

DIVISION II ADMINISTRATION

Section 2.01 Regular Meetings.

The regular meeting of the Board of Directors of the Sierra Lakes County Water District shall hereafter be held on the second Friday of each and every calendar month. All regular meetings shall be held at the hour of 5:00 p.m. [Amended by Ord. No. 71, eff. 7/20/03. Amended by Ord. No. 77, eff. 2/11/07]

Section 2.02 Special Meetings.

Special meetings of the Board shall be held upon call of the President of the Board, or of a majority of the members thereof, in accordance with the provisions of Government Code section 54956 and other applicable provisions of the Ralph M. Brown Act (Government Code §54950, et seq.).

Section 2.03 Meeting Place.

All regular and special meetings of the Board, unless adjourned to or fixed for another place of meeting in a notice to be given thereof, or unless prevented by flood, fire or other disaster, shall be held at the District office, or some other suitable place in the immediate area.

Section 2.04 Holidays.

In the event that any day fixed for a regular meeting of the Board shall fall upon a holiday, then the meeting appointed for such day shall be held on the next day which may not be a holiday, at the same hour specified for the meeting to be held, or at such other date and time as the Board may determine.

Section 2.05 Order of Business.

The order of business at the regular meetings of the Board shall include the following, as well as other matters that the Board may order from time to time:

- (a) Call to Order
- (b) Approval of Agenda
- (c) Public Forum
- (d) Consent Items Calendar
- (e) Financial Report

- (f) Maintenance and Operations Report
- (g) Administrative Office Report
- (h) Old Business
- (i) New Business
- (j) Closed Session, if needed
- (k) Adjournment

Section 2.06 Rules of Proceedings.

(a) Public Meetings. All sessions of the Board, whether regular or special, shall be open to the public, except as otherwise may be permitted by law.

(b) Quorum. A majority of the members of the Board shall constitute a quorum for the transaction of business.

(c) Adjournment. When a meeting may not be opened, or further action may not be had at a regularly opened meeting, for want of a quorum, said meeting may be adjourned to a day and hour certain by the Secretary or any member of the Board, and notice of such adjournment shall be given for the time and in the manner provided for calling special meetings, except that the purpose of the adjourned meeting need not be stated unless otherwise required by law.

(d) Method of Action. The Board shall act only by ordinance, resolution or motion, which, to become effective, shall receive the affirmative vote of a majority of the members of the Board. All members of the Board present, including the President, shall be entitled to vote on all matters to come before the Board, unless disqualified by a conflict of interest.

(e) Recording Vote. Except where action shall be taken by the unanimous vote of all members present and voting, the ayes and noes shall be taken on all actions had.

(f) Ordinances. The enacting clause of all ordinances passed by the Board shall be in these words: "Be it ordained by the Board of Directors of the Sierra Lakes County Water District, Placer County, California, as follows:" All ordinances of the Board shall be signed by the President or the Vice-President when the President is absent, and attested by the Secretary.

(g) Contracts. Unless otherwise directed and authorized by the Board, all contracts on behalf of the

District shall be signed by the President or the Vice-President when the President is absent, and countersigned by the Secretary, after having been authorized so to do by action of the Board.

(h) Roberts' Rules. Whenever deemed appropriate by the Board, Board meetings shall be conducted in conformity with Roberts' Rules of Order.

Section 2.07 Mailing Address.

The official mailing address of the District is hereby established as P.O. Box 1039, Soda Springs, California, 95728-1039.

Section 2.08 Official Seal.

An official seal shall be, and the same is hereby, adopted for the District, to consist of an impression made with a seal press, the inscription of which shall be the following:

SIERRA LAKES COUNTY WATER DISTRICT, PLACER COUNTY
CALIFORNIA, INCORPORATED MARCH 7, 1961. (SEAL)

Section 2.09 Manager - Duties.

The Manager shall regularly inspect all physical facilities related to the District's water and sewer systems, to see that they are in good repair and proper working order, and to note violations of any rules, regulations and ordinances of the District.

Section 2.10 Manager - Violation, Repairs.

The Manager shall promptly report any violation or disrepair of District facilities to the Board. If the work required is in the nature of an emergency, he shall take whatever steps are necessary to maintain service to customers pending action by the Board. The Manager also shall enforce the provisions of the District Code and for such purpose shall be designated a peace officer and have the powers of such consistent with Water Code section 30547. Such powers shall not limit or otherwise affect the powers and duties of the County Health Officer.

Section 2.11 Manager - Supervision.

The Manager shall supervise all repair or construction work authorized by the Board and performed by District forces, and perform any other duties prescribed elsewhere in the District Code or which shall be hereafter prescribed by the Board.

Section 2.12 Relief on Application.

When any person, by reason of special circumstances, is of the opinion that any provision of the District Code is unjust or inequitable as applied to his use, he may make written application to the Board, stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to him.

If such application be approved, the Board may, by motion, suspend or modify the provision complained of, as applied to such use, to be effective as of the date of the application and continuing during the period of the special circumstances.

Section 2.13 Relief on Own Motion.

The Board may, on its own motion, find that by reason of special circumstances any provision of the District Code should be suspended or modified as applied to a particular premises and may, by motion, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof.

Section 2.14 Words and Phrases.

For the purpose of the District Code, all words used herein in the present tense shall include the future; all words in the plural number shall include the singular number; all words in the singular number shall include the plural number; and words used in the masculine gender include the feminine and neuter.

Section 2.15 Separability.

If any section, subsection, sentence, clause or phrase of the District Code or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the District Code or the application of such provisions to other persons or

circumstances. The Board hereby declares that it would have passed the District Code or any section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more of the remaining sections, subsections, sentences, clauses or phrases be declared to be unconstitutional.

Section 2.16 Ruling Final.

All rulings of the Manager shall be final unless appealed in writing to the Board within five (5) days. In the event of such an appeal, the Board's ruling in the matter shall be final.

Section 2.17 Interest on Deposit.

No interest shall be paid on any deposit made with the District pursuant to the provisions of the District's rules, regulations and ordinances.

Section 2.18 Local Claims Procedures.

Pursuant to Government Code section 935, the District hereby establishes the following claims procedures to apply to those claims against the District that are exempt from the Tort Claims Act under Government Code section 905:

(a) All claims for money or damages against the District that are exempt from the Tort Claims Act under Government Code section 905, and that are not governed by any other statute or regulation expressly relating to such claim, shall be presented to the District within the time limitations and in the manner set forth in Government Code sections 910 through 915.2.

(b) When a claim required by this Section to be presented within a period of less than one year after the accrual of the cause of action is not presented within the required time, an application for leave to file a late claim may be made and processed in accordance with Government Code sections 911.4(b), 911.6 to 912.2, and 946.6. A late claim also shall be subject to Government Code section 946.4. (See Gov. Code, §935(e).)

(c) Claims shall be subject to the provisions of Government Code section 945.4 relating to the prohibition of lawsuits until the presentation of and action on a claim. No lawsuit for money or damages may be brought against the District on a cause of action for which a claim is required to

be presented in accordance with this Section until a written claim therefor has been presented to the District and has been acted upon by the District Board, or has been deemed to have been rejected by the District Board, in accordance with the procedures at Government Code sections 910 through 915.2. (See Gov. Code, §935(b).)

(d) Any lawsuit brought against the District on a claim subject to this Section shall be subject to the provisions of Government Code sections 945.6 (lawsuit filing limitations) and 946 (lawsuit barred after claim allowed in full or part). Any lawsuit against the District on a claim subject to this Section must be commenced within the time limitations of Government Code section 945.6. (See Gov. Code, §935(b).) [Added by Ord. No. 60, §1; eff. 7/21/97]

Section 2.19 Compensation of the Board Members

Effective February 6, 2007, a Board member's compensation for each day's attendance at Board meetings or for each day's service rendered as a Board member at the Board's request, not exceeding a total of six (6) days in any calendar month, shall be \$134.40, together with any expenses incurred in the performance of the member's duties required or authorized by the Board. [Amended by Ord. No. 65, eff. 2/23/02. Amended by Ord. No. 72, eff. 11/9/04. Amended Ord. No. 74, eff. 2/7/06. Amended Ord. No. 76, eff. 2/6/07]