

**BYLAWS  
OF THE  
BEAR VALLEY WATER DISTRICT**

**Adopted July \_\_, 2019**

**ARTICLE I  
GENERAL**

**Section 1. Name.**

This water sanitary district shall be known as the BEAR VALLEY WATER DISTRICT (BVWD or District).

**Section 2. District Office.**

The District Office shall be established by Resolution and may be changed from time to time by Resolution.

**ARTICLE II  
PURPOSE**

The purpose of the BVWD is to provide services to the residents of Bear Valley consistent with the Division 13 of the California Water Code.

**ARTICLE III  
BOARD OF DIRECTORS**

**Section 1. Number.**

The governing body of BVWD shall consist of five (5) elected Directors, each of whom shall serve a term of four (4) years. Such terms of office to be established on a staggered basis. During elections every two (2) years, either two (2) or three (3) Directors are elected for the next four (4) years.

**Section 2. Qualifications.**

In accordance with Water Code section 34700, each Director shall be one of the following:

- (a) A holder of title to land within the BVWD.
- (b) The legal representative of a holder of title to land within BVWD in accordance with Water Code section 34030.
- (c) A representative designated by a holder of title to land within BVWD, if the holder has filed with BVWD written evidence of that designation.

**Section 3. Responsibility.**

The Board of Directors shall govern the BVWD and establish policies for the operation of the District. The Directors shall carry out their duties as set forth in law, these bylaws, and other policies of BVWD honestly and faithfully.

**Section 4. Compensation.**

Members of the Board of Directors shall receive compensation for each day's attendance at meeting of the Board or for each day's service rendered as a director by request of the Board in an amount established by resolution of the Board of Directions, but in no case may the amount exceed the amount set forth in Water Code section 34741. Nor shall the total compensation to any Director exceed the total of six days in any calendar month, together with any expenses authorized by the Board. Compensation for all other officers who are not members of the Board of Directors shall be established by the Board.

**Section 5. Vacancies.**

Vacancies on the Board shall be filled in accordance with Government Code Section 1780.

**Section 6. Resignation.**

A director may resign at any time by giving written notice to the Board, to the President, or to the Secretary of the Board. Any such resignation shall take effect at the date of the receipt of such notice or at any later time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

**ARTICLE IV  
OFFICERS**

**Section 1. Elected Officers.**

The elected officers shall be chosen by the Board from among the five (5) members of the Board and shall consist of a President and a Vice-President.

**Section 2. Terms of Elected Officer.**

Elected Officers of the Board shall be elected by the Board at its first meeting in a new calendar year and shall serve for one (1) year, said term to commence upon election. All elected officers shall be eligible to serve successive terms. Officers shall continue to serve in their capacity as an officer until their successor is elected.

**Section 3. Duties of Elected Officers.**

A. President.

1. Shall preside at all meetings of the board and such other meetings approved by the Board, and have the authority to call for short recesses during meetings unless a majority of the Directors by vote oppose a recess.
2. Shall serve as official spokesperson for the Board.
3. Shall appoint such committees and other working groups as prescribed by the Board.
4. Shall designate Directors or others to represent the Board at various meetings, hearings, and conferences.
5. Shall perform such other duties as necessary to carry out the work of the Board.
6. Shall perform such duties as prescribed by law.

B. Vice-President.

1. Shall serve in the absence of the President.

**ARTICLE V  
APPOINTED OFFICERS**

**Section 1. Appointed Officers.**

- A. The appointed officers of the District shall be a General Manager and a Secretary who may be the same person, but none of whom shall be a Director. The duties of the appointed officers shall be as specified in law, and as directed by the Board. The Board may also appoint a Treasurer in accordance with.
- B. Pursuant to Water Code Section 34711, the District Board of Directors may appoint a District Treasurer, who shall be responsible for the deposit and withdrawal of funds of the District.
- C. The Board may appoint such other officers as it deems necessary.

**Section 2. General Manager Duties.**

The General Manager is employed by the board to run the day-to-day business of the BVWD.

Duties of the General Manager (Manager) include, but are not limited to:

- A. Appraise and evaluate the effects of the Board policies and the manner of their execution, and the efficiency of BVWD personnel in terms of services rendered to the people of the District.
- B. Provide leadership to staff in identifying district needs, establishing priorities and determining the objectives, which will achieve the established goals of the District.
- C. Encourage and assist staff in the performance of their duties and encourage their professional growth.
- D. Ensure evaluation of personnel under his/her direction.
- E. Provide financial oversight of the District and Alpine County pursuant to funds on deposit at that agency.
- F. Lead the District management team in the preparation of an annual budget, control of expenditures, inventory control, program planning, changing priorities and public relations.
- G. Perform the function of the District's Public Information Officer.
- H. Dispatch the contractor hired for operations on all wastewater problems in BVWD that require fieldwork. The Manager will respond only if the situation is too complicated for the contractor hired for operations to handle.
- I. Keep the Board informed of all communications affecting the District.
- J. Establish regular office hours and ensure that there is at least one person in the office during those hours.
- K. Such other duties as may from time to time be assigned by the Board.

**Section 3. Secretary Duties.**

- A. The Secretary shall attend Board meetings and prepare the minutes of the Board meetings which shall record the aye and no votes taken by the members of the Board for the passage of all ordinances, resolutions, or motions.
- B. The Secretary shall prepare the agenda for the Board meetings, post agendas, public notices and proposed action documents as required by the Board and government regulations.
- C. The Secretary shall keep a record of all Board actions, including financial transactions.
- D. The Secretary is responsible for keeping the Ordinances and all changes.
- E. The Secretary shall maintain and file with the County Clerk and the Secretary of State the filings required under Government Code section 53050 for the Roster of

Public Agencies.

**Section 4. Treasurer Duties.**

- A. If a Treasurer is appointed by the Board of Directors, they shall serve at the pleasure of the Board and be responsible for those responsibilities set forth in Water Code section 34711 and any other as determined by the Board.

**ARTICLE VI  
MEETINGS**

**Section 1. Regular and Special Meetings.**

- A. The Board shall hold a regular meeting on dates and times as established by the Board from time to time by resolution. All regular meeting shall be held at the District Office. Such meetings may be altered as to date, time and place, as provided for in a Resolution adopted by the Board.
- B. Special meetings may be called by the President or by a majority of Directors.
- C. All meetings shall be conducted in accordance with the Ralph M. Brown Act.
- D. All motions made at Board meetings shall require a second to the motion prior to the Directors voting.
- E. Directors may attend any regular and special meeting telephonically as provided in the Ralph M. Brown Act.

**Section 2. Quorum.**

The Board shall be empowered to conduct the business of the District whenever there is a quorum of Directors at a properly noticed meeting. Three Directors shall constitute a Quorum.

**Section 3. Voting.**

- A. The vote of a majority of the Directors present at any meeting attended by a Quorum shall be necessary to pass any motion, adopt any resolution, or make any determination.
- B. Voting shall be by voice, show of hands, or roll call vote.
- C. Should a Director vote "Abstain" on a motion, the vote shall be considered a non-vote and not counted as an affirmative or negative vote.

**Section 4. Notice of Regular and Special Meetings.**

- A. Notices of all regular and special meetings shall be pursuant to the Ralph M. Brown Act.
- B. Notices of regular and special meetings. In the case of special meetings, the notice, written or by telephone, shall specify the specific nature of the business to be transacted.

**ARTICLE VII  
ELECTIONS**

**Section 1. Procedure of Voting.**

All District elections shall be conducted in accordance with the procedures set forth in Water Code Section 35100 et. seq.

**Section 2. Manner of Voting.**

The manner of voting in all District elections shall be as set forth in Water Code section 35003.

**Section 3. Voting in Person or by Proxy.**

Every eligible voter may vote either in person or proxy in accordance with Water Code sections 35004-35006.

**ARTICLE VIII  
PARLIAMENTARY AUTHORITY**

Rosenberg's Rules of Order, current edition and all future editions or such other authority as may be subsequently adopted by resolution of the Board is to apply to all questions of procedure and parliamentary law not specified in these Bylaws or otherwise by law.

**ARTICLE IX  
PENALTIES**

The penalty for any single violation of these bylaws shall not exceed two hundred dollars (\$200.00).

**ARTICLE X  
AMENDMENTS**

The Bylaws may be repealed or amended, or new Bylaws by either of the following methods:

(a) By four-fifths ( $4/5$ ths) vote of the total number of Directors as set forth in Article 3 Section 1 of these bylaws and approval of the Board of Supervisors of Alpine County, or

(b) By two-thirds ( $2/3$ rds) vote of the total vote of the District in writing or cast by ballot at a District election.