

- **Board of Directors  
Executive Committee**

June 13, 2006 Board Meeting

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7-5

## **Subject**

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Amend Metropolitan Water District Administrative Code to reflect new committee structure

## **Description**

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At its May 23, 2006 meeting the Executive Committee approved a committee structure composed of the following seven standing committees:

- **Asset and Recreation Committee**—with the responsibilities of the current Asset and Real Property and Recreation Committees
- **Budget, Finance, Investment and Insurance Committee**—with the responsibilities of the current committee
- **Engineering and Operations Committee**—with the responsibilities of the current committee
- **Executive Committee**—with the responsibilities of the current Executive, Audit, Ethics, Nominating and Organization and Personnel Committees
- **Legal and Claims Committee**—with the responsibilities of the current committee
- **Communications and Legislation Committee**—with the responsibilities of the current Communications and Legislation and Education and Outreach Committees
- **Water Planning, Quality and Resources Committee**—with the responsibilities of the current CALFED/Bay-Delta Oversight, Colorado River Oversight, Desalination and Reclamation and Water Planning, Quality and Resources Committees

The proposed amendments to Metropolitan’s Administrative Code attached to this letter designate these standing committees and reflect their responsibilities as described above. The proposed amendments are set forth on [Attachment 1](#), with strikeouts showing deletions and underlining showing additions. [Attachment 2](#) shows the new version of the affected Administrative Code sections as they would read upon board approval. If approved, the changes to the Administrative Code will become effective as of June 13, 2006 and will apply to committee meetings beginning in July.

## **Policy**

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Metropolitan Water District Administrative Code Section 2400: Identification of Standing Committees

Metropolitan Water District Administrative Code Section 2500: Other Committees: Miscellaneous Committee Matters

## **California Environmental Quality Act (CEQA)**

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CEQA determination for Staff Recommendation:

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities, such as general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). Furthermore, the proposed action is not subject to CEQA because the organizational or administrative activities of governments will not result in direct or indirect physical changes in the environment (Section 15378(b)(5) of the

State CEQA Guidelines). In addition, where it can be seen with certainty that there is no possibility that the proposed action in question may have a significant effect on the environment, the proposed action is not subject to CEQA (Section 15061(b)(3) of the State CEQA Guidelines).

The CEQA determination is: Determine that the proposed action is not subject to CEQA pursuant to Sections 15378(b)(2), 15378(b)(5), and 15061(b)(3) of the State CEQA Guidelines.

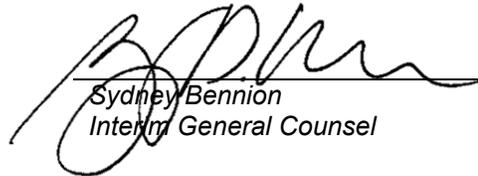
### **Staff Recommendation**

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Adopt the CEQA determination and

- a. Approve the changes to Division 2, Chapters 4 and 5 of the Administrative Code set forth in **Attachment 1** to reflect the new structure of the Board's committees; and
- b. Authorize the General Counsel to conform other Administrative Code committee references to these committees.

**Fiscal Impact:** None



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Sydney Bennion  
Interim General Counsel

5/31/2006  
Date

**Attachment 1 – Changed Administrative Code sections**

**Attachment 2 – Clean copy of amended Administrative Code sections**

BLA #4613

## DIVISION II

### PROCEDURES PERTAINING TO BOARD, COMMITTEES AND DIRECTORS

#### Chapter 4

#### STANDING COMMITTEES

Article	Sec.
1 General	2400
2 Executive Committee	2410
3 Engineering and Operations Committee	2430
4 Budget, Finance, Investment and Insurance Committee	2440
5 <del>Organization and Personnel</del> <u>Asset and Recreation</u> Committee	<u>2450</u>
6 Legal and Claims Committee	2460
<del>7 [Repealed]</del>	<del>2470</del>
<del>87</del> Water Planning, Quality and Resources Committee	<del>24870</del>
<del>98</del> <u>Ethics</u> <del>Committee</del> <u>Communications and Legislation</u> Committee	<u>2480</u>

#### 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, Finance, Investment and Insurance Committee
- ~~Organization and Personnel~~ Asset and Recreation Committee
- Legal and Claims Committee
- Water Planning, Quality and Resources Committee
- Ethics ~~Committee~~ Communications and Legislation Committee

#### § 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 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 or 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.

## 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. Day of Regular Meeting
- 2417. Duties and Functions
- 2418. Action by Board Officers
- 2419. [Repealed]
- 2420. [Repealed]
- 2421. [Repealed]

#### § 2410. Membership.

The membership of the Executive Committee shall consist of the Chair, Vice Chairs, Secretary, all past Chairs of the Board who are directors of the District, ~~eight~~ six additional directors as nonofficer members, ~~of which two of the eight nonofficer members shall be appointed by the Chair,~~ and the Chairs of the six standing committees in addition to the Executive Committee, and the Chairs of Special Committees and other committees whose membership on the Executive Committee is specifically directed by the Board. 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.

#### § 2411. Selection of Nonofficer Members.

Nonofficer members of the Executive Committee, shall be nominated by the 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.

#### § 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.

#### § 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.

**§ 2414. Limitation on Service.**

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

**§ 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.

**§ 2416. Day of Regular Meeting.**

The regular meeting of the Executive Committee shall be held on the fourth Tuesday of the month.

**§ 2417. Duties and Functions.**

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

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

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

(3) Review and approve board and committee agendas and, notwithstanding the jurisdiction of the other standing committees in the Code, have the authority to direct which committee shall consider an item;

(4) Review and approve the scheduling of board and committee meetings;

(5) ~~Study, advise and make recommendations with regard to p~~olicies and procedures to be considered by the Board or committees thereof, except for ~~proposed amendments to the Metropolitan Water District Act or this Administrative Code or other~~ policy matters within the jurisdiction of a specific standing committee;

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

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

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

(9) The form of the District’s organization and the flow of authority and responsibility;

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

(11) 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, as well as the District’s negotiation of such matters with employee bargaining units and selection of negotiators;

(12) 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;

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

(14) Policies and procedures of the District’s ethics program;

(15) All reports of the General Auditor and external auditors, including the audited financial statements of the District, and requests from other committees of the Board for audits and reviews not included in annual business plan.

~~(9)16~~ The terms and conditions of employment of all consultants and advisors not within the jurisdiction of other committees;

~~(10)17~~ Resolution of conflicting committee recommendations pursuant to Section 2314;

~~(11)18~~ Monitor the progress of, and propose modifications to, the Board’s goals in light of then existing and projected future conditions;

~~(12)19~~ Such other matters as may be required by Division II of this Code.

(b) The Executive Committee shall retain ultimate responsibility for those duties as are specifically assigned to the subcommittees of the Executive Committee.

(c) The Executive Committee shall be responsible for the oversight of the performances and activities of the ~~Chief Executive Officer~~General Manager, General Counsel, General Auditor, and the Ethics Officer and an annual review of the ~~Chief compensation of the Executive Officer’s~~General Manager, General Auditor and Ethics Officer. ~~compensation.~~ The Executive Committee shall evaluate the performance of the ~~Chief Executive Officer~~General Manager, General Auditor and Ethics Officer at least annually in advance of the July Board meetings. It shall also review and approve the ~~Chief Executive Officer~~General Manager’s comprehensive business plans and annual goals and work objectives of the General Manager, General Auditor and Ethics Officer at the start of each fiscal year in advance of the August Board meetings.

(d) After its review and consideration of the annual assessment of, and recommendations concerning ~~Department Heads, including the annual assessment and recommendations of the Legal and Claims Committee concerning the performance of the General Counsel, by the committees responsible~~

~~for oversight of the performance and activities of a Department Head,~~ the Executive Committee shall make recommendations to the Board on the salary and other compensation of Department Heads in advance of the July meetings, with any changes to be effective at the start of the payroll period nearest to July 1.

(e) 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) 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.

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

(4) 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 subparagraph (i) above 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.

(5) Resolve disputes over inspection dates and monitor conduct of inspection trips to assure maximum effectiveness.

#### **§ 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.

**Article 3**

**ENGINEERING AND OPERATIONS COMMITTEE**

Sec.

2430. Day of Regular Meeting

2431. Duties and Functions

**§ 2430. Day of Regular Meetings.**

The regular meetings of the Engineering and Operations Committee shall be held on the Monday preceding regular Board meetings.

**§ 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) Water treatment technologies for complying with drinking water regulations; and,

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

**Article 4**

**BUDGET, FINANCE, INVESTMENT AND INSURANCE COMMITTEE**

Sec.

2440. Day of Regular Meeting

2441. Duties and Functions

**§ 2440. Day of Regular Meetings.**

The regular meetings of the Budget, Finance, Investment and Insurance Committee shall be held on the Monday preceding regular Board meetings.

**§ 2441. Duties and Functions.**

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

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

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

**Article 5**

**ASSET AND RECREATION COMMITTEE**

Sec.

2450. Day of Regular Meeting

2451. Duties and Functions

**2450. Day of Regular Meetings.**

The regular meeting of the Asset and Recreation Committee shall be held on the fourth Tuesday of the month.

**§2451. Duties and Functions.**

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

(1) Proposed amendments to the Metropolitan Water District Act and Code affecting the acquisition, ownership and sale of land by the District.

(2) Proposed rules and proposals regarding business development opportunities, including real property and intellectual property transactions;

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

(4) The purchase, sale, and leasing of land and buildings, including the District's various office and garage space needs;

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

(6) The operation and maintenance of buildings;

(7) The purchase, management and disposition of personal property assets such as equipment and vehicles;

(8) Facility master plans, including budgeting for capital improvements and long-term facilities commitments;

(9) Information technology strategies, projects and activities, including asset management and the budgeting and tracking of information technology resources;

(10) Policies regarding annexation and the requirements, procedures, terms and conditions for annexations;

(11) The development, oversight and coordination of recreational facilities at Diamond Valley Lake and Lake Skinner; and

(12) The use of proceeds from the sale or disposition of surplus property related to Diamond Valley Lake and Lake Skinner for recreation purposes.

**Article 5**

**ORGANIZATION AND PERSONNEL COMMITTEE**

Sec.

~~2450. Day of Regular Meeting~~

~~2451. Duties and Functions~~

**~~§ 2450. Day of Regular Meetings.~~**

~~———— The regular meetings of the Organization and Personnel Committee shall be held on the Tuesday of regular Board meetings~~

~~———— Previous Article 5 Land Committee, §2450 Repealed by M.I. 42193 December 10, 1996. New Article 5 renamed by M.I. 44745 January 8, 2002; committee name changed to Organization and Personnel and paragraph amended by M. I. 46064 January 11, 2005.~~

**~~§2451. 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, 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, as well as the district’s negotiation of such matters with employee bargaining units and selection of negotiators;~~

~~———— (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; and,~~

~~———— (f) Proposed amendments to the Metropolitan Water District Act and Administrative Code affecting the organization and personnel policies of the District and to the Public Employees’ Retirement Law.~~

Article 6

**LEGAL AND CLAIMS COMMITTEE**

Sec.

2460. Day of Regular Meetings

2461. Duties and Functions

2462. [Repealed]

**§ 2460. Day of Regular Meeting.**

The regular meetings of the Legal and Claims Committee shall be held on the ~~Monday~~ preceding Tuesday of regular Board meetings.

**§ 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, legislation dealing with public agencies, and proposed District ordinances;

(h) The organization and contents of the Code and proposed amendments to the Metropolitan Water District Act; and,

(i) The oversight of the General Counsel's performance and activities. It shall evaluate the performance of the General Counsel at least annually in advance of the June Board meetings. The results of that evaluation shall be provided to the Executive Committee for consideration as part of its annual review of the General Counsel's compensation. It shall also review and approve the comprehensive business plan and annual goals and work objectives for the General Counsel and the Legal Department at the start of each fiscal year in advance of the August Board meetings.

**Article 87**

**WATER PLANNING, QUALITY AND RESOURCES COMMITTEE**

Sec.

24870. Day of Regular Meetings

24871. Duties and Functions

**§ 24870. Day of Regular Meeting.**

The regular meetings of the Water Planning, Quality and Resources Committee shall be held on the Monday preceding regular Board meetings.

**§ 24871. Duties and Functions.**

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

(a) Policies, sources, and water quality standards and means of importing and distributing water, transferring water, and wheeling water as 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 water conservation, reclamation, reuse and underground storage of water and use thereof;

(e) Proposed amendments to the Metropolitan Water District Act affecting the water quality, or annexation policies of the District;

(f) ~~Study, advise and make recommendations regarding t~~The protection of the District's water supply from, and mitigation of the impacts of water development on, the ~~r~~Bay/Delta Estuary;

(g) The effect of existing and proposed federal, state, and local governmental, water supply and water conveyance statutes and regulations on the District's interest in the Bay/Delta Estuary;

~~(gh) Study, advise and make recommendations regarding e~~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;

(i) The protection of the District's water supply from, and mitigation of the impacts of water development on, the Colorado River;

(j) Seawater desalination, reclamation and their development and brackish water issues in Metropolitan's service area.

~~(hk) Study, advise and make recommendations regarding t~~The Integrated Resource Planning Process;

~~(i) Consider the effect of existing and proposed federal, state, and local governmental, water supply and water conveyance statues and regulations on the District's interest in the Bay/Delta Estuary;~~

~~(jl) Consider t~~The effect on the District of existing and proposed federal, state, and local water quality and environmental statutes and regulations; and;

~~(km) Study, advise, and make recommendations regarding e~~Environmental compliance and requirements.

**Article 8**

**COMMUNICATIONS AND LEGISLATION COMMITTEE**

Sec

2480. Day of Regular Meeting

2481. Duties and Functions

**§ 2480. Day of Regular Meeting.**

The regular meetings of the Communications and Legislation Committee shall be on the Tuesday of regular Board meetings.

**§ 2481. Duties and Functions.**

The Communications and Legislation Committee shall study, advise and make recommendations to the Board with regard to:

(a) Proposals of the General Manager, other committees, and board members concerning State and Federal legislation, or amendments thereto, that may affect the District;

(b) Recommendations for new legislation identified by members of the Board or the General Manager;

(c) Opportunities for members of the Board to assist in outreach activities, including efforts to inform members of the Legislature or the Congress of the District's position with regard to proposed legislation;

(d) The effectiveness of legislative advocacy efforts by staff and members of the Board;

(e) The development and implementation of Directors' inspection trips, including the expectations and goals for these trips;

(f) The development and implementation of school education programs, including the expectations and goals for these programs;

(g) The effectiveness of Metropolitan's external affairs programs and general communications efforts directed at member agencies and the general public; and

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

**Article 9**

**ETHICS COMMITTEE**

~~Sec.~~

~~2490. Ethics Committee~~

~~[2491. Repealed]~~

~~§ 2490. Ethics Committee.~~

~~————(a) The Ethics Committee shall study, advise and make recommendations to the Board regarding the policies and procedures of Metropolitan’s ethics program.~~

~~————(b) The Ethics Committee shall be responsible for the oversight of the performance and activities of the Ethics Officer. It shall evaluate the performance of the Ethics Officer at least annually in advance of the June Board Meetings. The results of that evaluation shall be provided to the Executive Committee for consideration as part of its annual review of the compensation of the Ethics Office. It shall also review and approve the comprehensive business plan and annual goals and work objectives for the Ethics Office at the start of each fiscal year in advance of the August Board meetings.~~

~~————(c) The Ethics Committee shall hold regular meetings not less than four times a year on a quarterly basis, or as required to accomplish a specific policy objective.~~

**Chapter 5**

**OTHER COMMITTEES: MISCELLANEOUS COMMITTEE MATTERS**

Article		Sec.
1	Special Committees	2500
<del>2</del>	<del>Committee Nomination Procedures</del>	<del>2520</del>
<del>2</del>	<del>Nominating Committee</del>	<del>2520</del>
<del>3</del>	<del>Desalination and Reclamation Committee</del>	<del>2530</del>
<del>4</del>	<del>Communications and Legislation Committee</del>	<del>2540</del>
<del>5</del>	<del>Education and Outreach Committee</del>	<del>2550</del>
<del>6</del>	<del>Audit Committee</del>	<del>2560</del>
<del>7</del>	<del>Asset and Real Property Committee</del>	<del>2570</del>
<del>[7.5]</del>	<del>Repealed</del>	<del>2575]</del>
<del>8</del>	<del>Recreation Committee</del>	<del>2580</del>
<del>[8.5]</del>	<del>Repealed</del>	<del>2585]</del>
<del>[9]</del>	<del>Repealed</del>	<del>2590]</del>
<del>[10]</del>	<del>Repealed</del>	<del>2595]</del>

...

**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.

**Article 2**

**BOARD AND COMMITTEE NOMINATION PROCEDURES**

**§2520. In General.**

The Executive Committee shall:

(a) Nominate members for the offices of Chairman and Secretary of the Board, nonofficer members of the Executive Committee, and the three director positions on the Ethics Inquiry and Review Committee so as to provide, insofar as practical, adequate regional representation for the benefit of the entire District. Members of the Executive 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.

(b) 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 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.

**§2521. Number of Nominations**

More than one member may be nominated for each of the offices.

**Article 2**

**NOMINATING COMMITTEE**

Sec.

~~2520. Membership~~

~~2521. Term of Members~~

~~2522. Duties and Functions~~

**~~§ 2520. Membership.~~**

~~————The Nominating Committee membership shall consist of seven directors selected at large. Four members of the Nominating Committee shall be appointed at the February meeting of the Board in odd-numbered years, and three 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.~~

**~~§ 2521. Term of Members.~~**

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

**~~§ 2522. Duties and Functions.~~**

~~————(a) The 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. The Nominating Committee shall also nominate members for the three director positions on the Ethics Inquiry and Review Committee. More than one member may be nominated for each of the offices.~~

~~————(b) The 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 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.~~

**Article 3**

**~~DESALINATION AND RECLAMATION COMMITTEE~~**

See:

~~2530. Desalination and Reclamation Committee~~

**~~§ 2530. Desalination and Reclamation Committee.~~**

~~————(a) Members of the Desalination and Reclamation committee are appointed by, and serve at the pleasure of, the Chair of the Board.~~

~~————(b) The Desalination and Reclamation Committee shall hold meetings as needed, as determined by the Chair of the Desalination and Reclamation Committee or the Chair of the Board.~~

~~————(c) The Desalination and Reclamation Committee shall study, advise and make recommendations to the Board with regard to:~~

~~————(1) Seawater desalination and its development in Metropolitan’s service area;~~

~~————(2) Reclamation and its development in Metropolitan’s service area;~~

~~————(3) Brackish water issues in Metropolitan’s service area.~~

**Article 4**

**~~COMMUNICATIONS AND LEGISLATION COMMITTEE~~**

See

~~2540. Day of Regular Meeting~~

~~2541. Duties and Functions~~

~~2542. Membership~~

~~2543. Subcommittees~~

**~~§ 2540. Day of Regular Meeting.~~**

~~————The regular meetings of the Communications and Legislation Committee shall be held on the fourth Tuesday of each month.~~

**~~§ 2541. Duties and Functions.~~**

~~————The Communications and Legislation Committee shall study, advise and make recommendations to the Board with regard to:~~

~~————(a) Proposals of the Chief Executive Officer, other committees, and board members concerning State and Federal legislation, or amendments thereto, that may affect the District;~~

~~————(b) Recommendations for new legislation identified by members of the Board or the Chief Executive Officer;~~

~~——(c) Opportunities for members of the Board to assist in outreach activities, including efforts to inform members of the Legislature or the Congress of the District's position with regard to proposed legislation;~~

~~——(d) The effectiveness of legislative advocacy efforts by staff and members of the Board;~~

~~——(e) The development and implementation of Directors' inspection trips, including the expectations and goals for these trips.~~

~~**§ 2542. Membership.**~~

~~——Members of the Communications and Legislation Committee are appointed by, and serve at the pleasure of, the Chair of the Board.~~

~~M. I. 46064—January 11, 2005.~~

~~**§ 2543. Subcommittees.**~~

~~——(a) Within the Communications and Legislation Committee there shall be a Sacramento Subcommittee which shall study, advise and make recommendations to the Communications and Legislation Committee regarding legislative activities involving the State of California.~~

~~——(b) Within the Communications and Legislation Committee there shall be a Washington D.C. Subcommittee which shall study, advise and make recommendations to the Communications and Legislation Committee regarding legislative activities involving the federal government.~~

~~**Article 5**~~

~~**EDUCATION AND OUTREACH COMMITTEE**~~

~~See:~~

~~2550. Day of Meeting~~

~~2551. Duties and Functions~~

~~2552. Membership~~

~~**§ 2550. Day of Regular Meeting.**~~

~~——The regular meetings of the Education and Outreach committee shall be held on the fourth Tuesday of each month.~~

~~**§ 2551. Duties and Functions.**~~

~~——The Education and Outreach Committee shall study, advise and make recommendations to the Board with regard to:~~

~~——(a) The development and implementation of school education programs, including the expectations and goals for these programs;~~

~~——(b) The effectiveness of Metropolitan’s external affairs programs and general communications efforts directed at member agencies and the general public;~~

~~——(c) The selection of public information consultants and the scope of their assignments.~~

~~§ 2552. **Membership.**~~

~~——Members of the Education and Outreach Committee are appointed by, and serve at the pleasure of, the Chair of the Board.~~

**Article 6**

**AUDIT COMMITTEE**

Sec.

~~2560. Audit Committee.~~

~~§2560. Audit Committee~~

~~————(a) Members of the Audit Committee are appointed by, and serve at the pleasure of, the Chair of the Board.~~

~~————(b) The Audit Committee shall hold meetings as needed, as determined by the Chair of the Audit Committee or the Chair of the Board.~~

~~————(c) The Audit Committee shall study, advise and make recommendations with regard to:~~

~~————(1) All reports of the General Auditor and external auditors, including the audited financial statements of the District;~~

~~————(2) The Audit Department's annual business plan and annual budget;~~

~~————(3) Requests from other committees of the Board for audits and reviews not included in annual business plan.~~

~~————(d) The Audit Committee shall be responsible for the oversight of the General Auditor's performance and activities. It shall evaluate the performance of the General Auditor at least annually in advance of the July Board meeting. The results of that evaluation shall be provided to the Executive Committee for consideration as part of the Audit Committee's annual review of the General Auditor's compensation. It shall review and approve the comprehensive business plan and annual goals and work objectives of the General Auditor and the Audit Department at the start of each fiscal year in advance of the August Board meeting.~~

~~Article 7~~

~~ASSET AND REAL PROPERTY COMMITTEE~~

See:

~~2570. Asset and Real Property Committee.~~

~~§ 2570. Asset and Real Property Committee.~~

~~(a) Members of the Asset and Real Property Committee are appointed by, and serve at the pleasure of, the Chair of the Board.~~

~~(b) The Asset and Real Property Committee shall hold meetings as needed, as determined by the Chair of the Asset and Real Property Committee or the Chair of the Board.~~

~~(c) The Asset and Real Property Committee shall study, advise and make recommendations with regard to:~~

~~(1) Proposed amendments to the Metropolitan Water District Act and Code affecting the acquisition, ownership and sale of land by the District.~~

~~(2) Proposed rules and proposals regarding business development opportunities, including real property and intellectual property transactions;~~

~~(3) Policies for the acquisition of rights-of-way;~~

~~(4) The purchase, sale, and leasing of land and buildings, including the District's various office and garage space needs;~~

~~(5) The incidental use of land in farming operations and otherwise;~~

~~(6) The operation and maintenance of buildings;~~

~~(7) The purchase, management and disposition of personal property assets such as equipment and vehicles;~~

~~(8) Facility master plans, including budgeting for capital improvements and long-term facilities commitments;~~

~~(9) Information technology strategies, projects and activities, including asset management and the budgeting and tracking of information technology resources; and,~~

~~(10) Policies regarding annexation and the requirements, procedures, terms and conditions for annexations.~~

**Article 8**

**RECREATION COMMITTEE**

~~Sec.~~

~~2580. Recreation Committee~~

**~~§ 2580. Recreation Committee~~**

~~——(a) Members of the Recreation Committee are appointed by, and serve at the pleasure of, the Chair of the Board.~~

~~——(b) The Recreation Committee shall hold meetings as needed, as determined by the Chair of the Recreation Committee or the Chair of the Board.~~

~~——(c) The Recreation Committee shall study, advise and make recommendations to the Board with regard to:~~

~~——(1) The development, oversight and coordination of recreational facilities at Diamond Valley Lake and Lake Skinner; and,~~

~~——(2) The use of proceeds from the sale or disposition of surplus property related to Diamond Valley Lake and Lake Skinner for recreation purposes.~~

## DIVISION II

### PROCEDURES PERTAINING TO BOARD, COMMITTEES AND DIRECTORS

#### Chapter 4

#### STANDING COMMITTEES

Article	Sec.
1 General	2400
2 Executive Committee	2410
3 Engineering and Operations Committee	2430
4 Budget, Finance, Investment and Insurance Committee	2440
5 Asset and Recreation Committee	2450
6 Legal and Claims Committee	2460
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8 Communications and Legislation Committee	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, Finance, Investment and Insurance Committee
- Asset and Recreation Committee
- Legal and Claims Committee
- Water Planning, Quality and Resources Committee
- Communications and Legislation Committee

#### **§ 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 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 or 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.

**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. Day of Regular Meeting
- 2417. Duties and Functions
- 2418. Action by Board Officers
- 2419. [Repealed]
- 2420. [Repealed]
- 2421. [Repealed]

**§ 2410. Membership.**

The membership of the Executive Committee shall consist of the Chair, Vice Chairs, Secretary, all past Chairs of the Board who are directors of the District, six additional directors as nonofficer members, and the Chairs of the six standing committees in addition to the Executive Committee, and the Chairs of Special Committees and other committees whose membership on the Executive Committee is specifically directed by the Board. 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.

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

Nonofficer members of the Executive Committee, shall be nominated by the 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.

**§ 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.

**§ 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.

**§ 2414. Limitation on Service.**

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

**§ 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.

**§ 2416. Day of Regular Meeting.**

The regular meeting of the Executive Committee shall be held on the fourth Tuesday of the month.

**§ 2417. Duties and Functions.**

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

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

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

(3) Review and approve board and committee agendas and, notwithstanding the jurisdiction of the other standing committees in the Code, have the authority to direct which committee shall consider an item;

(4) Review and approve the scheduling of board and committee meetings;

(5) Policies and procedures to be considered by the Board or committees thereof, except for policy matters within the jurisdiction of a specific standing committee;

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

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

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

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

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

(11) 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, as well as the District's negotiation of such matters with employee bargaining units and selection of negotiators;

(12) 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;

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

(14) Policies and procedures of the District's ethics program;

(15) All reports of the General Auditor and external auditors, including the audited financial statements of the District, and requests from other committees of the Board for audits and reviews not included in annual business plan.

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

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

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

(19) Such other matters as may be required by Division II of this Code.

(b) The Executive Committee shall retain ultimate responsibility for those duties as are specifically assigned to the subcommittees of the Executive Committee.

(c) The Executive Committee shall be responsible for the oversight of the performances and activities of the General Manager, General Counsel, General Auditor, and the Ethics Officer and an annual review of the compensation of the General Manager, General Auditor and Ethics Officer. The Executive Committee shall evaluate the performance of the General Manager, General Auditor and Ethics Officer at least annually in advance of the July Board meetings. It shall also review and approve the General Manager comprehensive business plans and annual goals and work objectives of the General Manager, General Auditor and Ethics Officer at the start of each fiscal year in advance of the August Board meetings.

(d) After its review and consideration of the annual assessment of, and recommendations concerning Department Heads, including the annual assessment and recommendations of the Legal and Claims Committee concerning the performance of the General Counsel, the Executive Committee shall make recommendations to the Board on the salary and other compensation of Department Heads in advance of the July meetings, with any changes to be effective at the start of the payroll period nearest to July 1.

(e) 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) 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.

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

(4) 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 subparagraph (i) above 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.

(5) Resolve disputes over inspection dates and monitor conduct of inspection trips to assure maximum effectiveness.

#### **§ 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.

**Article 3**

**ENGINEERING AND OPERATIONS COMMITTEE**

Sec.

2430. Day of Regular Meeting

2431. Duties and Functions

**§ 2430. Day of Regular Meetings.**

The regular meetings of the Engineering and Operations Committee shall be held on the Monday preceding regular Board meetings.

**§ 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) Water treatment technologies for complying with drinking water regulations; and,

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

**Article 4**

**BUDGET, FINANCE, INVESTMENT AND INSURANCE COMMITTEE**

Sec.

2440. Day of Regular Meeting

2441. Duties and Functions

**§ 2440. Day of Regular Meetings.**

The regular meetings of the Budget, Finance, Investment and Insurance Committee shall be held on the Monday preceding regular Board meetings.

**§ 2441. Duties and Functions.**

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

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

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

**Article 5**

**ASSET AND RECREATION COMMITTEE**

Sec.

2450. Day of Regular Meeting

2451. Duties and Functions

**2450. Day of Regular Meetings.**

The regular meeting of the Asset and Recreation Committee shall be held on the fourth Tuesday of the month.

**§2451. Duties and Functions.**

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

(1) Proposed amendments to the Metropolitan Water District Act and Code affecting the acquisition, ownership and sale of land by the District.

(2) Proposed rules and proposals regarding business development opportunities, including real property and intellectual property transactions;

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

(4) The purchase, sale, and leasing of land and buildings, including the District's various office and garage space needs;

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

(6) The operation and maintenance of buildings;

(7) The purchase, management and disposition of personal property assets such as equipment and vehicles;

(8) Facility master plans, including budgeting for capital improvements and long-term facilities commitments;

(9) Information technology strategies, projects and activities, including asset management and the budgeting and tracking of information technology resources;

(10) Policies regarding annexation and the requirements, procedures, terms and conditions for annexations;

(11) The development, oversight and coordination of recreational facilities at Diamond Valley Lake and Lake Skinner; and

(12) The use of proceeds from the sale or disposition of surplus property related to Diamond Valley Lake and Lake Skinner for recreation purposes.

## Article 6

**LEGAL AND CLAIMS COMMITTEE**

Sec.

2460. Day of Regular Meetings

2461. Duties and Functions

2462. [Repealed]

**§ 2460. Day of Regular Meeting.**

The regular meetings of the Legal and Claims Committee shall be held on the Tuesday of regular Board meetings.

**§ 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, legislation dealing with public agencies, and proposed District ordinances;

(h) The organization and contents of the Code and proposed amendments to the Metropolitan Water District Act; and,

(i) The oversight of the General Counsel's performance and activities. It shall evaluate the performance of the General Counsel at least annually in advance of the June Board meetings. The results of that evaluation shall be provided to the Executive Committee for consideration as part of its annual review of the General Counsel's compensation. It shall also review and approve the comprehensive business plan and annual goals and work objectives for the General Counsel and the Legal Department at the start of each fiscal year in advance of the August Board meetings.

**Article 7**

**WATER PLANNING, QUALITY AND RESOURCES COMMITTEE**

Sec.

2470. Day of Regular Meetings

2471. Duties and Functions

**§ 2470. Day of Regular Meeting.**

The regular meetings of the Water Planning, Quality and Resources Committee shall be held on the Monday preceding regular Board meetings.

**§ 2471. Duties and Functions.**

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

(a) Policies, sources, and water quality standards and means of importing and distributing water, transferring water, and wheeling water as 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 water conservation, reclamation, reuse and underground storage of water and use thereof;

(e) Proposed amendments to the Metropolitan Water District Act affecting the water quality, or annexation policies of the District;

(f) The protection of the District's water supply from, and mitigation of the impacts of water development on, the Bay/Delta Estuary;

(g) The effect of existing and proposed federal, state, and local governmental, water supply and water conveyance statutes and regulations on the District's interest in the Bay/Delta Estuary;

(h) 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;

(i) The protection of the District's water supply from, and mitigation of the impacts of water development on, the Colorado River;

(j) Seawater desalination, reclamation and their development and brackish water issues in Metropolitan's service area.

(k) The Integrated Resource Planning Process;

(l) The effect on the District of existing and proposed federal, state, and local water quality and environmental statutes and regulations; and

(m) Environmental compliance and requirements.

**Article 8**

**COMMUNICATIONS AND LEGISLATION COMMITTEE**

Sec

2480. Day of Regular Meeting

2481. Duties and Functions

**§ 2480. Day of Regular Meeting.**

The regular meetings of the Communications and Legislation Committee shall be on the Tuesday of regular Board meetings.

**§ 2481. Duties and Functions.**

The Communications and Legislation Committee shall study, advise and make recommendations to the Board with regard to:

(a) Proposals of the General Manager, other committees, and board members concerning State and Federal legislation, or amendments thereto, that may affect the District;

(b) Recommendations for new legislation identified by members of the Board or the General Manager;

(c) Opportunities for members of the Board to assist in outreach activities, including efforts to inform members of the Legislature or the Congress of the District's position with regard to proposed legislation;

(d) The effectiveness of legislative advocacy efforts by staff and members of the Board;

(e) The development and implementation of Directors' inspection trips, including the expectations and goals for these trips;

(f) The development and implementation of school education programs, including the expectations and goals for these programs;

(g) The effectiveness of Metropolitan's external affairs programs and general communications efforts directed at member agencies and the general public; and

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

## Chapter 5

### OTHER COMMITTEES: MISCELLANEOUS COMMITTEE MATTERS

Article	Sec.
1 Special Committees	2500
2 Committee Nomination Procedures	2520

#### 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.

#### Article 2

#### BOARD AND COMMITTEE NOMINATION PROCEDURES

#### §2520. In General.

The Executive Committee shall:

(a) Nominate members for the offices of Chairman and Secretary of the Board, nonofficer members of the Executive Committee, and the three director positions on the Ethics Inquiry and Review Committee so as to provide, insofar as practical, adequate regional representation for the benefit of the entire District. Members of the Executive 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.

(b) 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 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.

#### §2521. Number of Nominations

More than one member may be nominated for each of the offices.