

**AMENDED AND UPDATED
BYLAWS FOR THE REGULATION, EXCEPT AS
OTHERWISE PROVIDED BY STATUTE, OF
EL DORADO HILLS COUNTY WATER DISTRICT**

**ARTICLE 1
OFFICES**

1.1 Principal Office. The principal office for the transaction of business of the EL DORADO HILLS COUNTY WATER DISTRICT (the "District") is hereby fixed and located at 1050 Wilson Boulevard, El Dorado Hills, California 95762. The Board of Directors ("the Board") is hereby granted full power and authority to change said principal office from one location to another in said District. Any such change shall be noted in the Bylaws by the Secretary, opposite this section, or this section may be amended to state the new location.

**ARTICLE 2
MEETINGS**

2.1 Place and Time of Meetings. Regular monthly meetings of the Board shall be held in the Board Room of Station 85 at 1050 Wilson Boulevard, El Dorado Hills, California 95762, on the third Thursday of each and every calendar month, at the hour of 6:00 p.m. (unless an earlier or later hour is set by the Board in case of necessity). In the event that the regular scheduled monthly meeting should fall on a legal holiday, the regular monthly meeting of the Board shall be held on the next succeeding Thursday. The date, time and place of regular meetings may be reconsidered and the regular meeting date established annually at the annual organizational meeting of the Board.

2.2 Special Meetings. Special meetings of the Board, for any purpose or purposes whatsoever, may be called at any time by the President, or by the Vice President, or by any three members of the Board. Notice of the special meeting shall be given to each Board member and officer at least seventy-two (72) hours in advance of the scheduled special meeting, and in addition, the notice shall be posted at the principal office and in at least three (3) conspicuous places within the District, at least seventy-two (72) hours in advance of the scheduled special meeting. Notices of any special meeting shall specify, in addition to the place, date and hour of such meeting, the general nature of the business to be transacted.

2.3 Public Notification. All meetings, whether regular, special or emergency, shall be open and public, and notice thereof shall be given to the public in accordance with the provisions of the Ralph M. Brown Act Sections 54950-54962, as amended, of the Government Code

2.4 Form of Action. The Board shall act only by ordinance, resolution, or motion.

2.5 Quorum. A majority of the authorized number of Directors shall be necessary to constitute a quorum for the transaction of business. No ordinance, resolution or motion shall be passed or become effective without the affirmative vote of at least a majority of the members of the Board.

2.6 Proceedings. The Board shall establish rules for its proceedings.

ARTICLE 3
DIRECTORS

3.1 Powers. Subject to the limitations of laws governing County Water Districts, all District powers shall be exercised by or under the authority of, and the business and affairs of the District shall be controlled by, the Board. Without prejudice to such general powers, but subject to the same limitations, it is hereby expressly declared that the Board shall have the following powers, to wit:

- (a) Select and remove all other officers, agents and employees of the District, prescribe such powers and duties for them as may not be inconsistent with law, or these Bylaws, fix their compensation and require from them security for faithful services, as the Board may deem necessary;
- (b) Change the monthly meeting place and the principal office for the transaction of business of the District from one location to another within the same District, as provided in Section 1.1 hereof, or change the name of the District by resolution;
- (c) Enter into contracts for any and all purposes necessary and convenient for the full exercise of its powers;
- (d) Provide for the supply of water for domestic use, irrigation, sanitation, industrial use, fire protection, and recreation to inhabitants of the District;
- (e) Take or acquire real or personal property of every kind, within or without the District, necessary to carry out the business of the District by grant, purchase, gift, devise, lease, with or without privilege of purchase or condemnation; and hold, use, enjoy, lease or dispose of property within or without the District necessary to the full exercise of its powers;
- (f) Sue and be sued in all actions and proceedings in all courts and tribunals of competent jurisdiction and commence, maintain, intervene in, compromise, and assume the costs of any action or proceeding involving or affecting the ownership or use of waters or water rights within the District used or useful for any purpose of the District or a benefit to any land; to prevent interference with or diminution of the natural flow of any stream or natural subterranean supply of waters which may: (i) be used or be useful for any purpose of the District; (ii) be of a common benefit to the land or its inhabitants; or (iii) endanger the inhabitants or land;
- (g) Conduct, manage and control the affairs and business of the District and adopt regulations binding upon all persons to govern the use of its facilities and property, including regulations imposing reasonable charges for the use thereof;
- (h) Borrow money, incur or assume indebtedness and issue bonds or other evidences of such indebtedness, and refund or retire any indebtedness or liens against the District or its property;
- (i) Issue and sell revenue bonds pursuant to the provisions of Section 31030 of the Water Code and of Chapter 2, Part 6 (commencing with Section 31370) of Division 12, of the Water Code;

(j) Levy and cause to be collected, taxes for the purpose of carrying on the operations and paying the obligations of the District pursuant to Part 7 (commencing with Section 31650) of Division 12 of the Water Code;

(k) Provide for the pension of officers or employees and the creation of a special fund for the purpose of paying such pension and the accumulation of contributions to said fund from the revenues of the District, the wages of officers or employees, voluntary contributions, gifts, donations, or any source of revenue, not inconsistent with the general powers of the Board, and contract with any insurance corporation or any other insurance carrier for the establishment and maintenance of group insurance, a system of group annuities, and a pension service for such officers and employees, and provide for the terms and conditions under which such pensions, group insurance, or group annuities shall be allowed, and for the time and extent of service of officers or employees before such pensions, group insurance, or group annuities shall be available to them;

(l) Disseminate information to the public concerning the rights, properties and activities of the District;

(m) Perform any act necessary to furnish sufficient water in the District for any present or future beneficial use; store water for the benefit of the District, conserve water for future use, and appropriate, acquire and conserve water and water rights for any useful purpose; operate water rights, works, property rights, and privileges useful or necessary to convey, supply, store, or make use of water for any purpose authorized by Division 12 of the Water Code, and sell water or the use thereof for any useful purpose and, whenever there is a surplus, dispose of the surplus to municipalities, public agencies, or consumers located without the District;

(n) Fix and collect water rates;

(o) Establish rules and regulations for the sale, distribution and use of water and therein provide that water shall not be furnished to persons against whom there are delinquent water rates;

(p) Restrict the use of District water during any emergency caused by drought, or other threatened or existing water shortage, and to prohibit the wastage of District water or the use of District water during such periods, for any purpose other than household uses or such other restricted uses as may be determined to be necessary by the District, and prohibit use of such water during such periods for specific uses which the District may from time to time find to be non-essential; make findings upon each and all of the matters herein described pursuant to Section 31028 of the Water Code; and prescribe and define by ordinance the restrictions, prohibitions, and exclusions herein pursuant to Section 31027 of the Water Code;

(q) Fix, on or before the first day of July in each calendar year, a water standby or availability charge of not to exceed Ten Dollars (\$10.00) per acre, per year, for each acre of land, or Ten Dollars (\$10.00) per year for each parcel of land less than one (1) acre within the District to which water is made available for any purpose by the District, whether the water is actually used or not, pursuant to Section 31031 of the Water Code or, alternatively, fix a water standby or availability assessment of not to exceed Thirty Dollars (\$30.00) per acre, or per parcel less than one (1) acre, per year. The District may provide for a basic penalty for non-payment of the assessment pursuant to Section 31032.8 of the Water Code;

(r) Drain and reclaim lands within the District either by service or underground works, or both; and acquire, by appropriation or other lawful means, and divert, store, conserve, transport or dispose of water resulting from such operation; and acquire, by appropriation or other lawful means, and divert, store, conserve, transport or dispose of flood and storm water within the District, and flood and storm waters or streams or water courses outside of the District which flow into the District, for any beneficial purpose or use;

(s) Undertake a water conservation program to reduce water use and require as a condition of new service that reasonable water saving devices and water reclamation devices be installed to reduce water use;

(t) Construct, purchase, lease or otherwise acquire works, water rights, land, rights and privileges useful or necessary to convey, supply, store, or otherwise make use of water for any purposes authorized by Division 12 of the Water Code; and construct any works along, under or across any street, water course railway or conduit in a manner that will afford security for life and property; provided, however, the District shall restore the property crossed as near as may be to its former state or so as not to have impaired unnecessarily its usefulness;

(u) Transfer, sell, lease, or convey to a Municipal Water District formed, pursuant to the Municipal Water District Act of 1911, Water Code Sections 7100 et seq., any works, land, or structures within any improvement district formed pursuant to any of the provisions of Division 12 of the Water Code, or transfer to the Municipal Water District the proceeds of any bonds authorized by or for the improvement district;

(v) Sell or lease the mineral or hydrocarbon rights in any land belonging to it when deemed by the Board for the best interest of the District;

(w) Control, distribute, store, spread, sink, treat, purify, recapture and salvage any water, including sewage and storm waters for the beneficial use or uses of the District or its inhabitants or the owners of the water rights; and cooperate, act in conjunction and contract with the State of California or any agency thereof, municipalities, private and public corporations of any kind, and persons with respect to the salvage control, storage, spreading, distribution, treatment, purification, and recapture of any waters, including sewage and storm waters, and the construction of any works, the acquisition of any property, or the doing of any act with respect thereto, or for the protection of property, water sheds, water courses, and underground water supplies, and for the use, operation, management or control of any public works property;

(x) Make and perform any agreement with the State of California or any agency thereof, any public or private corporation of any kind, and any person, or any of them for the joint construction, acquisition, disposition or operation of any property or works of a kind which might be constructed, acquired, disposed or operated by the District;

(y) Acquire by any means stock of any mutual water company or corporation for the purpose of furnishing a supply of water for public, common, municipal or governmental purposes;

(z) Exercise any of the powers, functions and duties which are vested in, or imposed upon, fire districts pursuant to the Fire Protection District Law of 1987, Part 3 (commencing with Section 13800) of Division 12 of the Health and Safety Code and provide fire protection services by enforcing the provisions of Sections 4290-4297, inclusive, of the Public Resource Code; and acquire, construct and operate facilities for providing fire protection to the

District and its inhabitants, including buildings, engines, hoses, hose carts or carriages, and other appliances and supplies for the full equipment of a fire company or department;

(aa) Employ counsel to defend any action or proceeding brought against it on account of any injury, taking, damage, or destruction, or to defend as provided in Part 7 (commencing with Section 995) of Division 3.6 of Title 1 of the Government Code any action or proceeding brought against any of its officers, employees or servants; the fees and expenses involved therein are a lawful charge against the District;

(bb) Acquire, construct and operate facilities for the collection, treatment and disposal of sewage, waste and storm water of the District and its inhabitants and may contract with any public agency, including, but not limited to, sanitation districts for sewage outfall facilities;

(cc) Prescribe, revise and collect rates and other charges for the sewage services and facilities furnished pursuant to Division 12 of the Water Code and these bylaws;

(dd) Supply sewage and waste services to property not subject to District taxes at special rates, terms and conditions as are determined by the Board of the services and provide that such rates or other charges be collected with the water rates of the District and adopt ordinances relating to the provision of sewage services and facilities and the regulation of same;

(ee) Use any water or land under its control for recreational purposes and in connection thereof, construct, maintain, and operate any works or facilities appropriate or ancillary to such recreational use subject to the approval of the public health authority having jurisdiction;

(ff) Prescribe reasonable rules and regulations to govern the use of such recreational facilities, including regulations imposing reasonable charges for the use thereof; and exercise the power of eminent domain to acquire any land or interest therein for recreational purposes limited to the land within the District or land contiguous to the District; and

(gg) Perform any and all acts necessary to carry out fully the provisions of the powers hereinabove set forth, and those set forth in the Water Code.

3.2 Number of Directors. The authorized number of Directors of the District shall be five (5). The Directors shall be elected at large.

3.3 Election. Directors shall be elected on the first Tuesday after the first Monday in November in even-numbered years, in accordance with Section 23506 of the Elections Code and Part 4 (commencing with Section 30700) of Division 12 of the Water Code. The Board shall divide its members into two (2) groups; two (2) members in the first group and three (3) in the second group. One (1) group shall hold office following the next annual meeting and the second group until the fourth following annual meeting. The Directors in each group shall hold office until such annual meeting and until their respective successors are elected and qualified. All elected Directors shall take office at noon on the First Friday in December following election.

3.4 Terms of Succeeding Directors. The term of office of each Director other than Directors first elected shall be four (4) years.

3.5 Vacancies. All vacancies on the Board will be filled by appointment by the remaining Directors in accordance with Section 1780 of the Government Code, which appointment shall be for the unexpired term of the vacant office.

3.6 Compensation of Directors. Directors may be compensated in an amount not to exceed One Hundred Dollars (\$100.00) per day for each day's attendance at meetings of the Board or for each day's service rendered as a director by request of the Board, not to exceed six (6) days in any calendar month, together with any expenses incurred in the performance of the director's duties required or authorized by the Board. The daily compensation rate may be adjusted from time to time by Ordinance duly adopted by the Board, in accordance with Water Code Sections 30507 and 20200, et seq.

ARTICLE 4 **OFFICERS**

4.1 Officers. The Officers of the District shall be a President and Vice President, and shall be elected by the Board from its members by open nominations and voting at its December meeting. The District shall also have a Fire Chief, Director of Finance/Treasurer and Secretary. The Chief and the Secretary shall be appointed by the Board. A single person may simultaneously hold the position of Director of Finance/Treasurer and Secretary. A Director shall not serve in any of these capacities. The Board may, at any time, appoint or employ and prescribe the authorities and duties of other officers, employees, attorneys, engineers and other consultants necessary or convenient for the business of the District, each of whom shall serve at the pleasure of the Board.

4.2 Compensation. The officers shall each receive the compensation as determined by the Board from time to time and shall serve at its pleasure.

4.3 Performance Bond. The Fire Chief, Director of Finance/Treasurer and Secretary, and any other employees or assistants of the District, if required to do so by the Board, shall each give a bond to the District conditioned for the faithful performance of his or her duties as the Board may require.

4.4 President. The President shall sign all contracts on behalf of the District unless otherwise authorized by the Board. The President shall, if present, preside at all meetings of the Board of Directors, and exercise and perform such other powers and duties as may be from time to time assigned to him or her by the Board of Directors or prescribed by the Bylaws and the statutes governing County Water Districts within the State of California. The President shall appoint members of the Finance, Administration, and Joint Powers Authority committees, and such other committees as from time to time may be formed by the Board. The President shall be an ex-officio member of all standing committees.

4.5 Vice President. In the absence of or disability of the President, the Vice President shall perform all the duties of the President, and when so acting shall have all the powers of and be subject to all of the restrictions upon the President. The Vice President shall have such powers and perform such other duties as from time to time may be prescribed for him or her by the Board, and the Bylaws and the statutes governing County Water Districts within the State of California.

4.6 Fire Chief. The Fire Chief shall (i) have full charge and control of the day-to-day operations of the District; (ii) have full power and authority to fill all positions authorized by the Board and to discharge from such positions any employee and/or assistant; (iii) prescribe the duties of employees and assistants; (iv) perform other duties imposed by the Board; (v) report to the Board in accordance with the rules and regulations that it adopts; and (vi) perform such other duties as are outlined in the Fire Chief's contract.

4.7 Secretary. The Secretary shall countersign all contracts on behalf of the District unless otherwise authorized by the Board. The Secretary shall keep or cause to be kept at the principal office, or such other place as the Board of Directors may order, a book of minutes of all meetings of Directors with the time and place of holding, whether regular or special and, if special, how authorized, the notice thereof given and the names of those present at meetings. The Secretary shall keep, or cause to be kept, at the principal office any register showing the names and addresses of the Directors of the District. The Secretary shall give, or cause to be given, notice of all the meetings of the Board required by the Bylaws or the laws of the State of California, and shall keep the seal of the District in safe custody, and shall have such other powers and perform such other duties as may be prescribed by the Board or the Bylaws.

4.8 Director of Finance/Treasurer. The Director of Finance also serves as the Treasurer of the District. The Director of Finance/Treasurer shall install and maintain a system of auditing and accounting that shall completely and at all times show the financial condition of the District. The Director of Finance/Treasurer shall deposit all monies in such depositories as may be designated by the Board. The Director of Finance/Treasurer shall disburse funds of the District as may be ordered by the Board and shall render to the President and Directors, on a monthly basis, an account of all of the transactions of the Director of Finance/Treasurer and of the financial condition of the District, and shall have such other powers and perform such other duties as may be prescribed by the Board or the Bylaws.

4.9 Annual Audit. The Director of Finance/Treasurer shall have a recognized auditing firm audit the District's books annually at the end of each fiscal year.

ARTICLE 5 MISCELLANEOUS

5.1 Depository of District Money. The Board shall designate a bank or other suitable depository for the deposit of the District's money.

5.2 Inspection of District Records. The books of accounts and minutes of proceedings of the Board, and of the committees of the Board, shall be open to inspection upon the written demand of any person residing within the District.

5.3 Record Retention Requirement. All District records shall be retained, in original or duplicate form, at the principal office in accordance with District policy adopted from time to time.

5.4 Checks, Drafts, Etc. All checks, drafts and other orders for payment of money, notes, or other evidences of indebtedness, issued in the name of the District shall be signed or endorsed by two (2) individuals, which can include any combination of the Fire Chief, Deputy Chief(s) and members of the Board. Electronic Fund payments to vendors listed in the Electronic Funds Payment Policy may be made by the Director of Finance, with a reconciliation report provided monthly to both the Fire Chief and the Finance Committee. Checks received by the District shall be endorsed with the District's endorsement stamp and deposited in District accounts.

5.5 Contracts, Etc., How Executed. The Board of Directors, except as otherwise provided in the Bylaws, may authorize any officer or officers, or agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the District, and such authority may be general or confined to specific instances; and, unless so authorized by the Board, no officer, agent, or employee shall have any power or authority to bind the District by any contract or engagement or to pledge its credit or to render it liable for any purpose or to any amount.

5.6 Inspection of Bylaws. The District shall keep in its principal office, the original or a copy of the Bylaws as amended or otherwise altered to date, certified by the Secretary, which shall be open to inspection by the residents of the District at all reasonable times.

5.7 Recall of Directors/Removal of Directors. Every incumbent in the office of Director, whether elected by popular vote for a full term or appointed, may be recalled by the voters in accordance with the recall provisions of the Election Code of the State of California. Every incumbent in the office of Director, whether elected by popular vote for a full term or appointed, may be removed from office, or be deemed to have abandoned his/her office, in accordance with the terms and provisions set forth in the Constitution and the Government and Elections Code of the State of California. (See California Constitution, Article II, Government Code Sections 1770 et seq., and 3000 et seq., and Elections Code Section 11000, et seq.)

5.8 Seal. The District may adopt a seal and alter it at pleasure.

5.9 Contract Bids. All contracts for the construction of any unit of work, except as otherwise provided, estimated to cost in excess of Twenty-Five Thousand Dollars (\$25,000.00) shall be let to the lowest qualified bidder after competitive bidding, in accordance with the District's Procurement Policy, which may be amended from time to time.

5.10 Budget Session. The regular meeting scheduled for June is hereby designed to be the budget session of the District. At said meeting, the Board of Directors shall determine what the preliminary budget shall be for the next ensuing taxable year. Prior to October 1, the Board shall adapt the final budget for the next ensuing fiscal year.

ARTICLE 6 **AMENDMENTS**

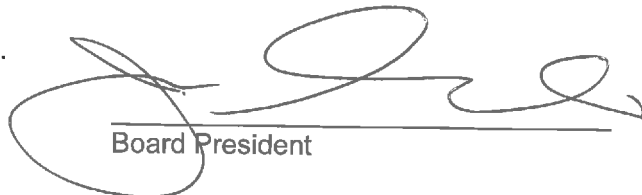
6.1 Amendments. These Bylaws may be altered, amended, repealed, in whole or part, and new rules and regulations may be adopted by the Board from time to time as said Board shall deem necessary. Any changes must be proposed in writing at least one regular meeting before adoption may be completed. Changes must be approved by at least a majority vote.

ARTICLE 7 **ELECTIONS**

7.1 Election Code Provisions Applicable. The provisions of the Uniform District Election Law of the Election Code, Sections 23500 et seq., relating to the qualification of electors, the manner of voting, the duty election officers, the canvassing of returns, and all other particulars in respect to the management of general elections so far as they may be applicable shall govern all District elections.

The undersigned hereby acknowledges and represents that the foregoing constitutes the Amended and Updated Bylaws of the District as duly adopted by the Board of Directors at its meeting duly held on May 16, 2019.

Executed this 16th day of May 2019.



Board President

CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify:

That I am the duly elected and acting Secretary of the EL DORADO COUNTY HILLS WATER DISTRICT, a local public entity located within the County of El Dorado, State of California; and

That the foregoing Amended and Updated Bylaws, comprising eight (8) pages, constitute the Bylaws of said District as duly adopted at the meeting of the Board of Directors thereof duly held on May 16, 2019.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 16 day of May, 2019.

Gussia Braddock
Secretary

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