

ORDINANCE NO. 2018-05

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY WATER AUTHORITY MAKING AMENDMENTS TO CHAPTERS 2.00, 2.20, 4.00, 4.08, 7.00, and 8.00 OF THE ADMINISTRATIVE CODE

The Board of Directors of the San Diego County Water Authority does ordain as follows:

1. Article 2, chapter 2.00, of the Administrative Code is amended by the amendment of section 2.00.080 subdivision (b) to read as follows:

Section 2.00.080 Meetings

(b) Times. Regular meetings of the Board will commence at the time stated on the agenda but no earlier than 9:00 a.m., or as soon thereafter as a quorum¹ is present. Regular meetings of standing committees listed in subdivision (a) of section 2.00.060 will commence at the same time and in the same location as the Board meeting and may continue throughout the day. ~~If the agenda states a specific time for commencement of a standing committee meeting, the committee meeting shall not commence before the time stated on the agenda.~~ The formal Board meeting for the conduct of business will convene at ~~3:00 p.m.~~ the time stated on the agenda on the day of the regular meeting or as soon thereafter as the committee meetings are completed.

2. Article 2, chapter 2.20 of the Administrative Code is amended by the amendment of section 2.20.150 to read as follows:

Section 2.20.150 Social Employee Association

The employees of the Authority ~~are urged to have~~ formed an employee association to coordinate social functions, amenities, and improve communications between the employees, the several departments, management, and the Board. ~~The Authority will contribute an amount equal to bi-weekly association dues, not to exceed \$10.00 per regular employee monthly. The contributions will be made to the Employees Association to assist with expenses incurred in carrying out the activities of the Employees Association. The monies are to be paid to the Association after each payroll is issued and expended under the control of the Association for the use and benefit of all employees whether members of the Association or not.~~ An employees association under this section is primarily a social organization. Meetings and gatherings thereof shall be in furtherance of the objective stated above. The Employees Association shall not represent any employee or bargaining unit of employees with respect to employer-employee relations matters, including wages, hours, and conditions of employment. Monies accumulated by the Employees Association shall be expended only in support of Association social activities and not in connection with activities of any the bargaining units or recognized employee organization.

¹ Section 6, subdiv. (k) of the CWA Act states, "A quorum necessary for the transaction of business at any meeting of the board of directors exists whenever there are present at the meeting a majority of the membership of the board of directors that includes at least one-half of the number of representatives of each public agency member having more than six representatives serving on the board of directors."

3. Article 4, chapter 4.00 of the Administrative Code is amended by the amendment of section 4.00.070 to read as follows:

Section 4.00.070 Conveyances for Project Implementation

The General Manager may execute easement deeds, licenses, leases or other documents granting easements or other interests in Authority property to public utilities or public agencies necessary to provide service to or implement construction, operation, or maintenance of an Authority facility or approved project, or to satisfy mitigation requirements. For purposes of this section, a project is approved when it has been included in an approved budget and a determination to proceed with the project has been made in accordance with the California Environmental Quality Act.

4. Article 4, chapter 4.08 of the Administrative Code is amended by the amendment of section 4.08.090, subdivision (c) to read as follows:

Section 4.08.090 Design Build Contracts

(c) Before procuring a Design-Build contract, the General Manager shall prepare a request for proposal setting forth the scope of the project that may include, but is not limited to, the size, type, and desired design character of the works, improvements, facilities, buildings and site, and performance specifications. The performance specifications shall describe the quality of construction materials, assemblies, and other information deemed necessary to adequately describe the Authority's needs. The performance specifications shall be prepared under the direction of the Director of Engineering or Director of Operations and Maintenance, as appropriate, ~~and approved by the Board.~~

5. Article 7, chapter 7.00 of the Administrative Code is amended by the amendment of section 7.00.020 subdivision (b), paragraph (2) to read as follows:

Section 7.00.020 General Authorization

(b)(2) The General Manager is authorized to approve leases, licenses, contracts or other written instruments where the consideration paid for the interest is ~~\$50,000~~ 250,000 or less, and the term of the use is 10 years or less.

6. Article 8, chapter 8.00 of the Administrative Code is amended by the amendment of section 8.00.050, to delete that section in its entirety, as follows:

~~Section 8.00.050 Water Supply Assessments~~

~~(a) The General Manager shall provide each Authority member agency and the County of San Diego and each city in the County of San Diego with a copy of the Authority's most recently adopted Urban Water Management Plan and an annual statement regarding the Authority's water supplies and implementation of Authority plans and programs to meet the~~

~~future water supply requirements of its member agencies as determined by the Authority pursuant to law and the memorandum of agreement between the Authority and the San Diego Association of Governments.~~

~~(b) — The General Manager may prepare water supply assessments and written verifications of sufficient water supply for use by its member agencies.~~

7. Article 8, chapter 8.00 of the Administrative Code is amended by the amendment of section 8.00.070 subdivision (b), and the addition of subdivision (c) to read as follows:

Section 8.00.070 Categorical Exemptions

(b) The categorical exemptions listed in subdivision (a) may not apply to particular projects if there exists one or more of the ~~circumstances~~exceptions listed in Section 15300.2 of the State CEQA Guidelines.

Add Subdivision (c) as follows:

(c) The exceptions identified in Section 15300.2(a) through (c) of the State CEQA Guidelines shall not apply regarding the effects of a project on one or more endangered, rare or threatened species (as defined in Section 15380 of the CEQA Guidelines), or the habitats on which they depend, including wetlands in the following circumstances: (1) the affected endangered, rare or threatened species are Covered Species as defined in the Implementing Agreement for the San Diego County Water Authority Natural Community Conservation Plan/Habitat Conservation Plan, dated September 28, 2011, as may be amended; and (2) the project is to be implemented in compliance with said Implementing Agreement and associated Federal Endangered Species Act and Natural Community Conservation Planning Act permits, as may be amended.

8. The General Counsel shall incorporate these changes into the Administrative Code. The highlighting of text in this ordinance is for convenience and will not be incorporated into the codified text.

9. This ordinance shall be effective upon adoption.

10. The Clerk of the Board shall cause this ordinance to be posted in full in a prominent location on the Water Authority's website pursuant to Section 1.00.040 of the Administrative Code.

NOW, THEREFORE, the Board of Directors of the San Diego County Water Authority does ordain as follows:

PASSED, APPROVED AND ADOPTED this 25th day of October 2018, by the following vote:

AYES: Unless noted below all Directors voted aye.

NOES: None.

ABSTAIN: None.

ABSENT: Barnum, Bebee (P), Heinrichs, Katz, Simpson, and Wilson.



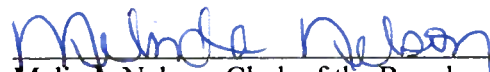
Jim Madaffer, Chair

ATTEST:



Christy Guerin, Secretary

I, Melinda Nelson, Clerk of the Board of Directors of the San Diego County Water Authority, certify that the vote shown above is correct and this Ordinance No. 2018-05 was duly adopted at the meeting of the Board of Directors on the date stated above.



Melinda Nelson, Clerk of the Board