

The Metropolitan Water District Act

PREFACE

This volume constitutes an annotated version of the Metropolitan Water District Act, as reenacted by the California State Legislature in 1969 and as amended in 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1978, 1981, 1984, 1985, 1995, 1998, 1999, 2001, and 2004. Where there is no legislative history given for a section of this act, it is because the section was enacted as part of the nonsubstantive revision of the Metropolitan Water District Act, Statutes 1969, chapter 209. The editorial work was done by the office of the General Counsel of The Metropolitan Water District of Southern California. To facilitate use of the act, catchlines or catchwords enclosed by brackets have been inserted to indicate the nature of the sections which follow. Also, a table of contents has been set at the beginning of the act. Such table of contents and catchlines or catchwords are not a part of the act as enacted by the Legislature. This annotated act will be kept up to date by means of supplemental pages issued each year in which there is a change to the act.

(Statutes 1969, ch.209, as amended;
West's California Water Code – Appendix Section 109
Deering's California Water Code – Uncodified Act 9129b)

Part 3. Internal Organization

CHAPTER 1

BOARD OF DIRECTORS

Sec. 50. [Powers]

All powers, privileges and duties vested in or imposed upon any district shall be exercised and performed by and through a board of directors.

Sec. 51. [Appointment of Directors -- Indefinite Term]

The board shall consist of at least one representative from each member public agency. The representatives shall serve without compensation from the district. They shall, at the option of the agency, either be designated and appointed by the chief executive officer of the member public agency with the consent and approval of the governing body of the agency or be selected by a majority vote of the governing body of the agency.

Amended by Stats. 1985, ch. 1531.

CASE NOTES

A member of the city council of a constituent city may be appointed director of the Metropolitan Water District, representing the area of that city, as the two offices are not incompatible.

People v. Carter (1936) 12 Cal.App.2d 105, 110, 54 P.2d 1139.

The requirement of a city charter that a city councilman shall devote his whole time to the duties of his office does not disqualify him from accepting appointment as director of the Metropolitan Water District.

People v. Carter (1936) 12 Cal.App.2d 105, 111, 54 P.2d 1139.

The mayor of a constituent city may be appointed by the council as director from that city for the Metropolitan Water District, especially where the city charter does not definitely make the mayor the chief executive officer, but implies that the council itself is the chief executive officer.

People v. Carter (1936) 12 Cal.App.2d 105, 108-109, 54 P.2d 1139.

Sec. 52. (First of two; Operative until January 1, 2001) [Additional Directors]

(a) In addition to one representative, any member public agency may designate and appoint several representatives not exceeding one additional representative for each full 3 percent of the assessed valuation of property taxable for district purposes within the entire district that is within such member public agency, in which event all such representatives present at a meeting

of the board of directors when a vote is taken shall cast, or may abstain from casting, an equal share of the total vote to which such member public agency is entitled.

(b) This section shall remain in effect only until January 1, 2001, and as of that date is repealed, unless a later enacted state, that is enacted before January 1, 2001, deletes or extends that date.

Amended by Stats. 1972, ch. 80; Stats. 1998 ch 781, operative until January 1, 2001.

Sec. 52. (Second of two; Operative January 1, 2001) [Additional Directors]

(a) In addition to one representative, any member public agency may designate and approve several representatives not exceeding one additional representative for each full 5 percent of the assessed valuation of property taxable for district purposes within the entire district that is within such member agency, in which event all such representatives present at a meeting of the board of directors when a vote is taken shall cast, or may abstain from casting, an equal share of the total vote to which such member public agency is entitled.

(b) This section shall become operative on January 1, 2001.

Amended by Stats. 1998 ch. 781, operative January 1, 2001.

Sec. 53. [Incumbent not Deprived of Office]

No incumbent representative shall be deprived of his office by reason of an increase in the amount of the assessed valuation required to authorize the designation and appointment of additional representatives, nor by reason of any decrease in the assessed valuation of the member public agency which he represents occurring after his assumption of office.

Sec. 54. [Appointment of Directors -- Specified Term]

In lieu of the appointment of members to the board pursuant to Sections 51 or 52 for an indefinite term at the pleasure of the appointing power, a member public agency may, by ordinance, provide that each representative of that member public agency shall serve for a term of four years commencing on the first day of January of an odd-numbered year, and thereafter (1) until the expiration of his term, or (2) until his successor has been appointed and qualified, in accordance with the following provisions:

(a) The term of office of an incumbent representative of a member public agency with only one representative on the board on the effective date of such ordinance shall expire on the next succeeding 31st day of December of an even-numbered year following such effective date, or thereafter when his successor has been appointed and qualified.

(b) The appointing power of a member public agency which has more than one representative on the board shall designate the term of each such representative so that to the extent possible the term of an equal number of directors will expire on the next succeeding 31st day of December of an even-numbered year following the effective date of such ordinance and on the 31st day of December of the next succeeding evennumbered year, or thereafter when their successors have been appointed and qualified.

(c) A person appointed to fill a vacancy shall hold office for the unexpired term of his predecessor.

(d) Any director so appointed for a specified term may be removed by the appointing power for cause.

(e) The repeal of such ordinance shall not affect the term of an incumbent representative appointed pursuant to such ordinance.

Amended by Stats. 1973, ch. 562.

Sec. 55. [Voting by Board]

Each member of the board shall be entitled to vote on all questions, orders, resolutions and ordinances coming before the board, and shall be entitled to cast one vote for each ten million dollars (\$10,000,000), or major fractional part thereof, of assessed valuation of property taxable for district purposes in the member public agency represented by him as shown by the assessment records of the county and evidenced by the certificate of the county auditor. However, each member of the board shall have at least one vote, but no member public agency shall have votes exceeding in number the total number of votes of all other member public agencies. As used in this section, "major fractional part" means a fractional part larger than one-half.

Sec. 56. [Appointment to Board of Member of Public Agency Governing Body]

Any member of a governing body of a member public agency may be appointed by that agency to the board of a district to serve as the agency's representative, except that in the case of agencies with several such representatives a majority of the members of the governing body of that agency may not be so appointed by that agency to serve as representatives on the board of the district. Any director holding such dual offices shall not vote upon any contract between a district and the member public agency he or she represents on the district's board.

Added by Stats. 1969, ch. 441; amended by Stats. 1995, ch. 27.

Sec. 57. [Vote Required for Board Action]

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

HISTORY AND FIRST ANNUAL REPORT

For the Period Ending June 30, 1938

F. E. WEYMOUTH
GENERAL MANAGER AND CHIEF ENGINEER



COMPILED AND EDITED BY
CHAS. A. BISSELL

LOS ANGELES

1939

INTRODUCTION

ON JUNE 30, 1938 the Colorado River aqueduct project, now under construction by The Metropolitan Water District of Southern California, was 75.9 per cent complete, based upon the estimated cost of \$220,000,000. Percentages of completion of the principal construction features completed or under way as of that date were as follows:

Main aqueduct:	
Excavation of tunnels.....	98.5
Concrete lining of tunnels.....	95.0
Canals, conduits, and siphons	99.9
Pumping plants.....	75.0
Dams and appurtenant works.....	56.0
Power transmission line and telephone line from Boulder dam.....	100.0
Canal and reservoir fencing.....	100.0
Terminal storage reservoir.....	99.0
Distribution system:	
Tunnels	99.0
Upper feeder pipe lines.....	99.0
Eagle Rock to Palos Verdes cross feeder.....	26.0

District costs, employment, and percentages of completion by fiscal years since the beginning of construction work in January 1933 are shown in the following:

FISCAL YEAR ENDING JUNE 30	TOTAL COST TO END OF FISCAL YEAR	COST FOR FISCAL YEAR	PER CENT COM- PLETION ¹	MAXIMUM MONTHLY EM- PLOYMENT ²
1933	\$ 10,740,699.47	\$	4.9	2,170
1934	30,636,037.75	19,895,338.28	14.0	5,490
1935	57,201,566.76	26,565,529.01	26.2	9,017
1936	96,781,459.65	39,579,892.89	44.4	10,781
1937	138,550,628.94	41,769,169.29	63.5	10,533
1938	167,058,971.86	28,508,342.92	75.9	5,481

The Metropolitan Water District of Southern California is a public corporation, organized in 1928 under the authority of the Metropolitan Water District Act (chap. 429, Calif. Statutes of 1927, p. 694). This act provides a means whereby groups of cities,

¹ \$220,000,000 project.

² Total reported on all contractors' and District pay rolls.

and certain other governmental subdivisions, such as water districts, not necessarily contiguous, may join together for the development of a water supply. The Metropolitan Water District of Southern California is composed at present of the cities of Anaheim, Beverly Hills, Burbank, Compton, Fullerton, Glendale, Long Beach, Los Angeles, Pasadena, San Marino, Santa Ana, Santa Monica, and Torrance, a total of thirteen. Provision is made in the act for the addition of other areas to the District, as may from time to time be found desirable.

The District was organized for the purpose of supplying the area within its boundaries with water for domestic, industrial and other beneficial uses, and incidentally to provide a means of creating a water supply for such surrounding areas as later may find it advantageous to join in the enterprise. Its first objective is the construction of the Colorado River aqueduct project, consisting of a main aqueduct 242 miles long, extending from the river near Parker, Arizona, to the Cajalco reservoir near Riverside, California, and a distribution system leading to various consumption centers. The following pages contain an account of the conception and planning of the project and a report of construction progress to June 30, 1938.

Government of the District is effected through a board of directors, composed of at least one director from each member city, the voting power being distributed on the basis of one vote for each ten million dollars of assessed valuation, no one city to have more than fifty per cent of the total voting strength of the board. The directors are appointed by the executive officers of the member cities with the consent and approval of the governing bodies. The District has authority to acquire, construct, and operate a water works system, to do all the things incidental to such functions, and to sell water and levy taxes to provide funds for carrying on its business and for paying interest and principal of any bonded indebtedness.

The region within which the cities of the Metropolitan Water District are situated embraces the fertile plain surrounding the City of Los Angeles and extending to Redlands on the east and Newport Beach on the south. The area as a whole is generally referred to as the "south coastal basin" or the "metropolitan area." There are 2,200 square miles, or 1,400,000 acres, of first-class habitable lands within this basin. Citrus fruits and semi-tropical vegetation grow luxuriantly. The climate is delightful