

VENTURA RIVER WATER DISTRICT

BYLAWS

Revised: May 10, 2023

ARTICLE I. NAME

- Section 1.01 Name. The name of this organization is VENTURA RIVER WATER DISTRICT, (hereinafter referred to as the “District”). The District is a California special district formed in 1956 and operating under the provisions of the County Water District Law, Water Code Section 30000 *et seq.* (hereinafter, the “Act”).

ARTICLE II. PURPOSE AND FUNCTION

- Section 2.01 Purpose and Powers. The District is an independent special district established in accordance with and having the authority and powers as set forth in the Act. The mission of the District is to deliver a safe, reliable and sustainable supply of water to meet the needs of the residents and businesses within the District’s service area, including portions of Oak View, the City of Ojai, Western Ojai Valley, and Casitas Springs. To that end, the District maintains and operates both water procuring and water distribution systems.
- Section 2.02 Principal Office. The District’s administrative office shall be located at 409 Old Baldwin Road, Ojai, California, or such other place as the Board of Directors shall determine.
- Section 2.03 Facilities and Assets. The District’s assets consist of well sites, a storage and corporation yard facility located at the District’s principal office, miscellaneous buildings, pipelines, pumps, wells, tanks, real property, equipment and an established boundary.

ARTICLE III. GOVERNING BODY

- Section 3.01 Board of Directors. The Board of Directors (hereinafter, the “Board”) is the governing body of the District and, except as otherwise provided in the Act, the business and affairs of the District shall be managed and all District powers shall be exercised by and under the direction of the Board. The Board of Directors shall delegate the management of the day-to-day operations to the General Manager, provided that all District power shall be exercised under the ultimate direction of the Board of Directors.

Each Director shall exercise such powers and otherwise perform such duties in good faith, in the manner such Director believes to be in the best interest of the District, and with care, including reasonable inquiry, using ordinary prudence as a person in like position would use under similar circumstances.

- Section 3.02 Number and Term of Office. The Board shall consist of five (5) Directors, each representing the District as a whole. The term of office for each member of the Board is four (4) years. The terms of the Directors are staggered so that every two years elections are held for either three or two of the seats on the Board. The terms of newly-elected Directors, following election, begin as determined and provided for in Section 10554 of the Elections Code. A Director’s term can be terminated prior to the completion of the full 4-year term by his or her resignation, removal, or disqualification from office.
- Section 3.03 Qualifications. Each Director shall be a voter and bona fide resident of the District and shall otherwise be qualified to hold office as provided in the Act and other applicable law.

Section 3.04 Disqualification. Each Director shall serve in such a capacity as provided herein for the full term of office unless such Director shall become disqualified from further service upon the occurrence of any of the following acts:

- (a) The Director is disqualified from holding office for any reason as provided in the California Constitution or the laws of the State of California;
- (b) The Director is removed from office in accordance with Section 3000 *et seq.* of the Government Code or other applicable law;
- (c) The Director resigns;
- (d) The Director is guilty of persistent absenteeism from meetings of the Board, which shall be defined as being absent from two (2) or more consecutive meetings or more than three (3) meetings within any calendar year, except when prevented by sickness or other medical condition that prevents the director from attending in person and from which the Director is expected to recover, or when excused due to other just cause. For purposes hereof, “just cause” shall include a family medical emergency, a childcare or caregiving need of a family member, a temporary employment conflict, out of town travel, or other circumstances as may be determined by the Board on a case-by-case basis. In the case that any Director is guilty of persistent absenteeism as provided herein, the Board may by resolution declare that a vacancy exists on the Board and the subject Director’s term shall expire upon the adoption of such resolution;
- (e) In accordance with Section 30508 of the Act, the Director’s place of residence (as defined in Section 244 of the Government Code) is moved outside the District’s boundaries, and the Director fails within one hundred eighty (180) days of the move to reestablish a place of residence within the District, whereupon it shall be presumed that a permanent change of residence has occurred and that a vacancy exists on the Board pursuant to Section 1770 of the Government Code.

Section 3.05 Elections.

- A. Elections. Board member elections are conducted in the manner provided in the Act and in accordance with the Uniform District Election Law, Elections Code Section 10500 *et seq.* Elections are held in even-numbered years in November and are consolidated with the County of Ventura general election. In the event the number of qualified candidates running is equal to the vacancies to be filled, no election will be necessary as the candidates shall be appointed by the Ventura County Board of Supervisors. In the event there are more candidates than there are openings on the Board, it will be necessary for an election to be conducted. The cost of the election shall be assumed by the District except the candidate statement, which shall be assumed by the candidate.
- B. Vacancies. Vacancies on the Board shall be filled for the unexpired term as provided in Government Code Section 1780.

Section 3.06 Oath of Office. Each Director elected or appointed to the Board shall, before entering upon the duties of his or her office, take and subscribe the following oath of office and file it with the

District Secretary:

“I, [state name], do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.”

Section 3.07 Board Compensation. Directors shall receive compensation for each day’s attendance at meetings of the Board and meetings of District committees, and for each day’s service rendered as a member of the Board by request of the Board, together with payment or reimbursement of any expenses incurred in the performance of his or her duties, as provided in the applicable ordinances and policies of the District, as amended from time to time.

Section 3.08 Indemnification of Directors. Each Director shall be wholly indemnified and defended by the District in any District related litigation in which that Director is named as a defendant so long as the allegations against the Director fall within the course and scope of his or her duties as a Director. The District shall pay for costs of defense and damages for any judgment against a Director relating to any such indemnified claim. Such indemnification will not cover intentional acts outside of the scope of duties which are reasonable and customary for a Director of the District.

ARTICLE IV. ETHICS GUIDELINES FOR BOARD OF DIRECTORS

Section 4.01 Act in the Public Interest. Directors must recognize that stewardship of the public interest must be their primary concern. Directors will work for the common good of the people of the District and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Board.

Section 4.02 Comply with the Law. Directors shall comply with all applicable federal, state and local laws and regulations in the performance of their public duties. These laws include, but are not limited to: the United States and California Constitutions; California Political Reform Act of 1974 (Gov. Code Sections 87100-87500) and corresponding Fair Political Practices Commission regulations (Title 2 Calif. Code of Regs., Section 18701 *et seq.*); laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, Brown Act Open Meetings Law (Gov. Code Section 54950 *et seq.*), Public Records Act (Gov. Code Section 6250 *et seq.*), AB 1234 (Local agencies: ethics; Stats. 2005, ch. 700) and AB 1661 (Local governments: sexual harassment prevention training and education; Stats. 2016, ch. 816).

Section 4.03 Conduct of Directors. The professional and personal conduct of Directors must be above reproach and avoid even the appearance of impropriety. Directors shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other Directors, District staff, other public agencies, representatives of other public agencies, and the public.

A. Duty of Care. A Director must pay attention to organization matters and participate fully in Board review and decision-making. He or she must exercise the care that an ordinarily prudent person would exercise in a like position and under similar circumstances.

B. Duty of Loyalty. A Director must put the needs of the organization ahead of any personal interest when making decisions affecting the District and may not use

information obtained as a Director for personal gain. A Director must always maintain confidentiality regarding confidential District operations and business.

- C. Duty of Obedience. A Director must be faithful to the District's mission and may not act in a manner that is inconsistent with this mission. This requirement is based on the public trust afforded to governmental entities, and the assumption that the agency will manage constituent funds in fulfillment of the District's statutory purpose.
- D. Fiduciary Duty. A Director has a fiduciary (i.e., "one who must exercise a high standard of care in managing another's money or property" (Black's Law Dictionary, 10th ed., p. 743)) duty to the organization and is responsible for assuring the District's fiscal health.

Section 4.04 Respect for Process. Directors shall perform their duties in accordance with the processes and rules of order established in these Bylaws.

Section 4.05 Conduct at Public Meetings. Directors shall be prepared to attend and participate at Board meetings and Board committee meetings; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

Section 4.06 Decisions Based on Merit. Directors shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

Section 4.07 Communication. Directors shall publicly share substantive information that is relevant to a matter under consideration by the Board which they may have received *ex parte* from sources outside of the public decision-making or public hearing process.

Section 4.08 Conflict of Interest. To ensure their independence and impartiality on behalf of the common good, Directors shall not use their official positions to influence government decisions in which they have a material financial interest as defined by California law.

In accordance with governing law, Directors shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist pursuant to Federal and California laws.

Section 4.09 Gifts and Favors. Directors shall not take any special advantage of services or opportunities for personal gain, because of their public office, that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

Section 4.10 Confidential Information. Directors shall respect the confidentiality of information concerning the property, personnel or affairs of the District that they learn or receive from their interactions with other Board members, staff, or legal counsel outside of a public meeting, especially for those matters discussed and acted upon in closed session. Directors shall not disclose confidential information unless required to fulfill their fiduciary duty. Nor shall they disclose confidential information to advance their personal, financial or other private interest.

Section 4.11 Representation of Private Interests. In keeping with their role as stewards of the public interest, Directors shall not appear on behalf of the private interests of third parties before the Board.

Section 4.12 Advocacy. Directors shall represent the official policies of the District to the best of their ability when designated as representatives or delegates for this purpose. When presenting or communicating their individual opinions and positions to the public or to other agencies or agency staff, Directors shall: (a) explicitly state that they do not represent the District or the Board; (b) explicitly state that their views do not reflect the views of the District or the Board; (c) explicitly state that their opinions and positions are theirs alone; and (d) not allow any inference that they are speaking or acting as District or Board representatives.

Section 4.13 Policy Role of Directors. The primary roles of the Directors are policy setting and policy review. Directors shall not interfere with or direct the daily administrative functions of the District or the professional duties of District staff or consultants, nor shall they impair the ability of District staff to implement Board policy decisions. A Board member shall not attempt to circumvent Board direction by attempting to influence others outside of a public Board meeting.

ARTICLE V. OFFICERS

Section 5.01 Titles and Functions. The officers of the District shall consist of the following, who shall be elected or appointed by the Board in the manner provided in the Act:

- A. President. The President shall preside at all meetings of the Board, have general supervision of the affairs of the Board, represent the Board in any actions taken by the Board, be an *ex officio* member of all Board committees, sign all contracts on behalf of the District, and perform such other duties and have such other powers and authority as prescribed by these Bylaws or as provided in the Act.
- B. Vice-President. The Vice-President shall, in the absence of the President, assume all duties of the President, including the chairing of meetings and the appointment of committees, and such other powers normally reserved for the President.
- C. District Secretary. The District Secretary shall attest to all resolutions and ordinances adopted by the Board, countersign all contracts on behalf of the District, and perform such other duties and have such other powers and authority as imposed by the Board, as prescribed by these Bylaws, or as provided in the Act.

Section 5.02 Terms of Board Officers.

- A. Length of Term. The terms of all officers shall be from the date of their election by the Board for the following approximately one year period when elections are held again. Any officer can be re-elected to continue in the same office.
- B. Vacancies. If the President fails to complete his or her term, the Vice-President shall act in his or her stead and a new Vice-President shall be elected for the remainder of the term. If the Vice-President fails to complete his or her term, the Board shall elect a Board member to serve as Vice-President for the remainder of the term.

Section 5.03 Board Office Election/Appointment Process.

- A. President and Vice-President Election Process. At its regular meeting held in the month of January of each year, the Board shall elect one of its members as President and one of its members as Vice-President.
- B. Appointment of District Secretary. The General Manager shall also act as Secretary of

the District unless otherwise determined by the Board in accordance with the Act.

- C. Assumption of Duties. Officers shall assume the duties of their offices immediately following completion of the election or appointment process for all offices.

Section 5.04 Indemnification of Officers. Each officer shall be wholly indemnified and defended by the District in any District related litigation in which that officer is named as a defendant so long as the allegations against the officer fall within the course and scope of his or her duties as an officer. The District shall pay for costs of defense and damages for any judgment against an officer relating to any such indemnified claim, so long as the action and judgment are related to his or her official duties as an officer of the District. Such indemnification will not cover intentional acts outside of the scope of duties which are reasonable and customary for an officer of the District.

ARTICLE VI. MEETINGS OF THE BOARD OF DIRECTORS

Section 6.01 Time and Place. Regular meetings of the Board shall be held at the principal office of the District on the third (3rd) Wednesday of each month beginning at 2:00 p.m., or at such other place or time as may be set by resolution of the Board. Special meetings of the Board may be called by the President or, if he or she is unable or refuses to act, then by any three (3) Directors. Special meetings of the Board shall be held at the principal office of the District or at such other place as designated in the meeting notice. All meetings shall be noticed and conducted pursuant to and in compliance with the provisions of Government Code Section 54950 *et seq.*, commonly known as the Brown Act.

Section 6.02 Agenda.

- A. Formation, review and finalization of the agenda for each regular or special Board meeting shall be the joint responsibility of the Board President, General Manager, and District legal counsel.
- B. The General Manager shall typically prepare or direct the preparation of a written staff report or Board letter/memorandum that will explain the agenda item, indicate the fiscal impact, if any, of the agenda item, and clearly indicate a recommended action to be taken by the Board.
- C. The General Manager shall be responsible for complying with all applicable requirements for preparing, posting, mailing, emailing, and otherwise distributing each Board meeting agenda as required by the Brown Act.
- D. The Board President, or acting President, may make changes in the order of the items on the Board agenda unless a majority of the Board members in attendance defeats the decision of the President.
- E. In accordance with Government Code Section 54954.2(a)(3), any Board member may request an item be placed on a future Board meeting agenda for discussion or action. The Board President, in cooperation with the District General Manager, shall determine when and how such a request for an item to be placed on a Board meeting agenda will be accomplished. When a Board member requests that a certain matter be placed on a future Board meeting agenda, its actual placement on a future Board meeting agenda shall depend upon several factors including, but not limited to: existing Board priorities,

agenda items already in progress for placement on the Board meeting agenda, work load of affected District staff responsible for preparing a Board letter or memorandum on the subject as determined by the General Manager, and consensus by a majority of the Board to place the matter on a future agenda.

- F. Emergency items can only be added pursuant to the provisions set forth in Government Code Section 54954.2.
- G. Members of the public may request to have an item placed on a future Board agenda during the public comment portion of a Board meeting. The President shall ask if any Board member supports this request. If there is support, the General Manager will be directed to place the item on a future Board agenda.

Section 6.03 Quorum. A majority of the current Board membership shall constitute a quorum. A majority of the Board members voting shall be required to approve, disapprove or otherwise act on any proposal, except matters requiring action by a specific number or percentage of the full Board as required by statute; provided that if only three (3) Directors are present, unanimous action shall be required on all motions, ordinances and resolutions. A tie vote shall constitute a denial.

Section 6.04 Use of Teleconferencing. The Board may use teleconferencing in connection with any meeting of the Board as permitted by and in compliance with the applicable requirements of the Brown Act.

Section 6.05 Remote Participation by Directors. A Director may participate in a meeting of the Board remotely as permitted by and in compliance with the applicable requirements of the Brown Act. Remote participation by a Director in a meeting in accordance with the Brown Act shall constitute attendance at the meeting.

Section 6.06 Record of Proceedings.

- A. Recordings. All Board meetings shall be either audio or video-recorded and these recordings may be destroyed once the written minutes are prepared and approved by the Board, but in any event no less than thirty (30) days after the recording or for such additional period of time as may otherwise be required by law or District policy.
- B. Written Minutes of Board Meetings. The District Secretary shall prepare for approval by the Board minutes recording all resolutions, ordinances, actions, and determinations of the Board. Minutes shall contain a general summary of the discussion held and actions taken, if any, by the Board with respect to the items addressed at the meeting.
- C. Official Signatures. All papers involving official acts of the Board shall be signed in accordance with appropriate legislation relating to such acts. In the absence of specific regulations, the signature of the President or Vice-President attested by the District Secretary shall be deemed sufficient.

Section 6.07 Order of Business. Subject to the authority of the President to make changes to the order of the agenda as provided in Section 6.02.C above, the preferred order of business shall generally be as follows:

- a. Call Meeting to Order and Flag Salute
- b. Roll Call

- c. Public Comment for Items Not Appearing on the Agenda
- d. Approval of Prior Meeting Minutes and Other Consent Agenda Items
- e. Regular Agenda and Public Hearings
- f. Board Reports on Meetings Attended
- g. General Manager Informational Report on District Operations
- h. Old Business/Information Items
- i. Closed Session Agenda
- j. Adjournment

Section 6.08 Closed Sessions. The Board may meet in closed session in accordance with the Brown Act.

Section 6.09 Amendments or Additions to the Agenda. Government Code Section 54954.2 provides that no action or discussion shall be undertaken on any item not appearing on the posted agenda, with certain specific exceptions. Subject to such specified exceptions, other amendments or additions to the agenda that are considered by the Board during Agenda Review shall be limited to removal, rearrangement, or movement of items that are included in the agenda between categories, or addition of informational items.

Section 6.10 Adjournment. The Board may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment, pursuant to Government Code Section 54955.

Section 6.11 Temporary President. In the absence of the President or Vice-President fifteen minutes after the noticed time of any meeting of the Board, the District Secretary shall convene the meeting and the Board shall elect a temporary President to conduct such meeting. Upon arrival of the President or Vice-President, the higher ranking regular officer shall become the presiding officer and conduct such meeting.

Section 6.12 Rules of Order for Board and Board Committee Meetings.

- A. To the fullest extent practicable, the Board shall follow the latest edition of *Robert's Rules of Order Newly Revised* in the conduct of all Board and Board Committee business. If a conflict should arise between these Bylaws and *Robert's Rules of Order Newly Revised*, the latter shall take precedence over the former.
- B. To obtain the floor, a Director, staff member or public attendee must be directly recognized by the President.
- C. The Director making a motion shall clearly state the action or actions desired.
- D. A motion may be amended, prior to the vote, if the first and second on that motion agree to the amendment.
- E. A Board member who voted with the prevailing side on a question previously considered by the Board, may, prior to the adjournment of the meeting where such question was considered, move that the Board reconsider the vote on that question. Any member may second the motion to reconsider. If a majority of the Board votes in favor of the motion to reconsider, the question will be reheard before the Board. A motion to reconsider made at the same meeting has precedence over every main motion, and may be taken up at any time during the meeting if there is no other motion on the floor. Upon adoption, a motion for reconsideration cancels the previous vote on the question as though the previous vote had never taken place.

- F. If, after the adjournment of a meeting where a question was previously considered, a Board member who voted with the prevailing side on that question requests reconsideration of the question, a motion for reconsideration will be placed on the agenda of the Board's next scheduled meeting. At that next scheduled meeting, any member may second the motion to reconsider. If a majority of the Board votes in favor of the motion to reconsider, the question will be reheard before the Board. Upon adoption, a motion for reconsideration cancels the previous vote on the question as though the previous vote had never taken place.
- G. Agenda items which shall require a roll call vote are:
- a) Contracts or any action involving the expenditure of over \$20,000 of District funds;
 - b) Board resolutions;
 - c) Quasi-legislative matters; and
 - d) Quasi-adjudicatory matters.
- H. All other Board votes on other Board meeting agenda items may be conducted by voice vote, (i.e., signifying affirmative or negative). The District Secretary shall publicly report any action taken in the minutes and the vote or abstention on that action of each member present.

Section 6.13 Public Hearings. Public hearings will be conducted as follows:

1. Open public hearing
2. Receive staff report and recommendations
3. Report of written communications by District Secretary
4. Public comment
5. Close public hearing
6. Discussion by Board of Directors

Further input by the public after the close of the public hearing shall be at the discretion of the Board President.

The formal rules of evidence applicable to an action at law shall not apply to hearings before the Board. The only rule that shall govern the admissibility or the reception of evidence is the requirement that the offered evidence have some reasonable tendency to explain or shed light on the matter at issue.

The testimony and argument of all persons appearing before the Board shall be limited to a reasonable time as determined by the Board President.

ARTICLE VII. BOARD COMMITTEES

Section 7.01 Establishment of Committees. The President may appoint such standing or temporary (*ad hoc*) committees as he or she deems appropriate and shall appoint, with the advice and consent of the Board, the members of committees from among the members of the Board. Committees shall be composed solely of members of the Board that are less than a quorum of the Board. All Board committees are advisory to the Board and thus are not binding on the Board.

Section 7.02 Committee Meetings. Meetings of all standing committees are public and subject to the

requirements of the Brown Act. *Ad hoc* committees which do not constitute a “legislative body,” as defined in the Brown Act, are not subject to the requirements of the Brown Act. The committee meeting schedule shall be mutually determined by the committee membership. Committee meetings cannot be held without a majority of the committee membership present. If a committee member is unable to attend a scheduled committee meeting, it is the member’s responsibility to notify the General Manager at the earliest time possible. The attendance of a majority of the members of the Board at an open and noticed meeting of a standing committee of the District shall not constitute a meeting of the Board, provided that the members of the Board who are not also members of the committee attend only as observers. However, participation by a majority of the members of the Board (other than as observers, in the case of the non-committee members) in any committee meeting shall constitute a meeting of the Board and shall be noticed as a Board meeting in accordance with the requirements of the Brown Act.

Section 7.03 Representation on Other Boards, Committees and Agencies. The President shall appoint individual Directors to serve as the Board’s representative to board, committees and agencies outside the District. The President may appoint himself or herself to serve in any of these positions.

ARTICLE VIII. ADMINISTRATION OF DISTRICT BUSINESS

Section 8.01 General Manager. The Board of Directors shall appoint a General Manager to implement the policies and programs approved by the Board of Directors. The General Manager so selected shall meet such minimum qualifications as are established by the Board of Directors. The General Manager shall be an “at will” employee and shall serve at the pleasure of the Board. The General Manager shall be in charge of the production and distribution system and maintain both operations in an efficient manner. The General Manager shall oversee all contracts performed on behalf of the District. He or she shall also attend all Board meetings and report on the condition of the District, as well as participate in budget-making process, projections, and such necessary planning and operations as from time to time he or she shall report to the Board. The General Manager shall act as Secretary to all Board meetings and shall be responsible for the monthly financial reports, which shall be prepared by the office manager under the General Manager’s control and direction

Section 8.02 Office Manager. The District’s Office Manager shall maintain an efficient office and keep complete and accurate sets of books, collect all monies due the District, deposit all funds received in an authorized bank, pay all bills authorized by the Board of Directors, and shall maintain complete records of all Board meetings, keep a set of minutes for each Board and standing committee meeting, and attend all special meetings if secretarial work is necessary.

Section 8.03 Legal Counsel. The Board of Directors shall retain legal counsel to ensure all business of the District is conducted and all District Board actions taken conform to all applicable federal, state and local laws and regulations.

Section 8.04 Independent Auditor. As required by law, the Board shall obtain the services of an independent certified public accountant to annually audit the financial books and records of the District. Such auditor shall annually present a written report of the District’s financial position to the Board of Directors along with a management letter containing any observations or comments deemed pertinent.

Section 8.05 Other Employees. The General Manager shall appoint such other employees as are necessary to

carry out the programs and policies of the Board and shall have the authority to execute employment agreements and make appointments pursuant to relevant personnel rules and regulations and shall be within the framework of the annual budget approved by the Board. The General Manager shall be the primary point of contact with the Board and individual Directors and shall be the intermediary between the Board and individual Directors and District staff.

Section 8.06 Rules and Regulations. The Board shall adopt, and may from time to time amend, rules and regulations with respect to the District's services and operations ("Rules and Regulations"). Such Rules and Regulations shall be made available to any user within the District who so requests. All operations shall be determined by the Rules and Regulations, including water rates, collection procedures, and day-to-day operations. The Rules and Regulations may be amended or revised by majority vote of the Board.

Section 8.07 Conflict of Interest Code. All Board Members and covered employees are subject to the District's conflict of interest code and shall file periodic statements as required by the Political Reform Act of 1974 (Gov. Code Section 81000 *et seq.*) and Fair Political Practices Commission regulations (2 Calif. Code of Regs., Section 18000 *et seq.*).

Section 8.08 Fiscal Matters. Consistent with the provisions of applicable laws of the State of California, and the operational needs of the District, the General Manager or his or her designee shall be authorized and responsible for the fiscal concerns of the District as follows:

- A. District Fiscal Year. Fiscal Year begins July 1st and ends June 30th.
- B. Budget. Prepare, for adoption by the Board of Directors prior to July 1st of each year, a budget showing anticipated revenues and expenses for personnel, services, supplies, equipment and related expenses to perform the purposes and goals of the District. The Board-approved annual fiscal year budget shall authorize the General Manager and his or her staff to collect and expend funds for purposes identified in the adopted budget, as it may be amended by the Board of Directors from time to time. The General Manager shall control expenditures to be within the specific categories and purposes in the adopted or amended budget and within the available funds on hand and revenues received.
- C. Finance Management. As authorized by the Board, the General Manager will direct the collection and disbursement of all monies into and out of the District treasury. The General Manager is authorized to make investments and open and close bank accounts as necessary to conduct the business of the District and in accordance with the District's current investment policy adopted by the Board.
- D. Purchasing Authority. The General Manager has the authority to procure labor, supplies, services and equipment as necessary in accordance with policies established by the Board of Directors.
- E. Annual Audits. The General Manager shall arrange for reports to the Board by the independent auditor as directed by the Board.

The General Manager is responsible for annually submitting financial reports to the State Controller's office (State Controller's Report) in accordance with Government Code Section 53891.

The independent auditor is to be instructed to provide the Board of Directors with access to all correspondence related to the audit, simultaneously submitting copies of such correspondence to the General Manager.

- F. Statement of Investment Policy. The General Manager is responsible to present to the Board, for review and approval, an annual Statement of Investment Policy in accordance with Government Code Section 53646.
- G. Reimbursement Disclosure. The General Manager is responsible for a report being published, at least annually, to disclose any reimbursement paid by the District of at least one hundred dollars (\$100) for each individual charge for services or product received, in accordance with Government Code Section 53065.5.

ARTICLE IX. ADOPTION AND AMENDMENT OF BYLAWS

These Bylaws are adopted by resolution and become effective on May 10, 2023. Any amendments or revisions to these Bylaws may be adopted by resolution approved by majority vote of the Board.

Changes to the sections of laws referenced, and any changes to these Bylaws by reason of a change in the District's principal act or other State law affecting the District, shall be automatically incorporated as part of this document without the need for specific amendment following such changes.

IN WITNESS WHEREOF, I have executed these Bylaws on behalf of the Ventura River Water District this 10th day of May, 2023, at Ojai, California.



Ed Lee, President Board of Directors