40010 - January 12, 1993 (previous section 2561 was repealed by M.I. 40004); paragraph (a)(5) added by M.I. 40691 - February 8, 1994; paragraphs (a)(2), (a)(4) and (a)(5) amended by M.I. 41600 - October 10, 1995; paragraph (b) amended by M.I. 41633 - November 14, 1995.

**Article 7**

**~~SPECIAL COMMITTEE ON REAL PROPERTY MANAGEMENT~~**

Sec.

~~2570. Membership~~

~~2571. Duties and Functions~~

~~2572. Relations with Standing Committees~~

**~~§ 2570. Membership.~~**

~~The Special Committee on Real Property Management shall consist of fifteen directors, selected at large by the Chair of the Board.~~

~~Previous Section 2570 repealed by M.I. 40715 March 8, 1994. M.I. 41599 October 10, 1995; previous Section 2593 renumbered to Section 2570 and amended by M.I. 42193 December 10, 1996; amended by M.I. 42631 September 9, 1997.~~

**~~§ 2571. Duties and Functions.~~**

~~(a) The Special Committee on Real Property Management shall study, advise and make recommendations with regard to:~~

~~(1) Policies for the acquisition of rights of way;~~

~~(2) The purchase, sale, and leasing of land and buildings, including the performance of oversight and coordination of the District's various office space needs including, but not limited to, the development of Union Station Headquarters and business development opportunities for real property.~~

~~(3) The incidental use of land in farming operations and otherwise;~~

~~(4) The operation and maintenance of buildings;~~

~~(5) The acquisition and operation of office and garage facilities;~~

~~(6) The selection of appraisers and the determination of the scope of their assignments;~~

~~(7) The fixing of purchase price, and the initiation and conduct of condemnation and other proceedings relating to the purchase or sale of land or interests in property and related negotiations;~~

~~(8) Proposed amendments to the Metropolitan Water District Act affecting the acquisition, ownership and sale of land by the District;~~

~~\_\_\_\_\_ (9) Such matters as may come to its attention as a result of inspection trips of the District's properties, which the committee shall endeavor to make at least once a year.~~

~~\_\_\_\_\_ (10) The purchase, management and disposition of personal property assets such as equipment and vehicles.~~

~~\_\_\_\_\_ (11) Business development opportunities relating to real property.~~

~~\_\_\_\_\_ (b) The Special Committee on Real Property Management shall hold the hearing and make the recommendation to the Board of Directors as to whether to adopt a resolution of necessity to acquire property by eminent domain, as set forth in Section 8207(a).~~

~~Previous Section 2571 repealed by M.I. 40715—March 8, 1994. M.I. 41599—October 10, 1995; previous Section 2593 renumbered to Section 2571 and amended by M.I. 42193—December 10, 1996; paragraph (2) amended and paragraph (11) added by M.I. \_\_\_\_\_ September 14, 1998.~~

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

~~\_\_\_\_\_ The reports of the Special Committee on Real Property Management relating to adoption of resolutions of necessity to acquire property by eminent domain shall be made to the Legal and Claims Committee and the Board of Directors. Other matters requiring action by the Board of Directors shall be reported directly to the Board. On matters not requiring action by the Board of Directors, the Special Committee on Real Property Management shall make reports to the Executive Committee.~~

~~Previous Section 2572 repealed by M.I. 40715—March 8, 1994. M.I. 41599—October 10, 1995; previous Section 2593 renumbered to Section 2572 and amended by M.I. 42193—December 10, 1996; amended by M.I. 42503—July 8, 1997.~~

~~[Previous Article 7 sections 2570-2572 repealed by M.I. 40715—March 8, 1994]~~

**Article 7.5**

**~~SPECIAL COMMITTEE ON DEPARTMENT HEAD COMPENSATION~~**

Sec.

~~2575. Membership~~

~~2576. Duties and Functions~~

**~~§ 2575. Membership.~~**

~~————The Special Committee on Department Head Compensation shall consist of the chairs of the standing committees. The chair shall be the Chair of the Board. The vice chair shall be selected by the chair.~~

~~M.I. 40728 — March 8, 1994.~~

**~~§ 2576. Duties and Functions.~~**

~~————The Special Committee shall annually interview and evaluate the performance of each of the Department Heads. Based on the performance appraisal and other information deemed relevant, the committee shall make recommendations to the Board on the salary and other compensation of each Department Head in advance of the June meetings, with any changes to be effective at the start of the payroll period nearest to July 1.~~

~~M.I. 40728 — March 8, 1994.~~

**Article 8**

**~~SPECIAL GOALS AND OBJECTIVES COMMITTEE~~**

Sec.

~~2580. Membership~~

~~2581. Duties and Functions~~

**~~§ 2580. Membership.~~**

~~—The Special Goals and Objectives Committee shall consist of eleven members comprised of the Chairs of the Standing Committees and members selected at large by the Chairman of the Board.~~

~~M.I. 40004—January 12, 1993 (previous section 2580 renumbered section 2570); amended by M.I. 41388—May 9, 1995.~~

**~~§ 2581. Duties and Functions.~~**

~~—The Special Goals and Objectives Committee shall monitor the progress of, and propose modifications to, the Board's goals in light of then existing and projected future conditions. The Committee shall report its determinations and recommendation to the Executive Committee.~~

~~M.I. 40004—January 12, 1993 (previous section 2581 renumbered section 2571).~~

~~[Article 8.5—Special Committee on Financial Policy, Sec. 2585, Repealed by M.I. 41755—February 13, 1996]~~

**Article 9**

**AD-HOC COMMITTEES**

Sec.

~~2590. Electric Industry Restructuring Ad Hoc Committee~~

~~2591. Bay/Delta Political Advisory Committee~~

~~2592. Ad Hoc Committee on Exemption Appeal~~

**~~§ 2590. Electric Industry Restructuring Ad Hoc Committee.~~**

~~——(a) The Electric Industry Restructuring Ad Hoc Committee shall consist of fifteen directors. The chair and vice chair of the Ad Hoc Committee shall be appointed by the Chair of the Board and shall serve at the Chair's pleasure.~~

~~——(b) With the objective of assuring that Southern California will continue to have adequate water supplies at affordable cost, the Electric Industry Restructuring Ad Hoc Committee shall monitor developments of concern to the District affecting energy supplies available for meeting the District's water supply needs and how restructuring in the electric industry impacts these supplies. From time to time, the Ad Hoc Committee shall report matters of significance to the Engineering and Operations Committee and to the Board.~~

~~——(c) The Electric Industry Restructuring Ad Hoc Committee may be disbanded at such time as the Chair of the Board determines that its continued existence is no longer required.~~

~~M.I. 36607 — May 5, 1987; Article 8 renumbered to Article 9, Section 2570 renumbered to Section 2580 by M.I. 39358 — December 10, 1991; Article 9 renumbered to 10 and Section 2580 to Section 2590 by M.I. 39454 — February 11, 1992; Article 10 renumbered to 9 by M.I. 40004 — January 12, 1993; amended by M.I. 42193 — December 10, 1996; paragraph (a) amended by M.I. 42631 — September 9, 1997.~~

**~~§ 2591. Bay/Delta Political Advisory Committee.~~**

~~——(a) The Bay/Delta Political Advisory Committee shall consist of 11 members selected at large by the Chairman of the Board.~~

~~——(b) The Bay/Delta Political Advisory Committee shall:~~

~~——(1) Study, advise and make recommendations regarding the protection of the District's water supply from, and mitigation of the impacts of water development on, the Bay/Delta Estuary;~~

~~——(2) Study, advise and make recommendations regarding comprehensive solutions to Bay/Delta Estuary problems which will benefit water supply reliability, water quality and environmental and other beneficial instream uses of the waters of the Bay/Delta Estuary;~~

~~——(3) Study, advise and make recommendations regarding the Integrated Resource Planning Process; and~~

~~————(4) Consider the effect of existing and proposed federal, state and local environmental, water supply and water conveyance statutes and regulations on the District's interest in the Bay/Delta Estuary.~~

~~————(c) The Bay/Delta Political Advisory Committee shall report its advice and recommendations to the Water Planning and Resources Committee.~~

~~M.I. 40785 April 12, 1994; paragraph (c) amended by M.I. 41389 May 9, 1995; paragraph (a) amended by M.I. 41483 July 11, 1995; paragraph (c) amended by M.I. 41633 November 14, 1995.~~

~~**§ 2592. Ad Hoc Committee on Exemption Appeals.**~~

~~————(a) The Ad Hoc Committee on Exemption Appeals shall consist of five directors, selected at large by the Chair of the Board.~~

~~————(b) The Ad Hoc Committee on Exemption Appeals shall review and make recommendations, at their discretion, regarding determinations by the General Manager with respect to appeals concerning readiness to serve charges, new demand charges,, and connection maintenance charges.~~

~~————(c) The Ad Hoc Committee on Exemption Appeals shall review and make recommendations regarding appeals from determinations by the General Manager to deny or qualify an application for exemption from the water standby charge.~~

~~————(d) The Ad Hoc Committee on Exemption Appeals shall report its make recommendations, as appropriate, to the Board to affirm or reverse the General Manager's determinations.~~

~~M.I. 41468 June 13, 1995.~~

~~[Article 10, Sections 2595-2596 repealed by M.I. 41633 November 14, 1995]~~

**Chapter 6**  
**DIRECTORS**

Article		Sec.
1	General	2600
2	Inspection Trips	2610
3	Responsibilities of New Directors	2615
4	Miscellaneous	2620

**Article 1**  
**GENERAL**

Sec.

2600. Directors. Assumption of Office

**§ 2600. Assumption of Office.**

(a) Before entering upon the duties of his office, each person appointed to be a director shall take and subscribe to an oath or affirmation conforming to that prescribed by Section 3 of Article XX of the California Constitution. Said oath or affirmation shall only be taken before a District officer or employee authorized to administer the oath.

(b) A person shall assume all rights and powers and be subject to all liabilities, duties and obligations of a director upon the taking of the oath administered in accordance with the provisions of Section 2600(a).

Section 201.1 - M.I. 35470 - January 8, 1985. Section 201.1 repealed and Section 2600 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

## Article 2

### INSPECTION TRIPS

Sec.

2610. Authorization

2611. Colorado River Aqueduct System

2612. State Water Project

2613. One-Day Inspection Trips

2614. General Provisions

#### **§ 2610. Authorization.**

During each fiscal year (July 1 to June 30) each of the District's directors may sponsor field inspection trips of District and related facilities for the purpose of providing leading citizens and other interested persons, preferably from the agency represented by the director, with firsthand knowledge of the District's operations, as follows:

Either (A) one two-day trip or one three-day trip over the Colorado River Aqueduct System under Section 2611 and one one-day trip under Section 2613, or (B) three one-day trips over local State Water Project and District facilities and one one-day trip under Section 2613.

Res. 7651 - September 16, 1975; Section 401.1 amended by M.I. 32339 - July 11, 1978, repealed and new Chapter 401 reenacted by M.I. 33178 - March 11, 1980; Section 401.1 amended by M.I. 35592 - April 9, 1985; amended by M.I. 35785 - September 10, 1985; amended by M.I. 35852 - November 19, 1985. Section 401.1 repealed and Section 2610 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40768 - April 12, 1994.

#### **§ 2611. Colorado River Aqueduct System.**

(a) The District will provide at its expense transportation, meals and lodging for trips over the Colorado River Aqueduct System and the District areas served by the aqueduct.

(b) The trip will include a stopover at the District Gene Field Headquarters guest lodge for either one night or two successive nights. Transportation is to be provided by a chartered bus or the District's van with driver. Lodging is to be provided at the Gene Field Headquarters guest lodge and meals and incidental expenses for members of the party are to be provided both en route and at Gene Field Headquarters.

(c) Lodging at District expense on Colorado River Aqueduct System trips is to be confined to lodging at Gene Field Headquarters guest lodge except in the event of lack of accommodations at the guest lodge.

Res. 7651 - September 16, 1975; repealed and new Chapter 401 reenacted by M.I. 33178 - March 11, 1980; paragraph (b) [formerly Section 401.2.1] amended by M.I. 35592 - April 9, 1985. Section 401.2 repealed and Section 2611 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40768 - April 12, 1994.

### § 2612. State Water Project.

A two-day or a three-day inspection trip over State Water Project facilities is available upon written request indicating the reason for the proposed trip and a participants list in conformance with Section 2614. The ~~Executive Committee Subcommittee on Travel and Inspection Trips~~ must approve each trip.

(b) Transportation, meals and lodging for the three-day trips will be provided by the District at its expense. District facilities should be used whenever possible. If hotel or motel accommodations are required, moderately priced, double rooms shall be provided.

(c) When air travel is used, the District will pay the cost of air travel accident insurance in the amount of \$50,000 for each guest and the incidental expenses of the guests.

Res. 7651 - September 16, 1975; repealed and new Chapter 401 reenacted by M.I. 33178 - March 11, 1980; paragraph (a) [formerly Section 401.3] amended by M.I. 35785 - September 10, 1985. Section 401.3 repealed and Section 2612 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40768 - April 12, 1994.

### § 2613. One-Day Inspection Trips.

The District will provide at its expense a chartered bus or the District's van with driver for inspection of District and State Water Project facilities. In addition, the District will provide at its expense normal meals that occur during the inspection trip and will pay the incidental expenses of the guests.

Res. 7651 - September 16, 1975; repealed and new Chapter 401 reenacted by M.I. 33178 - March 11, 1980; Section 401.4 amended by M.I. 35592 - April 9, 1985. Section 401.4 repealed and Section 2613 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40768 - April 12, 1994.

### § 2614. General Provisions.

(a) The purpose of these trips is to disseminate District information; provide elected and appointed officials, members of the business and environmental communities, members of the media, and other leading citizens and interested persons from each member public agency with visual inspection of District and related facilities; and acquaint them with issues facing the water industry and the District's operations, programs, and objectives, both present and future. Each director shall be responsible for the individual selection of guests, the choice of inspection trip and the inspection trip dates.

(b) It is each director's obligation to periodically sponsor inspection trips.

(c) In order to give these educational inspection trips the broadest coverage, it shall be the practice to avoid having repeat guests. Generally, inspection trip guests should be selected from within the area of the public agency represented by the sponsoring director. Each director should strive to select guests who occupy positions of leadership in their communities and other interested persons.

(d) Directors who have a limited number of opinion leaders whom they feel would be of benefit to Metropolitan to include on an inspection trip may co-sponsor a trip with another director in a like situation.

(e) Directors shall accompany their guests on inspection trips they sponsor except in cases of illness, emergency or other exceptional circumstances, and shall accompany them throughout all portions of the trip.

(f) The number of invited guests on any District inspection trip shall not exceed 36.

(g) District expense for transportation and meals on any inspection trip is to be limited to the normal travel routes to and from District facilities.

(h) If the director sponsoring the trip so desires, a reasonable amount of time will be set aside during the inspection trip for a discussion of the water problems of the member public agency as they relate to the District. Reasonable distribution of written material concerning the member public agency also will be permitted.

(i) Itineraries, transportation, lodging and meals for District inspection trips shall be standardized to the extent possible in order to minimize costs. Variations from standard itineraries to accommodate special conditions may be authorized by the ~~Executive Committee Subcommittee on Travel and Inspection Trips~~.

(j) Directors are urged to consider scheduling their Colorado River Aqueduct inspection trips for Thursday, Friday and Saturday or Saturday, Sunday, and Monday rather than Friday, Saturday, and Sunday in order to allow two trips to be conducted over the same weekend and, thus, accommodate more directors' requests for preferred-month dates.

(k) Trip groups numbering ten or less may be required to share the Gene Field Headquarters guest lodge with another group or groups.

(l) The ~~Public Affairs Communications~~ Division will not accept reservations for inspection trips prior to April 1 for the following fiscal year.

(m) Inspection trip dates are assigned on a date/time-request-received basis. Conflicts will be resolved by consultation with affected directors. Continuing disputes shall be resolved by the ~~Executive Committee Subcommittee on Travel and Inspection Trips~~.

(n) In the event a director is unable to schedule a trip because of lack of an open date when he/she submits his/her reservation, he/she shall be accorded priority the next fiscal year.

(o) Alcoholic beverages will not be provided at District expense.

(p) Tipping of District employees, is strictly prohibited and any employee accepting a gratuity is subject to dismissal. The ~~Communications~~Public Affairs Representative on the trip will handle the tip for the bus driver and any other tips which are appropriate.

(q) All necessary expenses of any District director or any member of the District staff incurred in connection with any of the above trips will be paid by the District.

(r) The ~~Executive Committee~~Subcommittee on Travel and Inspection Trips may permit directors within the same member public agency to transfer inspection trips among themselves if the subcommittee determines that the transfer is in the best interests of the District. Acceptance of an inspection trip sponsored by another director shall not affect a director's right to sponsor an inspection trip under the other provisions of this chapter. Directors of one public agency may not transfer their inspection trips to directors of another public agency.

Res. 7651 - September 16, 1975, as amended by Res. 7665 - April 13, 1976, M.I. 32339 - July 11, 1978, M.I. 32690 -- April 10, 1979, M.I. 32869 - August 17, 1979, M.I. 32944 - October 9, 1979, and M.I. 33042 - December 11, 1979 repealed and new Chapter 401 - Section 401.5 reenacted by M.I. 33178 - March 11, 1980; paragraphs (k) and (m) [formerly Sections 401.5.11 and 401.5.13] amended by M.I. 35592 - April 9, 1985; paragraphs (h), (m) and (o) [formerly Sections 401.5.8, 401.5.13 and 401.5.15] amended by M.I. 35765 - August 20, 1985; paragraph (m) amended by M.I. 35992 - March 11, 1986. Section 401.5 repealed and Section 2614 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 40768 - April 12, 1994.

### Article 3

#### RESPONSIBILITIES OF NEW DIRECTORS

Sec.

2615. Obligations

2616. Inspection Trip Sponsorship Duty

##### § 2615. Obligations.

It is the obligation of new members of the Board of Directors to participate in orientation and training.

(a) New director inspection trips of Colorado River Aqueduct and ~~Domenigoni Valley Reservoir~~ Eastside Reservoir Project facilities shall be scheduled quarterly by the ~~Public Affairs~~ Communications Division.

(b) Each new appointee to the Board within the first six months of being seated shall arrange for a member of the ~~Public Affairs~~ Communications Division staff to provide a one-day orientation excursion to view various local District facilities.

M.I. 40768 - April 12, 1994.

##### § 2616. Inspection Trip Sponsorship Duty.

New directors are encouraged to participate as soon as possible in an inspection trip of the Colorado River Aqueduct system being sponsored by a fellow director, and, subsequently, to sponsor such a trip within his/her first year on the Board.

M.I. 40768 - April 12, 1994.

## Article 4

### MISCELLANEOUS

Sec.

2620. Identification

2621. Blood Donations

#### **§ 2620. Identification.**

Identification cards shall be issued to all directors.

Section 409.1 based on M.I. 22585 - December 11, 1962. Section 409.1 repealed and Section 2620 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; Article 3 renumbered by M.I. 40768 - April 12, 1994.

#### **§ 2621. Blood Donations.**

Directors are now included as eligible recipients in the Employees' Association's blood bank. This eligibility also includes members of the immediate families of Metropolitan directors, whether or not said parties have ever donated blood, regardless of where the blood or derivatives are needed in the United States. "Immediate family" is defined as spouse, child, mother, father, brother, or sister.

Section 409.3 - M.I. 28948 - November 9, 1971; renumbered Section 409.2 by M.I. 35592 - April 9, 1985.  
Section 409.2 repealed and Section 2621 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

**Chapter 7**

**PERIODIC STAFF REPORTS TO BOARD AND COMMITTEES**

Article	Sec.
1 Annual Reports	2700
2 Semi-annual Reports	2715
3 Quarterly Reports	2720
4 Monthly Reports	2740
5 Miscellaneous Reports	2750

**Article 1**

**ANNUAL REPORTS**

Sec.

2700. General Manager's Annual Reports

2701. Treasurer's Annual Reports

**§ 2700. General Manager's Annual Reports.**

The General Manager shall annually make the following reports:

(a) To the Board:

(1) On financial matters generally;

(2) After consulting with the General Counsel, on the results of his review made pursuant to Section 5204 of District compliance with minimum fund requirements outlined in Sections 5201-5204 and with the articles and covenants contained in resolutions of issuance;

(3) On all leases made during the preceding year under the authority of Section 8222 and 8223; and

(4) On the status of appropriations pursuant to Section 5108(c).

(b) To the Engineering and Operations Committee on all consulting agreements in effect during the preceding year and the exercise of authority under Section 8103(k). Each such report shall indicate when a consultant is a former employee of the District.

Section 2700 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 38303 - June 12, 1990.

**§ 2701. Treasurer's Annual Reports.**

The Treasurer shall annually make the following reports:

- (a) To the Board, on the investment policy of the District.
- (b) To the Budget and Finance Committee:
  - (1) All payments after loss of a bond interest coupon made pursuant to Section 5104; and
  - (2) All issuances of duplicate bonds made pursuant to Section 5105.

Section 2701 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (b) amended by M.I. 42193 - December 10, 1996.

## Article 2

### SEMI-ANNUAL REPORTS

Sec.

2715. General Manager's Semi-Annual Reports

#### **§ 2715. General Manager's Semi-Annual Reports.**

The General Manager shall semi-annually report to the ~~Organization and Personnel Executive~~ Committee on the implementation of Sections 6300-6305 and on the status of the Affirmative Action Program.

Section 2715 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

### Article 3

#### QUARTERLY REPORTS

Sec.

2720. General Manager's Quarterly Reports

2721. General Counsel's Quarterly Reports

2722. Auditor's Quarterly Reports

#### § 2720. General Manager's Quarterly Reports.

The General Manager shall quarterly make the following reports:

(a) To the Engineering and Operations Committee:

- (1) On service connections approved by the General Manager pursuant to Sections 4700-4708 with the estimated cost and approximate location of each;
- (2) On the execution of any relocation agreements involving an amount in excess of \$100,000 under the authority of Section 8118(a);
- (3) On the execution of any contract authorized pursuant to Section 8121; and
- (4) On the status of the Local Projects Program, including the execution of any Local Projects Program agreements under the authority of Section 4516.

(b) To the ~~Special Committee on Real Property Management~~ [Subcommittee on Real Property and Asset Management](#):

- (1) Deeds or grants accepted during the preceding quarter;
- (2) Easements, or similar rights, granted during the preceding quarter under the authority of Section 8220, and shall also include in such report any relocation or protection agreement made in connection therewith;
- (3) All leases made during the preceding quarter under the authority of Sections 8222 and 8223;
- (4) The details of any transactions during the preceding quarter in which an improvement was disposed of in such a manner as to make the improvement available for subsequent use by a party other than the District; and
- (5) Property sold pursuant to the authority granted by Section 8240 et seq.

[\(6\) The status of all information technology projects throughout the organization.](#)

(c) To the Legal and Claims Committee, jointly with the General Counsel, the exercise of any power delegated to them by Sections 6431, 6433 and 6434.

(d) To the ~~Organization and Personnel Committee~~ Subcommittee on Organization and Personnel on the employment of any consultant, the extension of any consulting agreement, and on the exercise of authority under Section 8103(k) and 8117 during the preceding calendar quarter. The report covering the last calendar quarter of the year may be combined with and included in the annual report. Each such report shall indicate when a consultant is a former employee of the District.

(e) To the Water Planning and Resources Committee on the status of the Local Projects Program, including the execution of any Local Projects Program agreements under the authority of Section 4516.

Section 2720 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraphs (a) and (d) amended by M.I. 39036 - June 11, 1991; paragraphs (a)(4) and (b)(e) added by M.I. 39080 - July 9, 1991; paragraph (f) added by M.I. 39840 - September 15, 1992; paragraph (f) repealed by M.I. 40768 - April 12, 1994; paragraph (e) amended by M.I. 41389 - May 9, 1995; paragraph (c) amended by M.I. 41615 - October 10, 1995; paragraph (b) amended by M.I. 42193 - December 10, 1996.

### **§ 2721. General Counsel's Quarterly Reports.**

The General Counsel shall quarterly report to the ~~Organization and Personnel~~ Executive Committee the exercise of any power delegated to him by Section 6431.

Section 2721 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

### **§ 2722. Auditor's Quarterly Reports.**

The Auditor shall report to the ~~Organization and Personnel~~ Executive Committee the exercise of any power delegated to him by Section 6452.

M.I. 40603 - January 13, 1987, effective April 1, 1987.

**Article 4**

**MONTHLY REPORTS**

Sec.

2740. General Manager's Monthly Reports

2741. General Counsel's Monthly Reports

2742. Treasurer's Monthly Reports

**§ 2740. General Manager's Monthly Reports.**

(a) The General Manager shall monthly make a report to the Board providing a summary of receipts and expenditures and variances thereof from estimates.

(b) The General Manager shall monthly report to the Board the execution of any power or transmission contract authorized by Section 8118(c) and any transaction made under such contract.

Section 2740 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (b) added by M.I. 37096 - April 12, 1988.

**§ 2741. General Counsel's Monthly Reports.**

The General Counsel shall monthly make the following reports:

(a) To the Board, a determination as to eligibility of securities invested in by the Treasurer in the preceding month.

(b) To the Legal and Claims Committee, any changes made by staff in the organization of the Code and in the titles of divisions, chapters, sections and subsections.

Section 2741 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; paragraph (b) amended by M.I. 37529 - February 14, 1989.

**§ 2742. Treasurer's Monthly Reports.**

The Treasurer shall monthly make the following reports:

(a) To the Board, transactions made pursuant to the delegation made by Section 5101(a).

(b) To the Board and to the General Manager, a report showing the type of investment, institution, date of maturity, amount of deposit, current market value for all securities with a maturity of more than 12 months, and rate of interest. The report shall specify in detail investments in repurchase or reverse repurchase agreements made pursuant to subdivision (i) of Section 53601 and subdivision (i) of Section 53635 of the Government Code. The report shall also state its relationship to the statement of investment policy. A subsidiary ledger of investments may be used in the report in accordance with accepted accounting practices.

Section 2742 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987.

## Article 5

### MISCELLANEOUS REPORTS

Sec.

2750. Escheat to District of Unclaimed Funds

2751. Report of Exercise of Authority

2752. Rejection of Bids

#### § 2750. Escheat to District of Unclaimed Funds.

The Treasurer shall file a report with the Budget and Finance Committee after each publication made pursuant to Section 5113 regarding moneys unclaimed in the District treasury.

Section 2750 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 42193 - December 10, 1996.

#### § 2751. Report of Exercise of Authority.

The General Manager shall report to the next following meeting of the Budget and Finance Committee of the Board any exercise of authority pursuant to Sections 5300-5303.

Section 2751 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 42193 - December 10, 1996.

#### § 2752. Rejection of Bids.

The General Manager shall, whenever the lowest bid that is rejected is \$125,000 or more, report the action to the Engineering and Operations Committee.

Section 2752 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 39036 - June 11, 1991.

#### § 4304. Apportionment of Revenues and Setting of Water Rates

##### and Charges to Raise Firm Revenue.

(a) Not later than at its December meeting the General Manager shall present to the Budget and Finance Committee of the Board determinations of the total revenues and of the revenues to be derived from water sales and firm revenue sources, if any, required during the fiscal year beginning the following July 1 as determined by the General Manager in accordance with current Board policies.

(b) Not later than at its December meeting the Budget and Finance Committee shall consider the General Manager's determinations made pursuant to Section 4304(a). ~~and shall present its determination of the separate amounts of revenues required from water sales and from firm revenue sources, if any, during the fiscal year beginning the following July 1 for consideration by the Water Planning and Resources Committee of the Board not later than at its January meeting.~~

(c) Not later than at its January meeting the General Manager shall present to the ~~Water Planning and Resources~~ Budget and Finance Committee recommendations of rates for the various classes of water to become effective the following July 1, which rates shall be the General Manager's determination, made in accordance with current Board policies, of the rates necessary to produce substantially the revenues to be derived from water sales during the fiscal year beginning the following July 1 which the Budget and Finance Committee has determined to be necessary.

(d) The General Manager shall also present to the ~~Water Planning and Resources~~ Budget and Finance Committee at its January meeting recommendations regarding the imposition of a water standby charge or an availability charge to become effective the following July 1, which charge shall be the General Manager's determination, made in accordance with current Board policies, of the charge necessary to produce substantially the revenues to be derived from firm revenue sources, if any, exclusive of taxes, during the fiscal year beginning the following July 1 which the Budget and Finance Committee has determined to be necessary.

(e) Not later than its January meeting the ~~Water Planning and Resources~~ Budget and Finance Committee shall set a time or times for, and shall thereafter hold, one or more meetings of the ~~Water Planning and Resources~~ Budget and Finance Committee to be held prior to its regular March meeting at which interested parties may present their views regarding the proposed water rates to said committee.

(f) The ~~Water Planning and Resources~~ Budget and Finance Committee shall also make at its January meeting a preliminary determination of the type of firm revenue, if any, to be raised for the following fiscal year and recommend to the Board a form of resolution of intention to impose either a water standby charge or an availability of service charge sufficient to raise such firm revenue, exclusive of taxes, to become effective the following July 1, to implement such determination. The committee shall also recommend to the Board that it (1) authorize and direct the General Manager to satisfy all notice requirements for implementation of such charge and (2) set dates, times and locations for, and thereafter hold, prior to the regular April meeting, one or more adjourned meetings of the Board, for public hearings and consideration of the imposition of the charge, at which interested parties may present their views regarding the proposed charge. In the alternative, the notice of the dates, times and locations of the public hearings may be stated in the resolution of intention.

(g) At its regular March meeting the ~~Water Planning and Resources~~ Budget and Finance Committee shall make its determination regarding the water rates to become effective the following July 1 and shall recommend said rates to the Board at the Board's regular March meeting.

(h) At its March meeting, the Board shall establish water rates for deliveries beginning the following July 1.

(i) Not later than its regular May meeting, the ~~Water Planning and Resources~~ Budget and Finance Committee shall make its final determination regarding the firm revenue charge, if any, to become effective the following July 1, and shall recommend such charge, if any, to the Board at its regular May meeting.

(j) Not later than its May meeting, the Board shall consider and take action upon the recommendations, if any, of the ~~Water Planning and Resources~~ Budget and Finance Committee regarding a firm revenue source, exclusive of taxes, to be effective the following July 1.

(k) Proposals for changes in water rates to become effective at times other than on July 1 shall require adequate notice to the public and a hearing before such proposals are acted upon by the Board, unless the Board finds that an immediate change in water rates is urgent.

Section 311.5 - M.I. 32924 - September 18, 1979, as clarified by M.I. 33059 - January 15, 1980; paragraph (g) [formerly Section 311.5.7] amended by M.I. 34867 - September 13, 1983. Section 311.5.7 repealed and Section 4304 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended, new paragraphs (d), (f), (i) and (j) added and other paragraphs renumbered by M.I. 39976 - December 8, 1992; paragraphs (b) through (g), (i) and (j) amended by M.I. 41389 - May 9, 1995; paragraphs (a)-(d) amended by M.I. 42193 - December 10, 1996.

## **§ 5202. Fund Parameters.**

The minimum cash and securities to be held in the various ledger funds as of June 30 of each year shall be as follows:

(a) For the Revenue Remainder Fund cash and securities on hand on June 30 of each year shall be equal to the portion of fixed costs of the District estimated to be recovered by water sales revenues for the eighteen months beginning with the immediately succeeding July 1. Such funds are to be used in the event that revenues are insufficient to pay the costs of the District.

(b) For the Pay-As-You-Go Fund, cash and securities on hand on June 30 of each year shall be at least equal to one-half of the estimated amount needed to fund pay-as-you go expenditures, as defined in Section 5109, during the next fiscal year.

(c) Amounts remaining in the Revenue Remainder Fund and Pay-As-You-Go Fund collectively on June 30 of each year after meeting the requirements set forth in Section 5202 (a) and (b) shall be transferred to the Water Rate Stabilization Fund and, to the extent required under Section 5202 (d), to the Water Treatment Surcharge Stabilization Fund.

(d) After making the transfer of funds as set forth in Section 5202 (c), a determination shall be made to substantially identify the portion, if any, of such transferred funds attributable to collections of treatment surcharge revenue in excess of waters treatment cost. Such funds shall be transferred to the Water Treatment Surcharge Stabilization Fund to be available for the principal purpose of mitigating required increases in the surcharge for water treatment. If such determination indicates a deficiency in treatment surcharge revenue occurred during the fiscal year, a transfer of funds shall be made from the Water Treatment Surcharge Stabilization Funds as needed to reimburse funds used for the deficiency. Notwithstanding the principal purpose of the Water Treatment Surcharge Stabilization Fund, amounts assigned to this fund shall be available for any other lawful purpose of the District.

(e) Amounts in the Water Rate Stabilization Fund shall be held for the principal purpose of maintaining stable and predictable water rates and charges. The amount to be held in the Water Rate Stabilization Fund shall be targeted to be equal to the portion of the fixed costs of the District estimated to be recovered by water sales revenues during the two years immediately following the eighteen-month period referenced in Section 5202 (a). Funds in excess of such targeted amount shall be utilized for capital expenditures of the District, in lieu of the issuance of additional debt, or for the redemption, defeasance, or purchase of outstanding bonds or commercial paper of the District, as determined by the Board. Provided that the District's fixed charge coverage ratio is at

or above 1.2, amounts in the Water Rate Stabilization Fund may be expended for any lawful purpose of the District, [as determined by the Board of Directors.](#)

SSjb

pcdocs #13364