



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Board Action

- **Board of Directors**
Legal and Claims Committee

7/8/2025 Board Meeting

7-9

Subject

Approve amendments to the Metropolitan Water District Administrative Code to conform to current policy, law, and practice, and to make other minor, non-substantive changes; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Executive Summary

In order of appearance in the Administrative Code the proposed amendments will accomplish the following:

- (1) Streamline annexation procedures to conform to current law and practice by deleting the procedures for two-step annexations which have become obsolete since state law clarified prior voter approval is unnecessary;
- (2) Conform surplus water use policies to current law and practice by allowing the District to provide water for agricultural uses, as it does for any other beneficial use at uniform full service rates, while also allowing it to provide water deemed surplus on an interruptible basis for any beneficial use, and make corresponding amendments to annexation policies;
- (3) Update the list of active District funds maintained by the Treasurer;
- (4) Clarify that benefits for temporary and part-time employees include pension and medical benefits, and that certain employee benefits are for unrepresented classifications of employees and that any adjustments to these employees' benefits and pay shall correspond to those of the District's management bargaining unit;
- (5) Conform the timing of the issuance of exempt time off awards to current practice to correspond to the payroll cycle that includes November 15 instead of the first of December;
- (6) Consolidate the administration of the personal vehicle allowance program under the General Manager in accordance with the recently streamlined Operating Policy J-08 (Transportation Allowance);
- (7) Conform public records procedures to current law by updating the legal citation to the California Public Records Act and the procedures for responding to inspection requests; and
- (8) Make other minor, non-substantive changes.

The proposed amendments are to Chapters 1 and 2 of Division III (Annexation), Chapter 1 of Division IV (Water Service Policies), Chapter 2 of Division V (Financial Matters), Chapters 2 and 5 of Division VI (Personnel Matters), and Chapter 2 of Division X (Records).

Proposed Action(s)/Recommendation(s) and Options

Staff Recommendation: Option #1

Option #1

Approve amendments to the Metropolitan Water District Administrative Code to conform to current policy, law, and practice, and to make other minor, non-substantive changes.

Fiscal Impact: None

Business Analysis: The Administrative Code will be amended to conform to current policy, law, and practice, and to make other minor non-substantive changes.

Option #2

Do not approve amendments to the Metropolitan Water District Administrative Code.

Fiscal Impact: None

Business Analysis: The Administrative Code will not be amended to conform to current policy, law, or practice, nor to make minor non-substantive changes.

Alternatives Considered

No alternatives were considered to update the Administrative Code.

Applicable Policy

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

Metropolitan Water District Administrative Code Section 3100: Annexation Procedure

Metropolitan Water District Administrative Code Section 3200: Policies Related to Annexations

Metropolitan Water District Administrative Code Section 4100: Water Service Policies

Metropolitan Water District Administrative Code Section 5200: Funds Established

Metropolitan Water District Administrative Code Section 6200: Personnel Regulations

Metropolitan Water District Administrative Code Section 6500: Management and Confidential Employees – General

Metropolitan Water District Administrative Code Section 10200: Inspection of Records

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

Related Board Action(s)/Future Action(s)

With regards to the confidential and management employee benefits provisions, the Board approved amendments to conform to current policy, law, and practice in March 2024; this action, in relevant part, further clarifies those amendments. Future related actions are not anticipated for any of the proposed amended sections.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves organizational, maintenance, or administrative activities; personnel-related actions; and/or general policy and procedure making that will not result in direct or indirect physical changes in the environment. (Public Resources Code Section 21065; State CEQA Guidelines Section 15378(b)(2) and (5).)

CEQA determination for Option #2:

None required

Details and Background

Annexation

This letter proposes amendments to Chapter 1 of Division III (Annexation) to conform Sections 3100, 3102, and 3103 to current law and practice. In the past, Metropolitan allowed two types of annexation procedures, a one-step process and a two-step process. The two-step process allowed for conditional and final approvals by the Board to provide time to conduct a vote for the affected property owners to vote on the annexation per Proposition 218. However, in and about 2012, state law was clarified to make voting unnecessary for voluntary annexations, reasoning that if property owners want to annex for water supply, they must consent to all existing rates and charges. This change in the law made the two-step process obsolete. Administrative Code Sections 3100(a), 3102, and 3103(a) and (b) are proposed to be amended to delete the two-step annexation process. Also, minor, non-substantive amendments are proposed for Section 3100(a) and in Chapter 2 to Section 3200.

Surplus Water Use

This letter proposes amendments to Chapter 1 of Division IV (Water Service Policies) to conform Section 4106 governing surplus water use and service to current law and practice. In the past, Metropolitan allowed the sale of surplus water at a discount for agricultural uses on the condition that service could be discontinued or interrupted. Now Metropolitan only sells water at uniform full service rates, including for agricultural uses, though it may provide water deemed surplus for any beneficial use on an interruptible basis. Administrative Code Section 4106 is proposed to be amended by turning its preamble into new subsection (a), deleting obsolete subsections (a) through (d), and adding new subsection (b). This letter also proposes to amend Chapter 1 of Division III (Annexations) correspondingly by deleting an obsolete term and condition of Board-approved annexations that disallows the sale or delivery of water to a member agency for agricultural water use. Administrative Code Section 3104 is proposed to be amended by deleting subsection (c), and accordingly, renumbering subsections (d) and (e) as (c) and (d), respectively.

District's Active Funds List

This letter proposes amendments to Chapter 2 of Division V (Financial Matters) to update the list of active funds established by the District to provide accountability for public moneys in accordance with applicable laws and regulations. Section 5200(b) is proposed to be amended to correctly describe the Replacement and Refurbishment Fund for the purpose of funding rather than financing the pertinent capital program expenditures. Section 5200(q) is proposed to be deleted because the fund has been drawn down to zero dollars (\$0) and no longer has a funding source per the Board's action directing the collection of demand management costs from the supply rate. Minor non-substantive amendments are also proposed for subsections (b), (e)(5)-(8), (n), (o), and (p) of Section 5200.

Benefits and Pay for Specified Employees

This letter proposes amendments to Chapter 2 (Personnel Regulations) and to Chapter 5 (Management and Confidential Employees) of Division VI (Personnel Matters) to clarify benefits and pay for specified employees, and to make minor non-substantive changes.

Temporary and Part-Time Employees. Chapter 2 is proposed to be amended to clarify benefits for temporary and part-time employees, as follows:

1. Amend subsection (b) of Section 6201 to clarify that temporary employees receiving personal leave benefits are unrepresented employees.
2. Add subsection (c) to Section 6201 and Section 6233 to clarify that all temporary employees are entitled to CalPERS pension and medical benefits, as provided by state law.
3. Renumber subsection (c) to subsection (d) of Section 6201 limiting benefits for temporary employees to this section, and amend it to include CalPERS pension and medical benefits described at subsection (c).
4. Amend subsection (a) of Section 6233 to clarify that regular part-time employees are entitled not only to hourly pay but also to medical and pension benefits per CalPERS membership-upon-hire enrollment rules (Government Code Sections 20281 and 20305) and membership exclusion rule (Government Code Section 2272(b)(1).)

5. Amend subsection (d) of Section 6233 to clarify that regular part-time employees working between 20 and 39 hours a week are eligible to enroll on a pro rata basis in dental, vision, life, and disability benefits.

Unrepresented Employees. Chapter 5 is proposed to be amended to clarify that certain employee benefits are for the District's unrepresented employees, and that any adjustments to their benefits and pay shall correspond to those of the District's management bargaining unit, as follows:

1. Amend the title of Chapter 5 of Division 6 by deleting "Management and Confidential – Employees – General" and adding "Unrepresented Classifications (Including Management and Confidential)" to clarify that the chapter concerns benefits and pay for unrepresented classifications of District employees including but not limited to management and confidential employees.
2. Amend the first sentence of Administrative Code section 6520 to clarify that the benefits provided thereunder (Sections 6521 through 6536) are intended, unless otherwise specified, for unrepresented classifications of District employees.
3. Amend the second sentence of Section 6520 to clarify that benefits and pay for unrepresented District employees referenced in Section 6500(a) shall correspond thereto to any across-the-board adjustments provided to employees of the District's management bargaining unit, also known as the Management and Professional Employees Association, or MAPA. Make a conforming amendment to Administrative Code section 6500(d).
4. Amend Administrative Code sections 6524, 6525, 6528, 6529, 6530, 6531, 6532, 6533, 6534, 6535, and 6536 to clarify that the application of the benefits in Article 2 are for unrepresented District employees.
5. Amend Administrative Code section 6536(g) to conform the timing of the issuance of exempt time off awards to current practice to correspond to the payroll cycle that includes November 15 rather than to the first paycheck in December.

Personal Vehicle Allowances. Chapter 5 is also proposed to be amended at Administrative Code section 6500(b) to conform the administration of personal vehicle allowances to recently revised Operating Policy J-08 (Transportation Allowances) which now consolidates administration of this program under the General Manager.

Other Minor Non-substantive Amendments

The following Administrative Code sections within Division VI (Personnel Matters) are proposed to be amended to make additional minor, non-substantive changes: 6201(b), 6233(a), 6521, 6525, 6531, 6532, 6534, and 6536.

Public Records Procedures

This letter proposes amendments to Chapter 2 of Division X (Records) to conform Administrative Code section 10200 to current law by updating the legal citation to the California Public Records Act and the procedures for responding to inspection requests in Administrative Code section 10201.

The complete list of proposed amendments is 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.

All amendments are effective upon Board approval unless specified otherwise.

Project Milestone(s)

Not applicable because amendments conform the Administrative Code to current law, practices, policies, and regulations.



Marcia Scully
General Counsel

7/1/2025

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 copy)

Ref# I12700081

Division III**ANNEXATIONS****Chapter 1****ANNEXATION PROCEDURE****§ 3100. Request for Annexation.****(a) Board approval process.**

The Board will act to approve annexations ~~in a one or two step process. The member public agency shall indicate its preference for a one or two step process, with the process selected subject to the approval of the General Manager or Executive Committee. In either case, a~~All annexation requests must comply with all requirements of Section 3100(b), (c) and (d).

~~**(1) Two step Board approval process:**~~

~~In a two step Board approval process, the member public agency shall submit requirements of Section 3100(b) for conditional Board consideration and thereafter, when appropriate, the requirements of Section 3100(c) for final Board consideration.~~

~~**(2) One step Board approval process:**~~

~~If a one step Board approval process is selected, a~~A notice of intent, legal description and map ~~per~~ (Section 3100(b)(-1)) must be received and approved by the District prior to filing a submittal request with the Local Agency Formation Commission (LAFCO). Within 30 days of receipt, the District will review, and approve or comment upon these materials. Once LAFCO approval and all other requirements pursuant to Section 3100(b) and (c) have been obtained, the member public agency shall submit said documentation to the District for Board consideration.

(b) Conditional approval submittal requirements.

A request for annexation of area to the District shall be made in writing and executed on behalf of the member public agency or proposed member public agency within which the area is or is proposed to be situated.

The request shall include:

(1) A legal description and a detailed map of the area proposed to be annexed, clearly indicating the metes and bounds of the area and the gross and net acreage for the area with sufficient documentation to support the gross and net acreage specified;

(2) A certificate from the assessor of the county within which the area proposed to be annexed is situated setting forth the assessed valuation of each parcel included within the area;

(3) Identification of the ownership of each parcel included within the area proposed to be annexed;

(4) A statement setting forth whether the number of voters within the area proposed to be annexed is less than 12, or 12 or more; and

(5) A description of:

(i) Present use of each of the parcels included within the area proposed to be annexed;

(ii) Existing or proposed development plans for such parcels;

(iii) An estimate of total annual and peak demands for water service to the area proposed to be annexed; and

(iv) An estimate of the portion of such annual and peak demands to be supplied by the District.

(6) A plan for implementing the water use efficiency guidelines set forth in Section 3107;

(7) Payment of \$5,000 processing fee to cover the District's cost of handling the request for annexation, unless waived pursuant to Section 3105;

(8) A statement indicating if it is proposed that payment for the annexation charge is to be pursuant to Sections 3106(b) and (c), and sufficient justification to demonstrate security for future payments, in a form approved by the General Counsel with Board approval; and

(9) The member public agency within which the area is situated shall furnish such other information as may be requested by the District's General Manager.

(c) Final approval submittal requirements.

Prior to final approval of the proposed annexation, as provided in Section 3103, the request shall be supplemented by the member public agency with the following materials:

(1) Any changes to the annexation documentation submitted previously;

(2) Certified copy of member public agency resolution requesting approval of the annexation; and

(3) Documents complying with the California Environmental Quality Act (CEQA).

(d) Annexation completion requirements.

Prior to submitting a request to LAFCO for recording the Certificate of Completion for the proposed annexing area, the member public agency must submit to the District the following materials:

- (1) Certified copy of member public agency resolution(s) accepting District final terms and conditions and ordering a reorganization;
 - (2) Payment of the annexation charge pursuant to Section 3106(a) or provision of appropriate and fully executed documentation pursuant to Section 3106(b); and
 - (3) Certified copy of LAFCO resolution approving the annexation to the member public agency.
- (e) Reattachment requests.

The General Manager is authorized to approve, without payment of processing fees or annexation charges, the reannexation of any territory which has deannexed from the District under reasonable terms and conditions as may be established by the General Manager, which shall include payment of any property taxes, standby charges or other avoided charges for the period of deannexation.

§ 3102. Board Consideration of Request for Annexation.

The Board, and any standing committee of the Board reviewing a request for annexation, will consider such request at their next regular meeting taking place no earlier than 75 days after receipt by the District of the request for annexation and all information required to be submitted by the ~~one or two step~~ Board approval process.

§ 3103. Board Approval of Request for Annexation.

~~(a) Two step Board approval process~~

~~Unless otherwise stated in the request for annexation, the Board will act on the request:~~

- ~~(1) By establishing preliminary terms and conditions for the conditional approval of the annexation upon filing of the submittals required by Section 3100(b).~~
- ~~(2) By considering final approval of the annexation subject to terms and conditions then to be established after receipt of the submittals required by Section 3100(c)~~

~~(b) One step Board approval process~~

The Board will consider approval of the annexing area subject to terms and conditions then to be established after receipt of all submittals required pursuant to Sections 3100(b) and (c).

§ 3104. Mandatory Terms and Conditions.

All terms and conditions of annexation shall contain the following provisions:

- (a) The sale and delivery of all water by the District, regardless of the nature and time of use of such water, shall be subject to regulations promulgated from time to time by the District.

(b) Except upon terms and conditions specifically approved by the Board, water sold and delivered by the District shall not be used in any manner which intentionally or avoidably results in the direct or indirect benefit of areas outside the District including use of such water outside the District or use thereof within the District in substitution for other water used outside the District.

~~(c) No District water shall be sold or delivered to any member public agency for use, directly or indirectly, for agricultural purposes as defined in Section 4106 within the annexing area.~~

~~(c)~~ (d) The District shall not be obligated to provide additional works or facilities, necessitated by the annexing area, for the delivery of water from works owned and operated by the District.

~~(d)~~ (e) The annexation shall be completed by the date established pursuant to Section 3108(a).

§ 3200. Water Availability.

In ~~treating with~~ reviewing an application for annexation as member public ~~agencies~~ agency, the District will give its favorable consideration only to areas of sufficient size and water requirements to justify as economically feasible the delivery of imported water. Preferably such areas should be so located as to control the entire production of water from local underground water basins affected.

Division IV

WATER SERVICE POLICIES

§ 4105. Domestic and Municipal Purposes.

"Domestic and municipal purposes" shall mean, but is not limited to, the use of water for all domestic, municipal, commercial, industrial, and recreational purposes.

§ 4106. ~~Interim Agricultural Water Program~~ Purposes.

~~(a) "Interim Agricultural Water Program purposes" shall mean the service-use of water pursuant to the Interim Agricultural Water Program and this Division IV which is delivered and used~~ for the growing or raising, in conformity with recognized practices of husbandry, for the purposes of commerce, trade, or industry, or for use by public educational or correctional institutions, of agricultural, horticultural, or floricultural products, and produced (1) for human consumption or for the market, or (2) for the feeding of fowl or livestock produced for human consumption or for the market, or (3) for the feeding of fowl or livestock for the purpose of obtaining their products for human consumption or for the market, such products to be grown or raised on a parcel of land having an area of not less than one acre utilized exclusively therefor.

~~(a) "Interim Agricultural Water Program purposes limited to the growing of field and nursery crops and row crops" shall mean the service of water related to the growing of crops~~

~~generally planted and harvested annually or more frequently, and other Interim Agricultural Water Program purposes not included in the definitions of Sections 4106(b) and 4106(c).~~

~~——(b)"Interim Agricultural Water Program purposes limited to the growing of trees and vines" shall mean the service of water limited to the growing of crops which are planted less frequently than annually in the expectation of long-term yield therefrom.~~

~~——(c)"Interim Agricultural Water Program purposes limited to the feeding of fowl or livestock" shall mean the service of water encompassing the raising of animals for human consumption or for the market or for the purpose of obtaining their products for human consumption or for the market.~~

~~——(d) The Interim Agricultural Water Program was discontinued after December 31, 2012.~~(b) Metropolitan may provide interruptible water service for agricultural or other use upon a determination that surplus water exists for that purpose. Water sold by Metropolitan for any beneficial use, including agricultural purposes, at the uniform rate or rates established by the District for domestic or municipal uses and used for beneficial purposes with that district shall be deemed to be water for domestic or municipal uses and not surplus water and is not subject to interruption on that basis.

Division V

FINANCIAL MATTERS

Chapter 2

FINANCIAL POLICIES

§ 5200. Funds Established.

To provide for accountability of public moneys in accordance with applicable federal and state law and regulations and Board policies, the following funds active or prospectively active have been established in the Treasury of the District:

(a) General Fund (Fund No. 1001, established 1929). Moneys not specifically allocated or appropriated may be placed in this fund and used for general purposes of the District. Expenditures for reimbursable work and water conservation capital and indirect costs under the contract with Imperial Irrigation District are paid from this fund.

(b) Replacement and Refurbishment Fund (Fund No. 5001, established 1988). Used to ~~finance fund~~ certain capital program expenditures from current revenues in accordance with Section 5109, subject to the conditions contained in Section 5202(b).

(c) State Contract Fund (Fund No. 5701, established 1960). Used for the payment of capital charges under the State Water Contract, including the capital charges for off-aqueduct power facilities, subject to the conditions contained in Section 5201(d).

(d) Special Tax Fund (Fund No. 5702, established 1951). Annexation fees (cash payments and special tax collections) are deposited in this fund and transferred to the State Contract Fund to pay a portion of State Water Contract capital charges.

(e) Water Revenue Fund (Fund No. 1002, established 1975). Receipts from water transactions, including, but not limited to, sales, exchanges, and wheeling are deposited in this fund and are transferred to various other funds in accordance with revenue bond covenants and Board resolutions to pay in order of priority:

(1) Operation and maintenance expenditures;

(2) The interest on and bond obligation of Water Revenue Bonds and Parity Obligations issued pursuant to Master Resolution 8329 (the Master Resolution or Senior Debt Resolution) adopted by the Board on July 9, 1991 and any Supplemental Resolutions thereto, and any other obligations on a parity with the Water Revenue Bonds;

(3) All other payments required for compliance with the Master Resolution, and any Supplemental Resolutions;

(4) The interest on and bond obligation of Subordinate Water Revenue Bonds and Parity Obligations issued pursuant to Master Subordinate Resolution 9199 (the Master Subordinate Resolution) adopted by the Board on March 8, 2016 and any Supplemental Resolutions thereto, and any other obligations on a parity with the Subordinate Water Revenue Bonds;

_____ (5) All other payments required for compliance with the Master Subordinate Resolution, and any Supplemental Resolutions;

_____ (6) Principal of and interest on Commercial Paper Notes and other amounts due a provider of a liquidity facility;

| _____ (7) Deposits into the Water Standby Charge Fund in accordance with resolutions imposing such charges; and

_____ (8) Any other obligations which are charges, liens, or encumbrances upon or payable from net operating revenues.

Moneys remaining at the end of each month, after the foregoing transfers, are transferred to the Revenue Remainder Fund.

(f) Operation and Maintenance Fund (Fund No. 1003, established 1975). Used to pay all operation and maintenance expenditures, including State Water Contract operation, maintenance, power and replacement charges, subject to the conditions contained in Section 5201(f).

(g) Revenue Remainder Fund (Fund No. 1004, established 1975). Used to maintain working capital and may be used for any lawful purpose by the District, subject to the conditions contained in Section 5202.

(h) Water Rate Stabilization Fund (Fund No. 5501, established 1987). Used to reduce future water revenue requirements or, as directed by the Board, for other lawful purposes, in accordance with Section 5202.

(i) Water Treatment Surcharge Stabilization Fund (Fund No. 5502, established 1988). Used to mitigate required increases in the surcharge for water treatment or, as directed by the Board, for other lawful purposes, in accordance with Section 5202.

(j) Revolving Construction Fund (Fund No. 5003, established 1988). Capital expenditures made from this fund are to be reimbursed from proceeds of security sales to the extent such expenditures are authorized uses of debt proceeds under the Act, subject to the conditions and restrictions contained in Section 5201(g).

(k) Iron Mountain Landfill Postclosure Maintenance and Corrective Action Trust Fund (Fund No. 6005, established 1990). Used as a trust fund to maintain moneys sufficient to cover the costs of postclosure maintenance and/or corrective action of the District's solid waste landfill facility at Iron Mountain, in accordance with regulations of the California Department of Resources Recycling and Recovery, and subject to the conditions contained in Section 5201(m).

(l) Water Standby Charge Fund (Fund No. 1005, established 1992). Used to separately hold revenues attributable to water standby charges; amounts deposited in this fund are used exclusively for the purpose for which the water standby charge was authorized.

(m) Water Transfer Fund (Fund No. 1007, established 1995). Used for moneys set aside for the purchase of water through transfers or similar arrangements, and for the costs of filling the Eastside Reservoir Project.

(n) Self-Insured Retention ~~F~~fund (Fund No. 1008, established 1999). Used to separately hold amounts set aside for emergency repairs and claims against the District as provided in Section 5201(o).

(o) Lake Mathews Multi Species Reserve Trust ~~F~~fund (Fund ~~No.~~ 6101, established 1997). Used as set forth in agreement between Metropolitan and the Riverside County Habitat Conservation Agency for the Southwest Riverside County Multi-Species Reserve.

(p) There shall be established in the Treasury of the District such funds and accounts as are required pursuant to bond covenants, tax and non-arbitrage certificates, bond counsel letters of instruction and related documents, to provide for accountability of District funds and compliance with applicable federal and state law and regulations. Such funds and accounts shall be established for each issue of bonds, notes or other obligations of the ~~D~~istrict as required in the respective bond or note resolution and closing documents.

~~(q) Water Stewardship Fund (Fund No. 1009 established 2005). Used to collect revenue from the Water Stewardship Rate and to pay costs associated with water recycling, seawater desalination, conservation, brackish water desalination, or other demand management programs. These funds can also be used to fund administrative costs associated with these programs. Funds may be used as directed by the Board, for other lawful purposes, in accordance with Section 5201(p) and Section 5202(d).~~

Division VI

PERSONNEL MATTERS

Chapter	Sec.
1 Employee Relations	6100
2 Personnel Regulations	6200
3 General Employee Matters	6300
4 Officers	6400
5 <u>Unrepresented Classifications (Including</u> Management and Confidential)	
Employees - General _____	6500
[6 Repealed	6600]
[7 Repealed	6700]
8 Employee Deferred Compensation and Savings Plans	6810

Chapter 2

PERSONNEL REGULATIONS

§ 6201. Benefits Paid Temporary Employees.

(a) Temporary employees shall be entitled only to be paid an hourly rate determined in accordance with this Code.

(b) An eligible temporary unrepresented employee shall be entitled to personal leave.

(1) A temporary unrepresented full-time employee employed by the District for more than 1,044 hours of current full-time service is eligible for forty-eight (48) hours of personal leave per calendar year.

(2) A temporary unrepresented part-time employee employed by the District for more than 1,044 hours of current service is eligible for twenty-four (24) hours of personal leave per calendar year.

Personal leave must be used in the calendar year in which it is received. Personal leave shall not be carried over into the year following the year in which it is received nor will it be paid upon separation from District employment. The District shall be responsible for scheduling personal leave periods of temporary employees in such a manner as to achieve the most efficient functioning of the District. The District shall determine whether or not a request for personal leave will be granted; however, an employee's timely request for personal leave shall only be denied for good and sufficient business reasons.

(c) All eligible temporary employees shall be entitled to CalPERS pension and medical benefits based on CalPERS regulations provided for in the Public Employee Retirement Law (PERL) and Public Employee Medical and Hospital Care Act (PEMCHA).

(d) Temporary employees shall not be entitled to any benefits or rights of any nature whatsoever provided for under this Code, except as provided by subsections (a), ~~and (b), and (c)~~ above and as specifically required by applicable law.

§ 6233 Benefits Paid Regular Part-Time Employees

(a) Regular ~~p~~Part-time employees shall be entitled ~~only~~ to be paid an hourly rate determined in accordance with this Code.

(b) An eligible regular part-time employee shall be entitled to twenty-four (24) hours of personal leave per calendar year. A regular part-time employee employed by the District for more than 1,044 hours of current part-time service is eligible for personal leave. Personal leave must be used in the calendar year in which it is received. Personal leave shall not be carried over into the year following the year in which it is received nor will it be paid upon separation from District employment. The District shall be responsible for scheduling personal leave periods of regular part-time employees in such a manner as to achieve the most efficient functioning of the District. The District shall determine whether or not a request for personal leave will be granted. However, an employee's timely request for personal leave shall only be denied for good and sufficient business reasons.

(c) All eligible part-time employees shall be entitled to CalPERS pension and medical benefits based on CalPERS regulations provided for in the Public Employee Retirement Law (PERL) and Public Employee Medical and Hospital Care Act (PEMCHA).

(d) Regular part-time employees who are scheduled to work between 20 and 39 hours per week shall ~~not be entitled to any eligible to enroll in dental, vision, life, and disability benefits on a prorated basis or rights of any nature whatsoever provided for under this Code, except as provided by subsections (a) and (b) above~~ and as specifically required by applicable law.

Chapter 5**UNREPRESENTED CLASSIFICATIONS**

(INCLUDING MANAGEMENT AND CONFIDENTIAL) ~~EMPLOYEES~~ ~~GENERAL~~

Article 1**SALARIES****§ 6500. Hourly Pay Rate Schedule.**

(a) The hourly pay rate (as that term is defined in subdivision (h) of Section 6200) and schedule of positions occupied by unclassified service employees not in an appropriate unit recognized pursuant to Section 6108 shall be as follows: [HOURLY PAY RATE SCHEDULE OMITTED]

(b) Unrepresented FLSA “exempt” employees are eligible to receive a monthly transportation allowance. Transportation allowance amounts are to be administered by the General Manager consistent with District policy. ~~based on a schedule approved by the Board of Directors.~~

(c) Unrepresented FLSA “exempt” employees are eligible to participate in a pay-for-performance incentive program promulgated by the General Manager. The Board shall establish the total expenditure for the program.

(d) Unless otherwise directed by the Board, the range of base hourly pay rates for the employees in the positions identified in Section 6500(a) will be adjusted to correspond with the across-the-board salary adjustments provided to the District’s management bargaining unit 04. Actual pay rates for these employees will be based on merit pursuant to employee evaluations. Department Heads are authorized to move a position to a different salary grade in accordance with practices, policies and procedures promulgated by the General Manager.

Article 2**BENEFITS****§ 6520. General.**

Unclassified service employees and officers who are unrepresented, and are in positions listed in Section 6500, and are not otherwise in a unit recognized pursuant to Section 6108, shall be entitled to the following benefits effective June 28, 1987. Unless specified otherwise, this section shall not apply to temporary or less than part-time employees or to annuitants.

~~In addition to other benefits set forth in this Administrative Code, employees, other than temporary or less than part-time employees, and to the extent specified, annuitants, shall be entitled to the following benefits effective June 28, 1987, unless otherwise provided hereinafter.~~ Further, unless otherwise directed by the Board, benefits and pay for the employees in the

positions referenced in Section 6500(a) shall be provided to correspond with the across-the-board salary and benefits adjustments provided to the District's management bargaining unit 04.

§ 6521. Retirement.

The District shall pay to the California Public Employees' Retirement System (CalPERS) on behalf of each employee an amount equal to the required employee contribution to CalPERS, not to exceed seven percent (7%) of each employee's salary for employees deemed Classic Members by CalPERS. Employees deemed as New Members are subject to the Public Employees' Pension Reform Act (PEPRA) and shall pay their own employee contributions.

The contribution shall be treated as an employer contribution made pursuant to Section 414(h)(2) of the Internal Revenue Code in determining the tax treatment of the contribution. Such contributions shall be treated for all purposes other than taxation in the same manner and to the same extent as contributions made by employees prior to June 30, 1985. Such contributions shall be paid from the same source of funds as used in paying wages to the affected employees. The employee does not have the option to receive the District-contributed amount paid pursuant to this section directly instead of having it paid to CalPERS.

Notwithstanding any provision in this Code to the contrary, the wages of each unrepresented employee shall be reduced by the indicated percentage of the amount of such employee's contribution paid by the District pursuant to the provisions of this section:

For such employees employed prior to January 1, 1981: 64.3%

For such employees employed on or after January 1, 1981: 100.0%

This section shall be operative only so long as the District pickup of the retirement contribution continues to be excluded from the gross income of the employee under the provisions of the Internal Revenue Code.

§ 6522. Medical Insurance.

Metropolitan's monthly contribution for employees in classifications referenced in Section 6500 and related annuitants to the medical plans maintained by CalPERS shall be established by Board resolution pursuant to the provisions of the Public Employees' Medical and Hospital Care Act.

§ 6523. Dental Insurance.

The District shall fully pay premiums for employees in unrepresented classifications referenced in Section 6500 and their qualified dependents under the group dental insurance provided by Delta Dental Company. Any reserve funds developed under the policy may be applied towards paying the premium of any policy obtained pursuant to this section.

During the policy year beginning with September 1, 1992, the District shall amend its policy to provide for an increase in orthodontic coverage under the prior terms of the policy to \$2,000 lifetime maximum per covered participant; and to increase the prophylaxis (cleaning) benefit by providing for such cleaning once every four (4) months. In addition, the District shall

amend its policy to provide for an increase in the maximum payable for diagnostic and preventative care per calendar year per eligible person to \$2,500 a year; and to provide for sealant treatment for dependent children.

§ 6524. Tuition Reimbursement.

Tuition reimbursement for ~~all~~ employees in unrepresented classifications referenced in Section 6500 shall be one-hundred (100%) of tuition, registration fees, books, and laboratory fees for up to twelve (12) units per quarter or semester; provided however, that employees who receive tuition reimbursement approval for a course or curriculum on or after August 1, 1992 shall be eligible for tuition reimbursement at the rate of one hundred percent (100 %), to a maximum of \$9,000 per calendar year, and up to an additional \$2,000 per calendar year for graduate or doctorate degrees.

§ 6525. Term Life Insurance.

~~All~~ Employees in unrepresented classifications referenced in Section 6500 will be provided with District-paid term life insurance affording coverage in an amount equal to 2,080 times the employee's hourly rate rounded off to the next higher thousand dollars, with employees having the option at their own expense to obtain additional coverage not to exceed a maximum combined coverage of four hundred thousand dollars (\$400,000).

§ 6528. Personal Leave.

Employees in unrepresented classifications referenced in Section 6500 who are exempt from overtime pay and have been employed by the District for more than 1,044 hours of current service, including military leave during the period of current service, may take personal leave with pay up to twenty-four (24) hours each annual payroll cycle which shall not be charged against accumulated sick leave. Such personal leave may be taken for any personal reason, so long as such leave does not interfere with the mission of the District.

§ 6529. Part-Time Disability Leave.

~~An unrepresented employee,~~ An unrepresented employee in a classification referenced in Section 6500 otherwise eligible for disability leave pursuant to Section 6228, may be permitted by the employee's Department Head to work for a period, subject to termination by the Department Head, on a part-time basis if a physician's statement is furnished, satisfactory to and accepted by the District, stating the employee is physically able to work on a part-time basis. The Department Head may not re-delegate the authority provided by this section. Notwithstanding any provision to the contrary in Sections 6200 through 6268, the employee shall be permitted to accrue leave in accordance with District regulation for those hours not on disability leave, but shall not be allowed to use leave until returning to work on a full-time basis and a physician's statement, satisfactory to and accepted by the District, is received stating the employee is physically able to return to work on a full-time basis for an indefinite time. For all other purposes of Section 6228, an employee on part-time disability leave shall be considered to be on full-time disability leave and shall not be considered as having returned to work.

§ 6530. Bereavement Leave.

~~Upon the death of a member of an employee's immediate family, a classification referenced in Section 6500- An unrepresented employee in a classification referenced in Section 6500 shall be allowed to take such bereavement leave, as provided by this section, upon the death of a member of the employee's immediate family. with pay as is actually necessary to take care of funeral arrangements or to attend the funeral, but not to exceed three (3) working days, or, one workweek as determined by the employee's assigned work schedule, if the death occurs 250 miles or more from the employee's place of residence. If the death does not occur 250 miles or more from the employee's place of residence, then the employee shall be allowed additional bereavement leave without pay not to exceed two (2) working days, except that an employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee.~~

(a) If the death occurs less than 250 miles from the employee's place of residence, the employee may take up to three (3) paid working days of bereavement leave, as is necessary, to take care of funeral arrangements or to attend the funeral. The employee may take additional bereavement leave, without pay, not to exceed two (2) working days.

(b) If the death occurs 250 miles or more from the employee's place of residence, the paid bereavement leave provided by this section shall not exceed one workweek, as determined by the employee's assigned work schedule.

(c) If requested by Metropolitan, an employee who takes bereavement leave pursuant to this section shall provide documentation of the death of the immediate family member within thirty (30) days of the first day of the leave.

(d) The bereavement leave shall be completed within three (3) months of the date of death of the family member.

(e) Irrespective of the leave limits provided in this section, an employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee.

For the purposes of this section, "immediate family" means spouse, state-registered domestic partner, or the employee's or spouse's/domestic partner's child, parent, brother, sister, stepparent, stepchild, grandparent, grandchild, aunt or uncle. ~~An employee, if requested by Metropolitan, within thirty (30) days of the first day of the leave, shall provide documentation of the death of the family member.~~ As used in this section, "documentation" includes, but is not limited to, a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency. ~~The bereavement leave shall be completed within three (3) months of the date of death of the family member.~~

§ 6531. Long-Term Disability Insurance.

The District shall provide long-term disability (LTD) insurance to ~~unrepresented employees in a classification referenced in Section 6500. employees in classifications referenced in Section 6500.~~ Commencing July 1, 1998, or as soon thereafter as practical, the insurance shall provide a benefit of \$8,000 per month, but not to exceed sixty-six percent (66%) of the employee's monthly salary. The benefit shall commence ninety (90) days after the employee's disability commences. Benefit payments are paid after the employee first exhausts all sick leave, exhausting disability leave payable at the rate of 75 percent (75%) of full pay, and exhausting disability leave at the rate of 50 percent (50%) of full pay, in that order. Benefit payments shall expire at age 65, unless the employee's disability terminates sooner. If the employee applies for LTD benefits at age 65 or older, payments will expire within twelve (12) to twenty-four (24) months depending on age when the first payment begins. The District's insurance carrier shall determine eligibility including whether an employee is disabled. Preexisting conditions shall be excluded from coverage. The District shall have the right to change carriers and coverage so long as the replacement insurance is at least as advantageous.

§ 6532. Professional Development and Productivity Enhancement.

~~Any e~~ ~~An unrepresented employee~~ ~~employee in a an unrepresented position~~ ~~classification~~ referenced in Section 6500 shall be reimbursed for professional development and productivity enhancement expenses, as follows:

(a) The District shall reimburse employees for state-mandated licenses ~~s~~ for certification fees.

(b) The District shall reimburse unrepresented employees, to correspond with adjustments provided to the District's management unit, for the costs incurred for professional development, certifications, licenses, or other costs incurred for professional development or productivity enhancement including seminars, journals, periodicals, books, travel expenses, professional association dues, pre-approved electronic equipment software and hardware, computing or communication devices, and other equipment pursuant to authorization by the employee's Department Head, to a specified annual maximum, when related to their job duties and/or to the fulfillment of the District's purposes. Any unused monies will roll over for one and only one subsequent year, from odd calendar years to even years, and unused monies during even years will be neither rolled over nor paid out.

§ 6533. Deferred Compensation.

The District shall provide a matching contribution, ~~on behalf of to each unrepresented employee in a classification referenced in Section 6500 each employee in a classification referenced in Section 6500~~ who is a participant in the 401(k) Plan provided for in Division VI, Chapter 8, Article 1 of this Code, in the amount of one (1) dollar for each dollar contributed by the employee in accordance with a compensation-reduction election made by the participant pursuant to the 401(k) Plan Section 3.2. Commencing July 1, 2004, or as soon thereafter as practical, the maximum District matching contribution shall not exceed four and one-half percent

(4.5%) of the employee's total cash compensation and salary reductions permitted under Sections 401(k), 414(b) and 457 of the Internal Revenue Code during that time period. This section shall only be operative to the extent that the District can make matching contributions and maintain compliance with the Internal Revenue Code.

§ 6534. Vision Plan.

The District shall ~~provide to on behalf of~~ each unrepresented employee in a classification referenced in Section 6500 ~~provide for~~ a vision care program through a District-approved vision insurance plan provider. The vision care program shall provide ~~coverage of benefits for~~ standard ophthalmic materials when necessary for the eligible employee's visual welfare. ~~This~~The program shall provide a benefit for eye examinations, lenses, and frames. ~~under the program.~~ The District shall fully pay the employee ~~only~~ premium rate. Employees will, however, be permitted ~~the option~~ to purchase additional family coverage through the program.

§ 6535. Wellness Enhancement Program.

The District shall ~~on behalf of~~provide to each unrepresented employee in a classification referenced in Section 6500, ~~provide~~ a wellness enhancement reimbursement benefit for common health and fitness services not to exceed four hundred dollars (\$400) annually. The benefit shall only be paid for District-approved activities, services, equipment and products that promote physical activity, wellness and work-life balance. ~~All~~A submissions for reimbursement must be ~~submitted~~made by January 31 for the prior year. ~~This~~The benefit is annual and any unused remainder ~~may~~ shall not be carried over to subsequent years.

§ 6536. Exempt Time Off

(a) Effective January 1, 2024, and each calendar year thereafter, all full-time FLSA-exempt unrepresented employees within a classification referenced in Section 6500 are eligible for an annual allotment of forty (40) hours Exempt Time Off (ETO) to be used within the calendar year it is allotted. The annual allotment of ETO becomes available for use on the first District business day of the calendar year and shall not roll over into the following calendar year. Employees hired after the annual allotment in January, and existing employees who are promoted or transferred into an applicable classification after the annual allotment in January, are not eligible to receive ETO until the following calendar year. Existing employees with an ETO allotment or balance from a previous classification will retain their unused ETO for that calendar year. Any unused portion of ETO will be automatically cashed out by the District to the employee on the first paycheck following December 1 of each calendar year.

(b) Effective January 1, 2025 and each calendar year thereafter, all eligible employees under this section with a current overall annual evaluation rating of Meets Standards and above for the prior evaluation year, shall receive an additional annual allotment of forty (40) hours of ETO to be used within the calendar year it is allotted. This additional annual allotment of ETO becomes available for use on the first District business day of the calendar year and shall not roll over into the following calendar year. Only persons who are actively employed by the District at the time of the annual allotment in January will be eligible for the allotment. Any unused portion

of ETO will be automatically cashed out by the District to the employee on the paycheck following December 1 of each calendar year.

(c) Eligible employees shall make a request to use ETO to their direct supervisor. The District shall determine whether a request for ETO shall be granted. However, an eligible employee's timely request to use ETO hours under this provision shall only be denied for good and sufficient business reasons.

(d) Any ETO hours not used by an employee prior to separation of service will be automatically cashed out by the District at separation.

(e) Effective July 1, 2022 through December 31, 2022, all employees eligible under this section, who were employed by the District during that timeframe, shall receive a retroactive payment equivalent to an allotment of twenty-four (24) hours of ETO for that timeframe.

(f) Effective January 1, 2023 through December 31, 2023, all employees eligible under this section who were employed by the District during that timeframe shall receive a retroactive payment equivalent to an allotment of forty (40) hours of ETO for that timeframe.

(g) Eligible employees who received an overall annual evaluation rating of Meets Standards and above for the 2022-2023 evaluation year shall receive an additional allotment of 40 hours of ETO for that evaluation period. Any unused portion of ETO awarded under this provision will be automatically cashed out by the District to the employee ~~on the first paycheck following December 1, 2024 payroll cycle that includes November 15.~~

(h) Only persons employed by the District at the time this section becomes effective may be awarded retroactive allotments and/or retroactive payments, as set forth above.

Division X

RECORDS

Chapter 2

INSPECTION OF RECORDS

§ 10200. General.

District records shall be made available to the public according to the procedures and requirements of the California Public Records Act (Government Code section ~~6250~~ 7920.000 et seq.) Any ~~executive employee, officer, or director~~ having possession of District records shall make all of said records freely available to the public upon request, unless the records are exempt from disclosure under the California Public Records Act.

§ 10201. Procedure for Responding to Inspection Request.

The responsible executive officer shall respond, on behalf of Metropolitan, to a California Public Records Act request in accordance with the law, including the initial response as to whether the request in whole or part seeks disclosable public records. , within 10 days after the

~~receipt of a request to examine records, determine whether to comply with the request and notify the person making the request of their determination. If access is to be denied, the reason therefor shall be stated in the notification. The 10-day time limit may be extended in unusual circumstances through written notice by the responsible executive officer to the person making the request, setting forth the reasons for the extension and the date on which determination is expected to be dispatched. No such notice shall specify a date that would result in an extension for more than 10 working days.~~

Division III**ANNEXATIONS****Chapter 1****ANNEXATION PROCEDURE****§ 3100. Request for Annexation.****(a) Board approval process.**

The Board will act to approve annexations. All annexation requests must comply with all requirements of Section 3100(b), (c) and (d).

A notice of intent, legal description and map per Section 3100(b)(1) must be received and approved by the District prior to filing a submittal request with the Local Agency Formation Commission (LAFCO). Within 30 days of receipt, the District will review, and approve or comment upon these materials. Once LAFCO approval and all other requirements pursuant to Section 3100(b) and (c) have been obtained, the member public agency shall submit said documentation to the District for Board consideration.

(b) Conditional approval submittal requirements.

A request for annexation of area to the District shall be made in writing and executed on behalf of the member public agency or proposed member public agency within which the area is or is proposed to be situated.

The request shall include:

(1) A legal description and a detailed map of the area proposed to be annexed, clearly indicating the metes and bounds of the area and the gross and net acreage for the area with sufficient documentation to support the gross and net acreage specified;

(2) A certificate from the assessor of the county within which the area proposed to be annexed is situated setting forth the assessed valuation of each parcel included within the area;

(3) Identification of the ownership of each parcel included within the area proposed to be annexed;

(4) A statement setting forth whether the number of voters within the area proposed to be annexed is less than 12, or 12 or more; and

(5) A description of:

(i) Present use of each of the parcels included within the area proposed to be annexed;

(ii) Existing or proposed development plans for such parcels;

(iii) An estimate of total annual and peak demands for water service to the area proposed to be annexed; and

(iv) An estimate of the portion of such annual and peak demands to be supplied by the District.

(6) A plan for implementing the water use efficiency guidelines set forth in Section 3107;

(7) Payment of \$5,000 processing fee to cover the District's cost of handling the request for annexation, unless waived pursuant to Section 3105;

(8) A statement indicating if it is proposed that payment for the annexation charge is to be pursuant to Sections 3106(b) and (c), and sufficient justification to demonstrate security for future payments, in a form approved by the General Counsel with Board approval; and

(9) The member public agency within which the area is situated shall furnish such other information as may be requested by the District's General Manager.

(c) Final approval submittal requirements.

Prior to final approval of the proposed annexation, as provided in Section 3103, the request shall be supplemented by the member public agency with the following materials:

(1) Any changes to the annexation documentation submitted previously;

(2) Certified copy of member public agency resolution requesting approval of the annexation; and

(3) Documents complying with the California Environmental Quality Act (CEQA).

(d) Annexation completion requirements.

Prior to submitting a request to LAFCO for recording the Certificate of Completion for the proposed annexing area, the member public agency must submit to the District the following materials:

(1) Certified copy of member public agency resolution(s) accepting District final terms and conditions and ordering a reorganization;

(2) Payment of the annexation charge pursuant to Section 3106(a) or provision of appropriate and fully executed documentation pursuant to Section 3106(b); and

(3) Certified copy of LAFCO resolution approving the annexation to the member public agency.

(e) Reattachment requests.

The General Manager is authorized to approve, without payment of processing fees or annexation charges, the reannexation of any territory which has deannexed from the District under reasonable terms and conditions as may be established by the General Manager, which

shall include payment of any property taxes, standby charges or other avoided charges for the period of deannexation.

§ 3102. Board Consideration of Request for Annexation.

The Board, and any standing committee of the Board reviewing a request for annexation, will consider such request at their next regular meeting taking place no earlier than 75 days after receipt by the District of the request for annexation and all information required to be submitted by the Board approval process.

§ 3103. Board Approval of Request for Annexation.

The Board will consider approval of the annexing area subject to terms and conditions then to be established after receipt of all submittals required pursuant to Sections 3100(b) and (c).

§ 3104. Mandatory Terms and Conditions.

All terms and conditions of annexation shall contain the following provisions:

(a) The sale and delivery of all water by the District, regardless of the nature and time of use of such water, shall be subject to regulations promulgated from time to time by the District.

(b) Except upon terms and conditions specifically approved by the Board, water sold and delivered by the District shall not be used in any manner which intentionally or avoidably results in the direct or indirect benefit of areas outside the District including use of such water outside the District or use thereof within the District in substitution for other water used outside the District.

(c) The District shall not be obligated to provide additional works or facilities, necessitated by the annexing area, for the delivery of water from works owned and operated by the District.

(d) The annexation shall be completed by the date established pursuant to Section 3108(a).

§ 3200. Water Availability.

In reviewing an application for annexation as member public agency, the District will give its favorable consideration only to areas of sufficient size and water requirements to justify as economically feasible the delivery of imported water. Preferably such areas should be so located as to control the entire production of water from local underground water basins affected.

Division IV

WATER SERVICE POLICIES

§ 4105. Domestic and Municipal Purposes.

"Domestic and municipal purposes" shall mean, but is not limited to, the use of water for all domestic, municipal, commercial, industrial, and recreational purposes.

§ 4106. Agricultural Purposes.

(a) "Agricultural purposes" shall mean the use of water for the growing or raising, in conformity with recognized practices of husbandry, for the purposes of commerce, trade, or industry, or for use by public educational or correctional institutions, of agricultural, horticultural, or floricultural products, and produced (1) for human consumption or for the market, or (2) for the feeding of fowl or livestock produced for human consumption or for the market, or (3) for the feeding of fowl or livestock for the purpose of obtaining their products for human consumption or for the market, such products to be grown or raised on a parcel of land having an area of not less than one acre utilized exclusively therefor.

(b) Metropolitan may provide interruptible water service for agricultural or other use upon a determination that surplus water exists for that purpose. Water sold by Metropolitan for any beneficial use, including agricultural purposes, at the uniform rate or rates established by the District for domestic or municipal uses and used for beneficial purposes with that district shall be deemed to be water for domestic or municipal uses and not surplus water and is not subject to interruption on that basis.

Division V**FINANCIAL MATTERS****Chapter 2****FINANCIAL POLICIES****§ 5200. Funds Established.**

To provide for accountability of public moneys in accordance with applicable federal and state law and regulations and Board policies, the following funds active or prospectively active have been established in the Treasury of the District:

(a) General Fund (Fund No. 1001, established 1929). Moneys not specifically allocated or appropriated may be placed in this fund and used for general purposes of the District. Expenditures for reimbursable work and water conservation capital and indirect costs under the contract with Imperial Irrigation District are paid from this fund.

(b) Replacement and Refurbishment Fund (Fund No. 5001, established 1988). Used to fund certain capital program expenditures from current revenues in accordance with Section 5109, subject to the conditions contained in Section 5202(b).

(c) State Contract Fund (Fund No. 5701, established 1960). Used for the payment of capital charges under the State Water Contract, including the capital charges for off-aqueduct power facilities, subject to the conditions contained in Section 5201(d).

(d) Special Tax Fund (Fund No. 5702, established 1951). Annexation fees (cash payments and special tax collections) are deposited in this fund and transferred to the State Contract Fund to pay a portion of State Water Contract capital charges.

(e) Water Revenue Fund (Fund No. 1002, established 1975). Receipts from water transactions, including, but not limited to, sales, exchanges, and wheeling are deposited in this fund and are transferred to various other funds in accordance with revenue bond covenants and Board resolutions to pay in order of priority:

(1) Operation and maintenance expenditures;

(2) The interest on and bond obligation of Water Revenue Bonds and Parity Obligations issued pursuant to Master Resolution 8329 (the Master Resolution or Senior Debt Resolution) adopted by the Board on July 9, 1991 and any Supplemental Resolutions thereto, and any other obligations on a parity with the Water Revenue Bonds;

(3) All other payments required for compliance with the Master Resolution, and any Supplemental Resolutions;

(4) The interest on and bond obligation of Subordinate Water Revenue Bonds and Parity Obligations issued pursuant to Master Subordinate Resolution 9199 (the Master Subordinate Resolution) adopted by the Board on March 8, 2016 and any Supplemental Resolutions thereto, and any other obligations on a parity with the Subordinate Water Revenue Bonds;

(5) All other payments required for compliance with the Master Subordinate Resolution, and any Supplemental Resolutions;

(6) Principal of and interest on Commercial Paper Notes and other amounts due a provider of a liquidity facility;

(7) Deposits into the Water Standby Charge Fund in accordance with resolutions imposing such charges; and

(8) Any other obligations which are charges, liens, or encumbrances upon or payable from net operating revenues.

Moneys remaining at the end of each month, after the foregoing transfers, are transferred to the Revenue Remainder Fund.

(f) Operation and Maintenance Fund (Fund No. 1003, established 1975). Used to pay all operation and maintenance expenditures, including State Water Contract operation, maintenance, power and replacement charges, subject to the conditions contained in Section 5201(f).

(g) Revenue Remainder Fund (Fund No. 1004, established 1975). Used to maintain working capital and may be used for any lawful purpose by the District, subject to the conditions contained in Section 5202.

(h) Water Rate Stabilization Fund (Fund No. 5501, established 1987). Used to reduce future water revenue requirements or, as directed by the Board, for other lawful purposes, in accordance with Section 5202.

(i) Water Treatment Surcharge Stabilization Fund (Fund No. 5502, established 1988). Used to mitigate required increases in the surcharge for water treatment or, as directed by the Board, for other lawful purposes, in accordance with Section 5202.

(j) Revolving Construction Fund (Fund No. 5003, established 1988). Capital expenditures made from this fund are to be reimbursed from proceeds of security sales to the extent such expenditures are authorized uses of debt proceeds under the Act, subject to the conditions and restrictions contained in Section 5201(g).

(k) Iron Mountain Landfill Postclosure Maintenance and Corrective Action Trust Fund (Fund No. 6005, established 1990). Used as a trust fund to maintain moneys sufficient to cover the costs of postclosure maintenance and/or corrective action of the District's solid waste landfill facility at Iron Mountain, in accordance with regulations of the California Department of Resources Recycling and Recovery, and subject to the conditions contained in Section 5201(m).

(l) Water Standby Charge Fund (Fund No. 1005, established 1992). Used to separately hold revenues attributable to water standby charges; amounts deposited in this fund are used exclusively for the purpose for which the water standby charge was authorized.

(m) Water Transfer Fund (Fund No. 1007, established 1995). Used for moneys set aside for the purchase of water through transfers or similar arrangements, and for the costs of filling the Eastside Reservoir Project.

(n) Self-Insured Retention Fund (Fund No. 1008, established 1999). Used to separately hold amounts set aside for emergency repairs and claims against the District as provided in Section 5201(o).

(o) Lake Mathews Multi Species Reserve Trust Fund (Fund No. 6101, established 1997). Used as set forth in agreement between Metropolitan and the Riverside County Habitat Conservation Agency for the Southwest Riverside County MultiSpecies Reserve.

(p) There shall be established in the Treasury of the District such funds and accounts as are required pursuant to bond covenants, tax and non-arbitrage certificates, bond counsel letters of instruction and related documents, to provide for accountability of District funds and compliance with applicable federal and state law and regulations. Such funds and accounts shall

be established for each issue of bonds, notes or other obligations of the District as required in the respective bond or note resolution and closing documents.

Division VI

PERSONNEL MATTERS

Chapter	Sec.
1 Employee Relations	6100
2 Personnel Regulations	6200
3 General Employee Matters	6300
4 Officers	6400
5 Unrepresented Classifications (Including Management and Confidential)	6500
[6 Repealed	6600]
[7 Repealed	6700]
8 Employee Deferred Compensation and Savings Plans	6810

Chapter 2

PERSONNEL REGULATIONS

§ 6201. Benefits Paid Temporary Employees.

(a) Temporary employees shall be entitled only to be paid an hourly rate determined in accordance with this Code.

(b) An eligible temporary unrepresented employee shall be entitled to personal leave.

(1) A temporary unrepresented full-time employee employed by the District for more than 1,044 hours of current full-time service is eligible for forty-eight (48) hours of personal leave per calendar year.

(2) A temporary unrepresented part-time employee employed by the District for more than 1,044 hours of current service is eligible for twenty-four (24) hours of personal leave per calendar year.

Personal leave must be used in the calendar year in which it is received. Personal leave shall not be carried over into the year following the year in which it is received nor will it be paid upon separation from District employment. The District shall be responsible for scheduling personal leave periods of temporary employees in such a manner as to achieve the most efficient functioning of the District. The District shall determine whether or not a request for personal leave will be granted; however, an employee's timely request for personal leave shall only be denied for good and sufficient business reasons.

(c) All eligible temporary employees shall be entitled to CalPERS pension and medical benefits based on CalPERS regulations provided for in the Public Employee Retirement Law (PERL) and Public Employee Medical and Hospital Care Act (PEMCHA).

(d) Temporary employees shall not be entitled to any benefits or rights of any nature whatsoever provided for under this Code, except as provided by subsections (a),(b), and (c) above and as specifically required by applicable law.

§ 6233 Benefits Paid Regular Part-Time Employees

(a) Regular part-time employees shall be entitled to be paid an hourly rate determined in accordance with this Code.

(b) An eligible regular part-time employee shall be entitled to twenty-four (24) hours of personal leave per calendar year. A regular part-time employee employed by the District for more than 1,044 hours of current part-time service is eligible for personal leave. Personal leave must be used in the calendar year in which it is received. Personal leave shall not be carried over into the year following the year in which it is received nor will it be paid upon separation from District employment. The District shall be responsible for scheduling personal leave periods of regular part-time employees in such a manner as to achieve the most efficient functioning of the District. The District shall determine whether or not a request for personal leave will be granted. However, an employee's timely request for personal leave shall only be denied for good and sufficient business reasons.

(c) All eligible part-time employees shall be entitled to CalPERS pension and medical benefits based on CalPERS regulations provided for in the Public Employee Retirement Law (PERL) and Public Employee Medical and Hospital Care Act (PEMCHA).

(d) Regular part-time employees who are scheduled to work between 20 and 39 hours per week shall be eligible to enroll in dental, vision, life, and disability benefits on a prorated basis and as specifically required by applicable law.

Chapter 5

UNREPRESENTED CLASSIFICATIONS

(INCLUDING MANAGEMENT AND CONFIDENTIAL))

Article 1

SALARIES

§ 6500. Hourly Pay Rate Schedule.

(a) The hourly pay rate (as that term is defined in subdivision (h) of Section 6200) and schedule of positions occupied by unclassified service employees not in an appropriate unit recognized pursuant to Section 6108 shall be as follows: [HOURLY PAY RATE SCHEDULE OMITTED]

(b) Unrepresented FLSA “exempt” employees are eligible to receive a monthly transportation allowance. Transportation allowance amounts are to be administered by the General Manager consistent with District policy.

(c) Unrepresented FLSA “exempt” employees are eligible to participate in a pay-for-performance incentive program promulgated by the General Manager. The Board shall establish the total expenditure for the program.

(d) Unless otherwise directed by the Board, the range of base hourly pay rates for the employees in the positions identified in Section 6500(a) will be adjusted to correspond with the across-the-board salary adjustments provided to the District’s management bargaining unit 04. Actual pay rates for these employees will be based on merit pursuant to employee evaluations. Department Heads are authorized to move a position to a different salary grade in accordance with practices, policies and procedures promulgated by the General Manager.

Article 2

BENEFITS

§ 6520. General.

Unclassified service employees and officers who are unrepresented, and are in positions listed in Section 6500, and are not otherwise in a unit recognized pursuant to Section 6108, shall be entitled to the following benefits effective June 28, 1987. Unless specified otherwise, this section shall not apply to temporary or less than part-time employees or to annuitants.

Further, unless otherwise directed by the Board, benefits and pay for the employees in the positions referenced in Section 6500(a) shall be provided to correspond with the across-the-board salary and benefits adjustments provided to the District’s management bargaining unit 04.

§ 6521. Retirement.

The District shall pay to the California Public Employees' Retirement System (CalPERS) on behalf of each employee an amount equal to the required employee contribution to CalPERS, not to exceed seven percent (7%) of each employee's salary for employees deemed Classic Members by CalPERS. Employees deemed as New Members are subject to the Public Employees’ Pension Reform Act (PEPRA) and shall pay their own employee contributions.

The contribution shall be treated as an employer contribution made pursuant to Section 414(h)(2) of the Internal Revenue Code in determining the tax treatment of the contribution. Such contributions shall be treated for all purposes other than taxation in the same manner and to the same extent as contributions made by employees prior to June 30, 1985. Such contributions shall be paid from the same source of funds as used in paying wages to the affected employees. The employee does not have the option to receive the District-contributed amount paid pursuant to this section directly instead of having it paid to CalPERS.

Notwithstanding any provision in this Code to the contrary, the wages of each unrepresented employee shall be reduced by the indicated percentage of the amount of such employee's contribution paid by the District pursuant to the provisions of this section:

For such employees employed prior to January 1, 1981: 64.3%

For such employees employed on or after January 1, 1981: 100.0%

This section shall be operative only so long as the District pickup of the retirement contribution continues to be excluded from the gross income of the employee under the provisions of the Internal Revenue Code.

§ 6522. Medical Insurance.

Metropolitan's monthly contribution for employees in classifications referenced in Section 6500 and related annuitants to the medical plans maintained by CalPERS shall be established by Board resolution pursuant to the provisions of the Public Employees' Medical and Hospital Care Act.

§ 6523. Dental Insurance.

The District shall fully pay premiums for employees in unrepresented classifications referenced in Section 6500 and their qualified dependents under the group dental insurance provided by Delta Dental Company. Any reserve funds developed under the policy may be applied towards paying the premium of any policy obtained pursuant to this section.

During the policy year beginning with September 1, 1992, the District shall amend its policy to provide for an increase in orthodontic coverage under the prior terms of the policy to \$2,000 lifetime maximum per covered participant; and to increase the prophylaxis (cleaning) benefit by providing for such cleaning once every four (4) months. In addition, the District shall amend its policy to provide for an increase in the maximum payable for diagnostic and preventative care per calendar year per eligible person to \$2,500 a year; and to provide for sealant treatment for dependent children.

§ 6524. Tuition Reimbursement.

Tuition reimbursement for employees in unrepresented classifications referenced in Section 6500 shall be one-hundred (100%) of tuition, registration fees, books, and laboratory fees for up to twelve (12) units per quarter or semester; provided however, that employees who receive tuition reimbursement approval for a course or curriculum on or after August 1, 1992 shall be eligible for tuition reimbursement at the rate of one hundred percent (100 %), to a maximum of \$9,000 per calendar year, and up to an additional \$2,000 per calendar year for graduate or doctorate degrees.

§ 6525. Term Life Insurance.

Employees in unrepresented classifications referenced in Section 6500 will be provided with District-paid term life insurance affording coverage in an amount equal to 2,080 times the employee's hourly rate rounded off to the next higher thousand dollars, with employees having

the option at their own expense to obtain additional coverage not to exceed a maximum combined coverage of four hundred thousand dollars (\$400,000).

§ 6528. Personal Leave.

Employees in unrepresented classifications referenced in Section 6500 who are exempt from overtime pay and have been employed by the District for more than 1,044 hours of current service, including military leave during the period of current service, may take personal leave with pay up to twenty-four (24) hours each annual payroll cycle which shall not be charged against accumulated sick leave. Such personal leave may be taken for any personal reason, so long as such leave does not interfere with the mission of the District.

§ 6529. Part-Time Disability Leave.

An unrepresented employee in a classification referenced in Section 6500 otherwise eligible for disability leave pursuant to Section 6228, may be permitted by the employee's Department Head to work for a period, subject to termination by the Department Head, on a part-time basis if a physician's statement is furnished, satisfactory to and accepted by the District, stating the employee is physically able to work on a part-time basis. The Department Head may not re-delegate the authority provided by this section. Notwithstanding any provision to the contrary in Sections 6200 through 6268, the employee shall be permitted to accrue leave in accordance with District regulation for those hours not on disability leave, but shall not be allowed to use leave until returning to work on a full-time basis and a physician's statement, satisfactory to and accepted by the District, is received stating the employee is physically able to return to work on a full-time basis for an indefinite time. For all other purposes of Section 6228, an employee on part-time disability leave shall be considered to be on full-time disability leave and shall not be considered as having returned to work.

§ 6530. Bereavement Leave.

An unrepresented employee in a classification referenced in Section 6500 shall be allowed to take bereavement leave, as provided by this section, upon the death of a member of the employee's immediate family.

(a) If the death occurs less than 250 miles from the employee's place of residence, the employee may take up to three (3) paid working days of bereavement leave, as is necessary, to take care of funeral arrangements or to attend the funeral. The employee may take additional bereavement leave, without pay, not to exceed two (2) working days.

(b) If the death occurs 250 miles or more from the employee's place of residence, the paid bereavement leave provided by this section shall not exceed one workweek, as determined by the employee's assigned work schedule.

(c) If requested by Metropolitan, an employee who takes bereavement leave pursuant to this section shall provide documentation of the death of the immediate family member within thirty (30) days of the first day of the leave.

(d) The bereavement leave shall be completed within three (3) months of the date of death of the family member.

(e) Irrespective of the leave limits provided in this section, an employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee.

For the purposes of this section, “immediate family” means spouse, state-registered domestic partner, or the employee’s or spouse’s/domestic partner’s child, parent, brother, sister, stepparent, stepchild, grandparent, grandchild, aunt or uncle. As used in this section, “documentation” includes, but is not limited to, a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency.

§ 6531. Long-Term Disability Insurance.

The District shall provide long-term disability (LTD) insurance to unrepresented employees in a classification referenced in Section 6500. Commencing July 1, 1998, or as soon thereafter as practical, the insurance shall provide a benefit of \$8,000 per month, but not to exceed sixty-six percent (66%) of the employee's monthly salary. The benefit shall commence ninety (90) days after the employee's disability commences. Benefit payments are paid after the employee first exhausts all sick leave, exhausting disability leave payable at the rate of 75 percent (75%) of full pay, and exhausting disability leave at the rate of 50 percent (50%) of full pay, in that order. Benefit payments shall expire at age 65 unless the employee's disability terminates sooner. If the employee applies for LTD benefits at age 65 or older, payments will expire within twelve (12) to twenty-four (24) months depending on age when the first payment begins. The District's insurance carrier shall determine eligibility including whether an employee is disabled. Preexisting conditions shall be excluded from coverage. The District shall have the right to change carriers and coverage so long as the replacement insurance is at least as advantageous.

§ 6532. Professional Development and Productivity Enhancement.

An unrepresented employee in a classification referenced in Section 6500 shall be reimbursed for professional development and productivity enhancement expenses, as follows:

(a) The District shall reimburse employees for state-mandated licenses for certification fees.

(b) The District shall reimburse unrepresented employees, to correspond with adjustments provided to the District’s management unit, for the costs incurred for professional development, certifications, licenses, or other costs incurred for professional development or productivity enhancement including seminars, journals, periodicals, books, travel expenses, professional association dues, pre-approved electronic equipment software and hardware, computing or communication devices, and other equipment pursuant to authorization by the employee’s Department Head, to a specified annual maximum, when related to their job duties

and/or to the fulfillment of the District's purposes. Any unused monies will roll over for one and only one subsequent year, from odd calendar years to even years, and unused monies during even years will be neither rolled over nor paid out.

§ 6533. Deferred Compensation.

The District shall provide a matching contribution, to each unrepresented employee in a classification referenced in Section 6500 who is a participant in the 401(k) Plan provided for in Division VI, Chapter 8, Article 1 of this Code, in the amount of one (1) dollar for each dollar contributed by the employee in accordance with a compensation-reduction election made by the participant pursuant to the 401(k) Plan Section 3.2. Commencing July 1, 2004, or as soon thereafter as practical, the maximum District matching contribution shall not exceed four and one-half percent (4.5%) of the employee's total cash compensation and salary reductions permitted under Sections 401(k), 414(b) and 457 of the Internal Revenue Code during that time period. This section shall only be operative to the extent that the District can make matching contributions and maintain compliance with the Internal Revenue Code.

§ 6534. Vision Plan.

The District shall provide to each unrepresented employee in a classification referenced in Section 6500 a vision care program through a District-approved vision insurance plan provider. The vision care program shall provide benefits for standard ophthalmic materials when necessary for the eligible employee's visual welfare. The program shall provide a benefit for eye examinations, lenses, and frames. The District shall fully pay the employee-only premium rate. Employees will, however, be permitted to purchase additional family coverage through the program.

§ 6535. Wellness Enhancement Program.

The District shall provide to each unrepresented employee in a classification referenced in Section 6500, a wellness enhancement reimbursement benefit for common health and fitness services not to exceed four hundred dollars (\$400) annually. The benefit shall only be paid for District-approved activities, services, equipment and products that promote physical activity, wellness and work-life balance. A submission for reimbursement must be made by January 31 for the prior year. The benefit is annual and any unused remainder shall not be carried over to subsequent years.

§ 6536. Exempt Time Off

(a) Effective January 1, 2024, and each calendar year thereafter, all full-time FLSA-exempt unrepresented employees in a classification referenced in Section 6500 are eligible for an annual allotment of forty (40) hours Exempt Time Off (ETO) to be used within the calendar year it is allotted. The annual allotment of ETO becomes available for use on the first District business day of the calendar year and shall not roll over into the following calendar year. Employees hired after the annual allotment in January, and existing employees who are promoted or transferred into an applicable classification after the annual allotment in January, are not eligible to receive ETO until the following calendar year. Existing employees with an ETO

allotment or balance from a previous classification will retain their unused ETO for that calendar year. Any unused portion of ETO will be automatically cashed out by the District to the employee on the first paycheck following December 1 of each calendar year.

(b) Effective January 1, 2025 and each calendar year thereafter, all eligible employees under this section with a current overall annual evaluation rating of Meets Standards and above for the prior evaluation year, shall receive an additional annual allotment of forty (40) hours of ETO to be used within the calendar year it is allotted. This additional annual allotment of ETO becomes available for use on the first District business day of the calendar year and shall not roll over into the following calendar year. Only persons who are actively employed by the District at the time of the annual allotment in January will be eligible for the allotment. Any unused portion of ETO will be automatically cashed out by the District to the employee on the paycheck following December 1 of each calendar year.

(c) Eligible employees shall make a request to use ETO to their direct supervisor. The District shall determine whether a request for ETO shall be granted. However, an eligible employee's timely request to use ETO hours under this provision shall only be denied for good and sufficient business reasons.

(d) Any ETO hours not used by an employee prior to separation of service will be automatically cashed out by the District at separation.

(e) Effective July 1, 2022 through December 31, 2022, all employees eligible under this section, who were employed by the District during that timeframe, shall receive a retroactive payment equivalent to an allotment of twenty-four (24) hours of ETO for that timeframe.

(f) Effective January 1, 2023 through December 31, 2023, all employees eligible under this section who were employed by the District during that timeframe shall receive a retroactive payment equivalent to an allotment of forty (40) hours of ETO for that timeframe.

(g) Eligible employees who received an overall annual evaluation rating of Meets Standards and above for the 2022-2023 evaluation year shall receive an additional allotment of 40 hours of ETO for that evaluation period. Any unused portion of ETO awarded under this provision will be automatically cashed out by the District to the employee the payroll cycle that includes November 15.

(h) Only persons employed by the District at the time this section becomes effective may be awarded retroactive allotments and/or retroactive payments, as set forth above.

Division X

RECORDS

Chapter 2

INSPECTION OF RECORDS

§ 10200. General.

District records shall be made available to the public according to the procedures and requirements of the California Public Records Act (Government Code section 7920.000 et seq.) Any employee, officer, or director having possession of District records shall make all of said records freely available to the public upon request, unless the records are exempt from disclosure under the California Public Records Act.

§ 10201. Procedure for Responding to Inspection Request.

The responsible executive officer shall respond, on behalf of Metropolitan, to a California Public Records Act request in accordance with the law, including the initial response as to whether the request in whole or part seeks disclosable public records.