

**POLICIES AND PROCEDURES OF  
SIERRAVILLE PUBLIC UTILITY DISTRICT**

**PREAMBLE**

**WHEREAS**, the Sierraville Public Utility District, (SPUD), was formed in 1945 in accordance with the provisions of Act 6391, known as the Public Utility District Act of 1921, also pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1 (Section 6500 et. seq.) of the State of California Government Code, commonly known as the Joint Exercise of Powers Act (hereinafter "Act") and Division 7, Chapter 1, Article 1 (PUC ~ 15501) "The Public Utility Act," so that Sierraville Public Utility District (hereafter "SPUD" or "The District") can acquire, operate, and maintain a consolidated domestic water system for those residences and businesses located within the geographical boundaries of SPUD. The most recent permit to operate a public water district was issued December 31, 1993 by The State Of California under The California Health and Safety Code, Division 5, Part 1, Chapter 7, Article 2, Section 4011(b); and,

**WHEREAS**, SPUD has the obligation to provide the best quality and safest drinking water, as well as timely and responsive service, at the lowest possible cost, in conformance to State and Federal laws and regulations,

**NOW, THEREFOR**, the Board of Directors (hereinafter "Board") of the SPUD do hereby adopt these Policies and Procedures and Water Ordinances as mechanisms to provide for the governance of SPUD in conformance with the wishes of those water users within the SPUD's jurisdiction.

**ARTICLE I  
OFFICE**

The principal office for the transaction of SPUD business is located at 305 South Lincoln Street, Sierraville, California. The Board of Directors may, by resolution, change the location of the principal office within the boundaries of SPUD.

**ARTICLE II  
BOARD OF DIRECTORS**

**Section 1. Powers of Directors**

Subject to the powers and limitations as provided by law, these Policies and Procedures shall exercise all powers of SPUD, its property controlled, and its affairs conducted, by the Board of Directors (the "Board"). The Board shall be called the "Board of Directors of the Sierraville Public Utility District."

**Section 2. Composition of the Board and Terms of Directors**

The Board shall comprise five (5) volunteer members, unless and until changed by amendment to these Policies and Procedures. Each Director of SPUD shall actively participate in District business

and operation.

Directors shall reside within the SPUD boundaries.

Each Director shall serve a term of four (4) years or longer. Each shall serve at the pleasure of the appointing Board of Supervisors of Sierra County.

**Section 3. Voting Rights**

Each Director shall have one (1) vote on issues requiring a vote at Board meetings. The Board shall exercise all voting and decision-making powers of SPUD.

**Section 4. Vacancies**

In the event that any SPUD Director permanently vacates his or her seat as a Director, for any of the reasons as set forth in Government Code section 1770, a replacement shall be appointed within sixty (60) days of the vacancy.

**Section 5. Resignation**

A Director may resign at any time by giving written notice to any SPUD Board member. Such resignation shall be effective at the time specified, and acceptance of such resignation by the remaining Board shall not be necessary to make it effective.

The SPUD Board of Directors, with the approval of The Sierra County Board of Supervisors, may appoint a qualified person within sixty (60) days to serve in the vacated position until the expiration of the four (4) year term.

**Section 6. Attendance**

If any SPUD Director fails to attend three consecutive regular meetings, the Board of Directors may, by a majority vote, request the County Board of Supervisors to remove that Director, and may then follow the process of appointing a new Director.

**Section 7. Nepotism**

No member of a Director's immediate family residing at the Director's home shall be retained by SPUD as an employee or contractor.

**ARTICLE III  
MEETINGS OF THE BOARD**

**Section 1. Regular Meeting**

Regular Board meetings shall occur on the third (3<sup>rd</sup>) Wednesday of each month.

## **Section 2. Place of Meetings**

Unless otherwise specified and properly noticed, regular Board meetings shall be held at the at the Sierraville Community School, located at 305 S. Lincoln in Sierraville, California 96126.

## **Section 3. Annual Meeting**

The Board shall hold an annual organizational meeting each year to hear community and advisory committee reports and recommendations, to restructure Directors' responsibilities, to evaluate maintenance and project goals, and to handle the transaction of other business. The annual meeting may be conducted as a part of a regularly scheduled monthly meeting.

## **Section 4. Special Meetings**

Special meetings of the Board, for any purpose, may be called at any time by the Chairperson of the Board or by a majority of the Directors, at any place within the boundaries of SPUD, and on such date and at such time as may be designated in the notice of such meeting.

## **Section 5. Notices of Meetings and Posting of Agendas**

Notice of the time and place of all regular meetings and special meetings shall be delivered personally or by first- class mail and addressed to each Director. Regular meeting Agendas shall be provided to each Director at least seventy-two (72) hours prior to the date and time set for regular meetings and posted in a readily accessible public place. Special meeting agendas shall be posted twenty-four (24) hours prior to the meeting and personally delivered to each Director at the same time.

## **Section 6. Quorum**

A majority of Directors shall constitute a quorum for the transaction of business at any meeting. The Directors present at a duly held meeting at which a quorum is present may continue to do business until adjournment, notwithstanding the withdrawal of Directors leaving less than a quorum.

## **Section 7. Board Actions and Limitations**

Except as provided otherwise by these Policies and Procedures, actions of the majority of the Directors present and entitled to vote at any meeting at which a quorum is present shall be considered actions of the Board.

## **Section 8. Adjournment**

Regardless of whether or not a quorum is present at a Board meeting, the majority of the Directors present and voting may adjourn the meeting until the time and place fixed in the order of adjournment.

## **Section 9. Open Meetings**

All Board meetings shall be called, noticed, held, and conducted in accordance with the provisions

of the Ralph M. Brown Act, Sections 54950, et. seq. of the California Government Code.

**Section 10. Fees and Compensation**

Directors shall not receive any salary for their services as Directors; however, by action of the Board, reasonable expenses may be reimbursed.

**ARTICLE IV  
OFFICERS**

**Section 1. Officers**

The Officers of SPUD shall be a Chairperson, a Vice-Chairperson, an Administrative Operations Point Person, a Financial Operations Point Person, and a System Operations Point Person. A Director may hold more than one of the above positions.

**Section 2. Elections**

The Board shall elect the Chairperson and Vice-Chairperson from among the Directors.

**Section 3. Chairperson of the Board**

The Chairperson of the Board shall preside at all Board meetings, is authorized to sign any contracts on behalf of the District and shall perform such other duties as may be imposed and authorized by the Board. The Chairperson shall be aware of all happenings within the Water District and be of assistance in all functions within the District.

**Section 4. Vice-Chairperson**

The Vice-Chairperson shall act, sign contracts, and perform all of the Chairperson's duties in the absence of the Chairperson, and shall perform such other duties as may be imposed by the Board.

**Section 5. Administrative Operations – Point Person**

The Point Person for Administrative Operations shall be responsible for overseeing all administrative functions of SPUD, which include, but are not limited to, resolutions, ordinances, policies, forms, reports, contract services, file management, agendas, minutes, correspondence, etc. All Directors shall be aware of, and be able to assist in, this area as needed.

**Section 6. System Operations – Point Person**

The Point Person for System Operations shall be responsible for the safe and efficient delivery of adequate, safe water to the homes and businesses of Sierraville. This Point Person will work with the Certified System Operator in water-testing, chlorination, the emergency plan, system metering, system equipment, regulations, compliances, system improvements and development, etc. All Directors shall be aware of, and be able to assist in, this area as needed.

## **Section 7. Financial Operations – Point Person**

The Point Person for Financial Operations shall oversee the financial condition of the District. This Director shall assist in the preparation of the annual budget, and will oversee the District’s accounting, billing, expenditures, financial statements and reports, auditing, insurance, etc. All Directors shall be aware of, and be able to assist in, this area as needed.

## **ARTICLE V CONTRACT SERVICES**

### **Section 1 District Manager**

“District Manager” shall mean the Manager of the District retained by the Board to perform administrative and maintenance services as directed by the Board of Directors. This position may be filled by an employee or contractor retained by the Board of Directors.

### **Section 2 Maintenance**

The Board of Directors for SPUD will oversee the repair and maintenance work required to maintain the efficient and safe operation of the District’s water delivery system as allowed by the knowledge and time restraints of the Board Members. If the Board members cannot do the necessary work, SPUD shall contract labor for repairs and maintenance on the SPUD water source, the water quality system, and the distribution system.

The Board shall consider hiring local contractors before hiring out-of-town contractors. SPUD’s contracted Certified System Operator shall monitor repairs and maintenance work. SPUD shall pay for parts and materials.

### **Section 3 Meter Reader**

The Board may contract the services of a Meter Reader. The Meter Reader will read customer water meters in the last week of the month in May, June, July, August, and September. The Board may amend that policy if it is beneficial to do so. The Board of Directors shall oversee and/or participate in the meter-reading process. The process involves the following: reading the meter, recording the reading on a computer spreadsheet, and faxing or e-mailing the spreadsheet to SPUD’s billing contractor.

### **Section 4 Administrative Clerk**

The Board may contract the services of an Administrative Clerk. The Administrative Clerk shall prepare the Board meeting minutes and meeting notices and conduct additional administrative services as requested by the Board.

Meeting minutes shall be provided to each Director and each member agency as soon as possible after the meeting, but no later than seven (7) days prior to the next regular meeting.

In preparation for each Board meeting, as requested by the Board, the Administrative Clerk shall prepare packets of appropriate materials and agendas for each Director, advisory committee, California State Personnel, and the public (if requested). A reasonable charge may be made for

copies of the Agenda Packet distributed to members of the public. The Administrative Clerk shall be responsible for the timely and accurate preparation and posting of meeting notices and agendas, as requested by the Board.

#### **Section 4 Certified System Operator**

The Water District is required to obtain the services of a certified distribution operator. (Title 22, section 63770(b)). The section of the California Government Code (see Title 22 section below) identifies when these services are required. Such a certified person shall be retained under written contract. A certified operator shall assume oversight and be available 24 hours per day, 7 days per week, 365 days per year.

Title 22, section 63770(b)

A. Water systems shall utilize only certified distribution operators to make decisions addressing the following operation activities:

1. Install, tap, realign, disinfect, test, and connect water mains and appurtenances.
2. Shutdown, repair, disinfect, and test broken water mains.
3. Oversee the flushing, cleaning, and pigging of existing water mains.
4. Pull, reset, rehabilitate, disinfect, and test domestic water wells.
5. Stand-by emergency response duties for after-hours distribution system during operational emergencies.
6. Drain, clean, disinfect and maintain distribution reservoirs.

B. Water systems shall utilize either certified distribution operators or treatment operators who have been trained to make decisions addressing the following operational activities:

1. Operate pumps and related flow and pressure control and storage facilities manually or by using a system control and data acquisition (SCADA) system.

C. Water systems shall utilize either certified distribution operators or treatment operators to make decisions addressing the following operational activities:

1. Determine and control proper chemical dosage rates for system disinfection and distribution residual maintenance.
2. Investigate water quality problems in the distribution system.

#### **Section 5 Removal and Resignation**

The hiring, firing, demotion, or disciplining of the District Manager, Administrative Clerk, Legal Counsel, Contractor, and/or other personnel may be exercised with at least three (3) affirmative votes of the Board of Directors.

### **ARTICLE VI**

#### **COMMITTEES OF THE BOARD**

##### **Section 1. Committee Generally**

The Board shall appoint any committees deemed necessary for the effective operation of the District. Committees of the Board shall carry out such functions as are designated by these Policies

and Procedures or as designated by the Board. Committees shall be advisory only and subject to the Board's direction.

**Section 2 Standing Committees**

SPUD recognizes three standing committees: 1) Administrative Operations; 2) Financial Operations; and 3) System Operations. Each committee consists of two (2) members of SPUD's Board of Directors who carry out committee functions. Committee members recommend Board meeting agenda items and report on committee activities at Board meetings. These committees shall be subject to meeting requirements as directed by the Ralph M. Brown Act.

**Section 3 Advisory Committee**

SPUD may encourage community members to volunteer and serve on advisory committees providing input and assistance in SPUD operations and functions.

**Section 4 Expenditures**

No expenditure of District funds shall be made without the express authorization of the Board of Directors in a District meeting.

**ARTICLE VII  
MISCELLANEOUS**

**Section 1. Agents and Representatives**

The Board may appoint such agents and representatives of SPUD, with such power and to perform such acts or duties on behalf of SPUD, as the Board sees fit, so far as is consistent with these Policies and Procedures and applicable laws and regulations.

**Section 2. Bonding**

Officers, Directors, and contractors handling funds shall be properly bonded as determined by the Board.

**Section 3. Fiscal Year**

The District's fiscal year shall begin on July 1 and end on June 30 of the subsequent year.

**Section 4. Rules of Procedures for Meetings**

All meetings of the Board and other committees or bodies of SPUD shall be conducted in accordance with Roberts Rules of Order, provided that in the event of any conflict, SPUD, these Policies and Procedures, and California Laws and Regulations shall supersede such rules.

**ARTICLE VIII**  
**RULES OF ORDER**

In the event that questions of order arise that are not covered by the Codes of the State of California, or other regulating agencies, or by these Policies and Procedures, local rules established by the Board shall apply.

**ARTICLE IX**  
**AMENDMENTS**

These Policies and Procedures may be amended or repealed, and new Policies and Procedures adopted by the vote of two-thirds (2/3) of the Directors after a public hearing at any duly held and noticed meeting of the Board. The Administrative Clerk or Director shall prepare and distribute any revisions to all parties. The Board will then see to it that the tentatively approved amendment is posted in three (3) conspicuous places in the District. In the event that any person having, or desiring water service protests the adoption of such amendment, the Board will hear complaints at the next regular meeting of the Board or shall schedule a special meeting for that purpose. After all complaints have been heard, the Board shall reconsider, if the need is indicated, and/or modify the proposed amendment, and the changes shall become effective on the first day of the month following.