

ORDINANCE NO. 55

AN ORDINANCE OF THE CHINO BASIN MUNICIPAL WATER DISTRICT, SAN BERNARDINO COUNTY, CALIFORNIA, ESTABLISHING PROCEDURES FOR THE FILING OF CLAIMS AGAINST THE DISTRICT

BE IT ORDAINED by the Board of Directors of the Chino Basin Municipal Water District as follows:

**Section 1. General Claims Procedures:** The provisions of this Ordinance recognize that the general claim procedures applicable to local public agencies, including this District, are governed by the provisions of Chapter 1 of Division 3.6 of the California Government Code, commencing with Section 900 et seq.

**Section 2. Special Claims Procedures:** Pursuant to the authority contained in Section 935 of the California Government Code, the following claims procedures are established for those claims against the District for money or damages not now governed by State or local laws:

(a) **Employee Claims:** Notwithstanding the exceptions contained in Section 905 of the California Government Code, all claims by public officers or employees for fees, salaries, wages, overtime pay, holiday pay, compensating time off, vacation pay, sick leave pay, and any other expenses or allowances claimed due from the District, when a procedure for processing such claims is not otherwise provided by State or local laws, shall be presented within the time limitations and in the manner prescribed by Sections 910 through 915.2 of the California Government Code. Such claims shall further be subject to the provisions of Section 945.4 of the California Government Code relating to the prohibition of suits in the absence of the presentation of claims and action thereon by the District.


(b) **Contract and Other Claims:** In addition to the requirements of subsection (a) of this section, and notwithstanding the exemptions set forth in Section 905 of the California Government Code, all claims against the District for damages or money, when a procedure for processing such claims is not otherwise provided by State or local laws, shall be presented within the time limitations and in the manner prescribed by Sections 910 through 915.2 of the California Government Code. Such claims shall further be subject to the provisions of Section 945.4 of the California Government Code relating to the prohibition of suits in the absence of the presentation of claims and action thereon by the Board of Directors.

**Section 3. Filing of Claims:** All tort liability claims required to be presented to the District under the provisions of the California Tort Claims Act of 1963 (Government Code Section 900 et seq.) shall be filed with the Risk Manager or the Secretary of the Board. Any such claims received for filing by the Secretary of the Board shall be transmitted forthwith to the Risk Manager.


**Section 4. Severability:** If any section, subsection, subdivision, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such invalidity shall not affect the validity of the entire Ordinance or any of the remaining portions thereof. The Chino Basin Municipal Water District Board of Directors hereby declares that they would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases are declared unconstitutional or otherwise invalid.

**Section 5. Effective Date:** This Ordinance shall become effective upon its passage.

ADOPTED this 20th day of April, 1994.

  
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President of the Chino Basin  
Municipal Water District and of the  
Board of Directors thereof

ATTEST:

  
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Secretary of the Chino Basin  
Municipal Water District and of  
the Board of Directors thereof

