



- Board of Directors  
*Legal and Claims Committee*

10/10/2017 Board Meeting

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7-5

## Subject

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Adopt CEQA determination and approve amendments to the Metropolitan Water District Administrative Code to conform to current law, practices and regulations

## Executive Summary

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The proposed amendments to the Administrative Code will update the Code so that the Code conforms to current law, practices and regulations. The proposed changes will update the Code to comply with current requirements of the Ralph M. Brown Act ("Brown Act"), shorten the time period for sending notice of nominations to directors by the Executive Committee for the offices of Board Chair and Secretary of the Board to ensure that this information is received prior to the board election meeting, update statutory references relating to annexations, edit language for consistency of his/her references, and delete unnecessary provisions concerning time limitations for completing environmental documentation for third-party projects already set forth in existing law.

## Details

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This letter proposes amendments to Metropolitan's Administrative Code to conform the Code to current law, practices and regulations, and to provide grammatical consistency within Code provisions. The proposed amendments are set forth in **Attachment 1**, with overstrikes reflecting deletions and underlining reflecting additions. **Attachment 2** sets forth the sections as they will appear in the Administrative Code if the changes are approved.

The Administrative Code is proposed to be amended as follows:

1. Section 2019(d) is amended to comply with a requirement of the Brown Act for posting of the current agendas of meetings on Metropolitan's public website.
2. Section 2147 is amended to conform to new requirements in Government Code section 54954.3 of the Brown Act requiring that the time limits for public presentations to the Board or a committee be doubled if the presenter requires the aid of a translator and simultaneous translation is not available.
3. Section 2520(b) on board officer nomination procedures is amended to shorten the time for the Executive Committee to provide written notice to directors of any proposed nominations by this committee for the offices of Chair and Secretary of the Board from 20 to 10 days prior to the scheduled date of the election. This change would avoid the situation that sometimes arises when there is less than 20 days between the nomination meeting of the Executive Committee and the election meeting of the Board.
4. Section 3107(c) on water use efficiency guidelines for annexations is amended to revise the references to the Water Code sections to include additional applicable sections.
5. Section 5019(a) on capital funding from current revenues is amended so that the language is consistent with procedures relating to capital facilities or projects costing less than \$1 million.
6. Sections 6430, 6431, 6433 and 6438 are amended so that grammatical references to the General Counsel are consistent.

7. Section 11110 is deleted to remove unnecessary provisions relating to time limitations for completion of certain environmental documentation for third-party projects that have created some confusion as they duplicate existing law. The succeeding provisions in Division XI are also renumbered.

## **Policy**

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Metropolitan Water District Administrative Code Section 2451(g): Duties and Functions [Legal and Claims Committee]

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

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### **CEQA determination for Options #1 and #2:**

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

The CEQA determination is: Determine that the proposed action is not defined as a project under CEQA pursuant to Sections 15378(b)(2) and 15378(b)(5) of the State CEQA Guidelines.

### **CEQA determination for Option #3:**

None required

## **Board Options**

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### **Option #1**

Adopt the CEQA determination that the proposed action is not defined as a project under CEQA, and  
Approve amendments to the Administrative Code set forth in Attachment 2 to reflect the changes recommended by this letter

**Fiscal Impact:** None

**Business Analysis:** To conform the Administrative Code to current law, practices and regulations

### **Option #2**

Adopt the CEQA determination that the proposed action is not defined as a project under CEQA, and  
Approve amendments to the Administrative Code set forth in Attachment 2 to reflect the changes recommended by this letter as modified by the changes proposed by the Board

**Fiscal Impact:** None

**Business Analysis:** To conform the Administrative Code to current law, practices and regulations

### **Option #3**

Do not approve amendments to the Administrative Code set forth in Attachment 2 to reflect the changes recommended by this letter


**Fiscal Impact:** None

**Business Analysis:** The Administrative Code will not be amended to conform to current law, practices and regulations

**Staff Recommendation**

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Option #1

  
\_\_\_\_\_  
Marcia Scully  
General Counsel

10/3/2017  
Date

  
\_\_\_\_\_  
Jeffrey Lightlinger  
General Manager

10/4/2017  
Date

**Attachment 1 – The Administrative Code of The Metropolitan Water District of Southern California (with changes marked)**

**Attachment 2 – The Administrative Code of The Metropolitan Water District of Southern California (clean version)**

Ref# I12657247

**Division II**

**PROCEDURES PERTAINING TO BOARD, COMMITTEES  
AND DIRECTORS**

**Chapter 1**

**BOARD OF DIRECTORS**

**Article 1**

**MEETINGS**

**§ 2109. Board Agenda.**

...

(d) The Board Executive Secretary shall be responsible for any required posting of agendas which shall be in the public lobby of the District's Headquarters Building and on Metropolitan's website in accordance with applicable law.

**Article 3**

**MISCELLANEOUS BOARD RULES**

**§ 2147. Time limits upon presentations.**

Members of the public addressing the Board or a committee 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 or committee. The Chair of the Board or committee, or the Board or committee by majority vote, may allow additional time. Established time limits for members of the public shall be doubled if the presenter requires the aid of a translator unless simultaneous translation is available.

**Chapter 5**

**OTHER COMMITTEES: MISCELLANEOUS COMMITTEE MATTERS**

**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. 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 Chair 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 2010 days prior to the scheduled date of the election.

### **Division III**

## **ANNEXATIONS**

### **Chapter 1**

#### **ANNEXATION PROCEDURE**

#### **§ 3107. Water Use Efficiency Guidelines.**

The member agency representing the parcels considered for annexation shall submit evidence of compliance with the following:

...

(c) Recycled water of adequate quality shall be used whenever it is available to be used, in accordance with California Water Code Sections 13550-135547.

### **Division V**

## **FINANCIAL MATTERS**

### **Chapter 1**

#### **ADMINISTRATIVE MATTERS**

#### **§ 5109. Capital Funding from Current Revenues.**

To preserve debt capacity for evolving or unexpected financial needs Metropolitan shall fund replacements and refurbishments, capital projects costing less than \$1 million, or capital projects with useful lives less than the typical bond terms, and reimbursable capital projects from annual revenues. The Board's objective shall be to fund annually on a pay-as-you-go basis these elements of the capital investment plan to maintain stable water rates and charges, strong financial ratios, debt capacity and appropriate reserve levels. The amount of annual expenses

paid from current revenues shall be determined by the Board as part of the biennial budget process and shall include the costs of:

- (a) Capital facilities or projects ~~costing totaling \$1,000,000 or less~~ less than \$1 million.

## Division VI

### PERSONNEL MATTERS

#### Article 3

#### GENERAL COUNSEL

##### § 6430. Powers and Duties.

The powers and duties of the General Counsel shall be as follows:

(a) The General Counsel shall be the attorney for the District and shall represent said District and the Board, or any officer of said District, in all actions at law or in equity, and special proceedings, for or against said District, or in which it may be legally interested, or for or against said Board or any officer of said District, in his/her official capacity.

(b) The General Counsel shall be legal advisor to the Board and to all officers of said District in their official capacity, and ~~he~~ shall give ~~his~~ advice or opinions in writing to said Board or to any such officer, when requested so to do by said Board or officer.

(c) The General Counsel shall keep on file in his/her office copies of all written communications given ~~by him~~ to the Board or to any officer or employee of the District; copies of all papers, briefs, and transcripts used in causes wherein he/she appears, and a register of all actions or proceedings in his/her charge in which the District or the Board or any officer of the District, in his/her official capacity, is a party or is interested.

(d) The General Counsel may, when authorized so to do by the Board, employ attorneys and other persons to render special and temporary services in assisting ~~him/her~~ in the performance of his/her duties and upon such compensation as the Board may determine.

(e) The General Counsel shall cooperate with the General Manager.

##### § 6431. Authority to Obtain Expert Assistance.

The General Counsel is authorized to employ special counsel and investigators to advise ~~him~~ or assist him/her in representing the District, and such technical experts as necessary for proper preparation and presentation of the District's interest in any court action, special proceedings, legislative hearings, or other proceedings whether in or out of court where the assistance of technical experts may be necessary in order to represent the District adequately, so long as the amount to be expended in fees, costs, and expenses in any one year in connection with any assignment will not exceed \$100,000.

**§ 6433. Authority to Litigate, Compromise and Settle Claims By and Against the District.**

...

(f) Litigation - Leases - Encroachments. - The General Counsel is authorized, upon request of the General Manager, to bring an action to enforce the terms of District written and oral leases or to remove unauthorized encroachments upon District property and ~~he~~ is authorized to do all things ~~he~~/she deems necessary or proper in the conduct of any such action including, without limitation, to conduct ancillary proceedings, to settle or dismiss the action, or to appeal a judgment.

(g) Representation of Employees. - The General Counsel is authorized to represent an employee or former employee of the District who requests a defense by the District in any civil or criminal action or proceeding brought against such employee arising out of an act or omission in the scope of his/her employment. ~~He~~/she may refuse to represent such employee in any civil action for any reason stated in Section 995.2 or Section 995.4 of the Government Code.

**§ 6438. Assistants General Counsel and Deputies General Counsel.**

(a) The Assistants General Counsel and Deputies General Counsel shall perform such duties and render such services to the District as may be prescribed and assigned to them by the General Counsel, with like effect as though such duties or services were performed or rendered in person by the General Counsel. During the absence or disability of the General Counsel, or ~~his~~ inability for any reason to act in person, or in case of his/her death, resignation or removal, until the appointment and qualification of ~~his-a~~ successor, the Assistants General Counsel shall perform all of the duties and exercise all of the powers of the General Counsel. The Assistants General Counsel and Deputies General Counsel shall act in the name of the General Counsel, except when directed by the latter to act in their own names, and their acts shall be equally effective whether done in the name of the General Counsel or in their own names.

**Division XI**

**MISCELLANEOUS**

Chapter	Sec.
<del>1</del> <del>Environmental Matters</del>	<del>11100</del>
<del>21</del> <del>Other Miscellaneous</del> Matters	
<del>112100</del>	
<del>32</del> Purpose and Effect of Adoption of Administrative Code	<del>113200</del>

~~Chapter 1~~

~~ENVIRONMENTAL MATTERS~~

~~Sec.~~

~~11100. Time Limitation for Completion of Certain Documentation~~

~~§ 11100. Time Limitation for Completion of Certain Documentation.~~

~~—(a) The maximum time limit for completion of environmental impact reports for District projects described in subdivision (c) of Public Resources Code Section 21065 shall be one year.~~

~~—(b) The maximum time limit for completion of negative declarations for District projects described in subdivision (c) of Public Resources Code Section 21065 shall be 105 days.~~

~~—(c) The time limits provided for in Sections 11100(a) and 11100(b) shall be measured from the date on which an application requesting approval of a project subject to such limits is received and accepted as complete by the General Manager.~~

~~—(d) The General Manager is delegated the authority to adopt lists and criteria by which to determine the completeness of applications.~~

~~—(e) Reasonable extensions of the aforesaid time periods may be made by the General Manager in the event Title 14 California Administrative Code Section 15109 or other applicable law permits additional time.~~

~~—(f) This chapter is only applicable to projects for which the District is a lead agency as defined in Division 13 of the Public Resources Code and Division 6, Chapter 3 of 14 California Administrative Code.~~

**Chapter ~~21~~**

**OTHER MISCELLANEOUS MATTERS**

Sec.

- 11~~21~~00. Reimbursement to Redevelopment Agencies
- 11~~21~~01. Metropolitan Water District Federal Credit Union
- 11~~21~~02. Payment of Dues
- 11~~21~~03. Participation in Projects or Programs Serving District Purposes

**§ 11~~21~~00. Reimbursement to Redevelopment Agencies.**

The General Manager is authorized to institute procedures, in form approved by the General Counsel, for reimbursement to redevelopment agencies within its declaring public agencies of moneys, including State subventions, received by the District as a result of redevelopment agencies' assessed valuations exceeding those for the base year for such redevelopment agencies.

**§ 11~~21~~01. Metropolitan Water District Federal Credit Union.**

A Metropolitan Water District Federal Credit Union may be established on condition that it be operated without obligation by the District.



**§ 11~~2~~102. Payment of Dues.**

Each department head is authorized to join organizations whose purposes serve the interests of the District. The membership may be in the department head's name or in the name of the District, as appropriate. Each department head may approve payment of dues of any such organization so long as annual dues are \$10,000 or less. Each department head may approve payment of future dues of any organization which the department head was authorized to join under this section or by the Board, so long as any increase does not exceed \$10,000. Each department head shall annually report to the Board the exercise of authority granted by this section.

**§ 11~~2~~103. Participation in Projects or Programs Serving District Purposes.**

In addition to the dues the General Manager is authorized to pay pursuant to Section 11~~2~~102, the General Manager is authorized, without prior Board approval, to pay to any other public agency or private organization an amount not to exceed \$25,000 to participate in projects or programs desirable to carry out the objects and purposes of the District; provided, however, that such amount shall be available from funds previously authorized by the Board for such purposes.

**Chapter ~~3~~2**

**PURPOSE AND EFFECT OF ADOPTION OF ADMINISTRATIVE CODE**

Sec.

- 11~~3~~200. Purpose of Administrative Code
- 11~~3~~201. Changes in Wording
- 11~~3~~202. Consideration of Prior Board Action
- 11~~3~~203. Consideration of Prior Legislative History
- 11~~3~~204. Effect of Repeal of Ordinance or Code Provision
- 11~~3~~205. Severability of Parts of Code
- 11~~3~~206. Effects of Section Numbers and Headings
- 11~~3~~207. Amendments
- 11~~3~~208. Gender and Number

**§ 11~~3~~200. Purpose of Administrative Code.**

It is the purpose of the adoption of this Administrative Code to codify operative provisions of existing ordinances, resolutions, actions recorded in minute orders and of other matters heretofore adopted by the Board of Directors to the extent such provisions have continuing effect.

**§ 11~~3~~201. Changes in Wording.**

Any change in wording from the wording found in any ordinance, resolution, minute order or other matter from which a provision of this Administrative Code is derived has been

made solely for editorial reasons and was not and shall not be construed to have had as its purpose a change in intent, meaning or purpose of any such preexisting document.

**§ 113202. Consideration of Prior Board Action.**

The adoption of this Administrative Code and the concurrent or subsequent repeal of preexisting ordinances, resolutions, actions recorded in minute orders, and other matters, all as listed in the "Resolution Repealing Existing Resolutions, Actions Recorded in Minute Orders and Other Matters" adopted by the Board of Directors at its meeting held January 11, 1977, or affected by "An Ordinance Repealing Ordinance No. 113, as Amended, The Code of Ordinances of The Metropolitan Water District of Southern California" adopted by the Board at its meeting held April 10, 1979, shall be considered in the interpretation of corresponding provisions of this Administrative Code. The Board Executive Secretary shall keep on file the original or a copy of all such ordinances, resolutions, minute orders and other matters.

**§ 113203. Consideration of Prior Legislative History.**

The legislative history and administrative interpretation pertaining to all ordinances, resolutions, minute orders and other matters referred to in the "Resolution Repealing Existing Resolutions, Actions Recorded in Minute Orders and Other Matters" adopted by the Board of Directors at its meeting held January 11, 1977, or affected by "An Ordinance Repealing Ordinance No. 113, as Amended, The Code of Ordinances of The Metropolitan Water District of Southern California" adopted by the Board at its meeting held April 10, 1979, shall be considered in the interpretation of corresponding provisions of this Administrative Code. The Board Executive Secretary shall keep on file the original or a copy of all such ordinances, resolutions, minute orders and other matters.

**§ 113204. Effect of Repeal of Ordinance or Code Provision.**

The repeal of a provision of this Code shall not revive any ordinance or Code provision in force before or at the time the Code provision repealed took effect.

**§ 113205. Severability of Parts of Code.**

It is hereby declared to be the intention of the Board that the sections, paragraphs, sentences, clauses, and phrases of this Code are severable; and if any phrase, clause, sentence, paragraph, or section of this Code shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Code.

**§ 113206. Effects of Section Numbers and Headings.**

Division, chapter, section and subsection numbers and headings are not a part of and do not in any manner affect the scope, meaning, or intent of the provisions of this Code.

| § ~~1132~~**07. Amendments.**

Whenever a reference is made to any portion of this Code, the reference applies to all amendments hereafter made.

| § ~~1132~~**08. Gender and Number.**

As used in this Code, the masculine gender includes the feminine and neuter, and the singular number includes the plural and the plural the singular, unless the context clearly indicates to the contrary.

**Division II**

**PROCEDURES PERTAINING TO BOARD, COMMITTEES  
AND DIRECTORS**

**Chapter 1**

**BOARD OF DIRECTORS**

**Article 1**

**MEETINGS**

**§ 2109. Board Agenda.**

...

(d) The Board Executive Secretary shall be responsible for any required posting of agendas which shall be in the public lobby of the District's Headquarters Building and on Metropolitan's website in accordance with applicable law.

**Article 3**

**MISCELLANEOUS BOARD RULES**

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**Chapter 5**

**OTHER COMMITTEES: MISCELLANEOUS COMMITTEE MATTERS**

**Article 2**

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(b) Establish procedures for the fair and impartial election of members to the offices of Chair 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 10 days prior to the scheduled date of the election.

### **Division III**

#### **ANNEXATIONS**

##### **Chapter 1**

#### **ANNEXATION PROCEDURE**

##### **§ 3107. Water Use Efficiency Guidelines.**

The member agency representing the parcels considered for annexation shall submit evidence of compliance with the following:

...

(c) Recycled water of adequate quality shall be used whenever it is available to be used, in accordance with California Water Code Sections 13550-13557.

### **Division V**

#### **FINANCIAL MATTERS**

##### **Chapter 1**

#### **ADMINISTRATIVE MATTERS**

##### **§ 5109. Capital Funding from Current Revenues.**

To preserve debt capacity for evolving or unexpected financial needs Metropolitan shall fund replacements and refurbishments, capital projects costing less than \$1 million, or capital projects with useful lives less than the typical bond terms, and reimbursable capital projects from annual revenues. The Board's objective shall be to fund annually on a pay-as-you-go basis these elements of the capital investment plan to maintain stable water rates and charges, strong financial ratios, debt capacity and appropriate reserve levels. The amount of annual expenses paid from current revenues shall be determined by the Board as part of the biennial budget process and shall include the costs of:

- (a) Capital facilities or projects costing less than \$1 million.

**Division VI**

**PERSONNEL MATTERS**

**Article 3**

**GENERAL COUNSEL**

**§ 6430. Powers and Duties.**

The powers and duties of the General Counsel shall be as follows:

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(b) The General Counsel shall be legal advisor to the Board and to all officers of said District in their official capacity, and shall give advice or opinions in writing to said Board or to any such officer, when requested so to do by said Board or officer.

(c) The General Counsel shall keep on file in his/her office copies of all written communications given to the Board or to any officer or employee of the District; copies of all papers, briefs, and transcripts used in causes wherein he/she appears, and a register of all actions or proceedings in his/her charge in which the District or the Board or any officer of the District, in his/her official capacity, is a party or is interested.

(d) The General Counsel may, when authorized so to do by the Board, employ attorneys and other persons to render special and temporary services in assisting in the performance of his/her duties and upon such compensation as the Board may determine.

(e) The General Counsel shall cooperate with the General Manager.

**§ 6431. Authority to Obtain Expert Assistance.**

The General Counsel is authorized to employ special counsel and investigators to advise or assist him/her in representing the District, and such technical experts as necessary for proper preparation and presentation of the District's interest in any court action, special proceedings, legislative hearings, or other proceedings whether in or out of court where the assistance of technical experts may be necessary in order to represent the District adequately, so long as the amount to be expended in fees, costs, and expenses in any one year in connection with any assignment will not exceed \$100,000.

**§ 6433. Authority to Litigate, Compromise and Settle Claims By and Against the District.**

...

(f) **Litigation - Leases - Encroachments.** - The General Counsel is authorized, upon request of the General Manager, to bring an action to enforce the terms of District written and oral leases or to remove unauthorized encroachments upon District property and is authorized to do all things he/she deems necessary or proper in the conduct of any such action including, without limitation, to conduct ancillary proceedings, to settle or dismiss the action, or to appeal a judgment.

(g) **Representation of Employees.** - The General Counsel is authorized to represent an employee or former employee of the District who requests a defense by the District in any civil or criminal action or proceeding brought against such employee arising out of an act or omission in the scope of his/her employment. He/she may refuse to represent such employee in any civil action for any reason stated in Section 995.2 or Section 995.4 of the Government Code.

**§ 6438. Assistants General Counsel and Deputies General Counsel.**

(a) The Assistants General Counsel and Deputies General Counsel shall perform such duties and render such services to the District as may be prescribed and assigned to them by the General Counsel, with like effect as though such duties or services were performed or rendered in person by the General Counsel. During the absence or disability of the General Counsel, or inability for any reason to act in person, or in case of his/her death, resignation or removal, until the appointment and qualification of a successor, the Assistants General Counsel shall perform all of the duties and exercise all of the powers of the General Counsel. The Assistants General Counsel and Deputies General Counsel shall act in the name of the General Counsel, except when directed by the latter to act in their own names, and their acts shall be equally effective whether done in the name of the General Counsel or in their own names.

**Division XI**

**MISCELLANEOUS**

Chapter		Sec.
1	Miscellaneous Matters	11100
2	Purpose and Effect of Adoption of Administrative Code	11200

**Chapter 1**

**MISCELLANEOUS MATTERS**

Sec.

11100. Reimbursement to Redevelopment Agencies

11101. Metropolitan Water District Federal Credit Union

11102. Payment of Dues

11103. Participation in Projects or Programs Serving District Purposes

**§ 11100. Reimbursement to Redevelopment Agencies.**

The General Manager is authorized to institute procedures, in form approved by the General Counsel, for reimbursement to redevelopment agencies within its declaring public agencies of moneys, including State subventions, received by the District as a result of redevelopment agencies' assessed valuations exceeding those for the base year for such redevelopment agencies.

**§ 11101. Metropolitan Water District Federal Credit Union.**

A Metropolitan Water District Federal Credit Union may be established on condition that it be operated without obligation by the District.

**§ 11102. Payment of Dues.**

Each department head is authorized to join organizations whose purposes serve the interests of the District. The membership may be in the department head's name or in the name of the District, as appropriate. Each department head may approve payment of dues of any such organization so long as annual dues are \$10,000 or less. Each department head may approve payment of future dues of any organization which the department head was authorized to join under this section or by the Board, so long as any increase does not exceed \$10,000. Each department head shall annually report to the Board the exercise of authority granted by this section.

**§ 11103. Participation in Projects or Programs Serving District Purposes.**

In addition to the dues the General Manager is authorized to pay pursuant to Section 11102, the General Manager is authorized, without prior Board approval, to pay to any other public agency or private organization an amount not to exceed \$25,000 to participate in projects or programs desirable to carry out the objects and purposes of the District; provided, however, that such amount shall be available from funds previously authorized by the Board for such purposes.

**Chapter 2**

**PURPOSE AND EFFECT OF ADOPTION OF ADMINISTRATIVE CODE**

Sec.

- 11200. Purpose of Administrative Code
- 11201. Changes in Wording
- 11202. Consideration of Prior Board Action
- 11203. Consideration of Prior Legislative History
- 11204. Effect of Repeal of Ordinance or Code Provision
- 11205. Severability of Parts of Code
- 11206. Effects of Section Numbers and Headings
- 11207. Amendments



11208. Gender and Number

**§ 11200. Purpose of Administrative Code.**

It is the purpose of the adoption of this Administrative Code to codify operative provisions of existing ordinances, resolutions, actions recorded in minute orders and of other matters heretofore adopted by the Board of Directors to the extent such provisions have continuing effect.

**§ 11201. Changes in Wording.**

Any change in wording from the wording found in any ordinance, resolution, minute order or other matter from which a provision of this Administrative Code is derived has been made solely for editorial reasons and was not and shall not be construed to have had as its purpose a change in intent, meaning or purpose of any such preexisting document.

**§ 11202. Consideration of Prior Board Action.**

The adoption of this Administrative Code and the concurrent or subsequent repeal of preexisting ordinances, resolutions, actions recorded in minute orders, and other matters, all as listed in the "Resolution Repealing Existing Resolutions, Actions Recorded in Minute Orders and Other Matters" adopted by the Board of Directors at its meeting held January 11, 1977, or affected by "An Ordinance Repealing Ordinance No. 113, as Amended, The Code of Ordinances of The Metropolitan Water District of Southern California" adopted by the Board at its meeting held April 10, 1979, shall be considered in the interpretation of corresponding provisions of this Administrative Code. The Board Executive Secretary shall keep on file the original or a copy of all such ordinances, resolutions, minute orders and other matters.

**§ 11203. Consideration of Prior Legislative History.**

The legislative history and administrative interpretation pertaining to all ordinances, resolutions, minute orders and other matters referred to in the "Resolution Repealing Existing Resolutions, Actions Recorded in Minute Orders and Other Matters" adopted by the Board of Directors at its meeting held January 11, 1977, or affected by "An Ordinance Repealing Ordinance No. 113, as Amended, The Code of Ordinances of The Metropolitan Water District of Southern California" adopted by the Board at its meeting held April 10, 1979, shall be considered in the interpretation of corresponding provisions of this Administrative Code. The Board Executive Secretary shall keep on file the original or a copy of all such ordinances, resolutions, minute orders and other matters.

**§ 11204. Effect of Repeal of Ordinance or Code Provision.**

The repeal of a provision of this Code shall not revive any ordinance or Code provision in force before or at the time the Code provision repealed took effect.

**§ 11205. Severability of Parts of Code.**

It is hereby declared to be the intention of the Board that the sections, paragraphs, sentences, clauses, and phrases of this Code are severable; and if any phrase, clause, sentence, paragraph, or section of this Code shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Code.

**§ 11206. Effects of Section Numbers and Headings.**

Division, chapter, section and subsection numbers and headings are not a part of and do not in any manner affect the scope, meaning, or intent of the provisions of this Code.

**§ 11207. Amendments.**

Whenever a reference is made to any portion of this Code, the reference applies to all amendments hereafter made.

**§ 11208. Gender and Number.**

As used in this Code, the masculine gender includes the feminine and neuter, and the singular number includes the plural and the plural the singular, unless the context clearly indicates to the contrary.