

# **West Valley County Water District**

## **Exhibit 4**

WEST VALLEY  
COUNTY WATER DISTRICT  
RULES OF PROCEDURE

I

GENERAL PROVISIONS

1. Title. This document shall be known and may be referred to as the "West Valley County Water District Rules of Procedure", adopted pursuant to Section 30530 of the Water Code of the State of California.
2. Other Laws. Nothing in this document shall be so construed as repealing or modifying any law relating to or governing a county water district.

II

DEFINITIONS

1. District. "District" means the West Valley County Water District.
2. Board. "Board" means the board of directors of the West Valley County Water District.
3. President. "President" means the president of the board.
4. Vice-President. "Vice-President" means the vice-president of the board.
5. Secretary. "Secretary" means the secretary of the board.
6. Auditor. "Auditor" means the auditor of the board.
7. General District Election. "General District Election" means the election required to be held in the district on the first

Tuesday after the first Monday in November in each odd-numbered year.

8. Special Water District Election. "Special Water District Election" means any district election other than a general district election.
9. Elector, Voter and Precinct Board. "Elector", "Voter" and "Precinct Board" have respectively the same meaning as in the Elections Code, but an "elector" or "voter" shall also be a resident of the district.
10. County. "County" means the County of Los Angeles.
11. County Clerk. "County Clerk" means the registrar of voters or, if there is none, the County Clerk of the County of Los Angeles.
12. Land. "Land" means any land in or part of the district.
13. Property. "Property" includes all real and personal property.
14. Works. "Works" includes water works, conduits, reservoirs, storage sites, water sheds, machinery, wells, pumps, dams, storage tanks, tunnels, hydrants, meters, works and facilities for the collection, treatment and disposal of sewage, waste and storm waters, fire protection works and facilities, other appliances and their appurtenances.
15. Operate. "Operate" includes use, maintain, and repair.

### III

#### GENERAL POWERS

1. Exercise of Powers. The district shall be managed under the County Water District Law and may exercise the powers therein

expressly granted or necessarily implied therefrom.

2. Performance of Necessary Acts. The district has the power generally to perform all acts necessary to carry out fully the provisions of the County Water District Law.
3. Water. The district may do any act necessary to furnish sufficient water in the district for any present or future beneficial use.
4. Sewer. The district may 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 sewer outfall facilities.
5. Fire Protection. The district may acquire, construct and operate facilities for providing fire protection to the district and its inhabitants, including buildings, engines, hose, hose carts, or carriages, and other appliances and supplies for the full equipment of a fire company or department.
6. Recreation. The district may use any water under its control for recreational purposes and in conjunction therewith may acquire, construct, maintain and operate any works or facilities appropriate or ancillary to the recreational use of water, subject to the approval of any public health authority with jurisdiction.

7. Sanitation. The district may acquire, construct and operate facilities for, or may contract with others for, the collection and disposal of garbage, waste and trash of the district and its inhabitants.
8. Cooperation with the United States. The district may cooperate and contract with the United States, under the Federal Reclamation Act of June 17, 1902, and all acts amendatory thereof or supplementary thereto or any other act of Congress heretofore or hereafter enacted permitting cooperation.
9. Indebtedness. The district may borrow money, incur indebtedness and issue bonds or other evidences of indebtedness, and may refund or retire any indebtedness or lien against the district or its property.
10. Taxes, Charges, Assessments, Rates and Fees. The district may cause taxes, charges, assessments, rates and fees to be levied and collected for the purpose of paying any of its obligations and to accomplish any of the purposes authorized under the County Water District Law.
11. Property. The district may take property by grant, purchase, gift, devise, condemnation or lease with or without the privilege of purchase.
12. Use and Disposition of Property. The district may hold, use, enjoy, lease or dispose of property within or without the district necessary to the full exercise of its powers.

13. Eminent Domain. The district may commence eminent domain proceedings, pursuant to the provisions of Title 7, Part 3 of the Code of Civil Procedure, except to acquire land or an interest in land solely for recreational purposes.
14. Actions. The district may sue or be sued, except as otherwise provided by law, in all actions and proceedings in all courts and tribunals of competent jurisdiction.

#### IV

#### DIRECTORS

1. Membership. The board of directors of the district shall consist of five (5) directors, elected or appointed as provided by law. Each director shall be a voter of the district.
2. Term of Office. The term of office of each director, other than a director appointed to fill an unexpired term, shall be four (4) years, or until his successor qualifies and takes office.
3. Vacancies. All vacancies occurring in the office of director shall be filled by appointment by the remaining directors. An appointment to fill a vacancy in the office of director shall be for the unexpired term of the office in which the vacancy exists.
4. Qualification. Each director elected or appointed shall hold office until his successor qualifies. If a person

elected fails to qualify for the office of director, the office shall be filled as if there were a vacancy.

5. Oath of Office. Before entering upon the duties of his office, each director shall take and subscribe the official oath and file it with the secretary of the district. The oath of office may be taken before the secretary, any member of the board or any officer authorized by law to administer oaths.
6. Compensation for Attending Meetings. Each director shall receive such sum as may be fixed by the board not to exceed fifty dollars (\$50.00) for each meeting of the board attended by him and not to exceed two meetings in any calendar month.
7. Compensation for Other Duties. If allowed by the board, a director shall receive for performing duties for the district other than attending meetings of the board, compensation not to exceed twenty dollars (\$20.00) for each day and reimbursement for traveling and other expenses incurred by him in his employment.

V

BOARD OF DIRECTORS

1. General Authority. The board, except as otherwise specifically provided by law or these rules of procedure, shall constitute the governing body of the district, and shall manage and conduct the business and affairs of the district.

2. Organization Meeting. Within thirty (30) days after election of the first directors and thereafter within thirty (30) days after taking office pursuant to Section 23556 of the Elections Code, the directors shall meet and organize as a board. At its organization meeting, the board may transact any business of the district and shall perform the following acts:
  - (a) Elect one of its members president.
  - (b) Elect one of its members vice-president.
  - (c) Provide for the time and place of holding regular meetings.
  - (d) Provide for the manner of calling special meetings.
3. Quorum. A majority of the board shall constitute a quorum for the transaction of business.
4. Official Action. The board shall act only by ordinance, resolution or motion. No ordinance, resolution or motion shall be passed or become effective without the affirmative votes of at least a majority of the members of the board. Except where action is taken by unanimous vote of all directors present and voting, the ayes and noes shall be taken upon the passage of all ordinances, resolutions and motions and entered upon the minutes of the board.
5. Conduct of Meetings. The meetings of the board shall be conducted informally by the presiding officer.



6. Ordinances. All ordinances shall be signed by the president and attested by the secretary. The enacting clause of all ordinances passed by the board shall be:

"Be it ordained by the Board of  
Directors of the West Valley  
County Water District as follows:"

7. Public Sessions. All legislative sessions of the board shall be public. Any member of the public shall be entitled to address the board upon any business matter of the district; provided, however, that the time allotted and the subject matter considered shall at all times be under the control and subject to the determination of the presiding officer.
8. Regular Meetings. The regular meetings of the board shall be held at the time and place established by resolution of the board.
9. Special Meetings. Special meetings may be called at any time by the presiding officer of the board, or by a majority of the members of the board, provided that notice has been given in the following manner:
- (a) Written notice shall be delivered personally or by mail to each member of the board and to each local newspaper of general circulation, radio or television station requesting written notice at least seven (7) days before the time of each meeting as specified in the notice.

(b) The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting by the board.

Such written notice may be dispensed with as to any director who, at or prior to the time the meeting convenes, files with the secretary of the board a written waiver of notice. A written waiver may be given by telegram. Such written notice may also be dispensed with as to any director who is actually present at the meeting at the time it convenes.

10. Adjourned Meetings. Any regular, adjourned regular, special or adjourned special meeting may be adjourned by the board, regardless of whether a quorum is present, to a time and place specified in the order of adjournment. Notice of adjournment shall be provided in the following manner:

(a) A copy of the order of notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held, within twenty-four (24) hours after the time of adjournment.

If all members of the board are absent from any regular or adjourned regular meeting, the secretary of the board may declare the meeting adjourned to a stated time and place and the secretary shall cause a written notice of adjournment

to be given in the same manner as provided for special meetings, unless such notice is waived as provided for special meetings. When a regular or adjourned regular meeting is adjourned, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is held, the adjourned meeting shall be held at the hour specified for regular meetings.

## VI

### OFFICERS AND EMPLOYEES

1. President. The president shall be elected by the board from among its members, at the organization meeting and thereafter at the first regular meeting following each general district election. The term of the president shall be for two (2) years, or until the election and qualification of his successor.
2. Vice-President. The vice-president shall be elected by the board from among its members, at the organization meeting and thereafter at the first regular meeting following each general district election. The term of the vice-president shall be for two (2) years, or until the election and qualification of his successor.
3. Secretary, Auditor and General Manager. The board shall appoint by majority vote a secretary, auditor and general manager, each of whom shall serve at the pleasure of the board.

4. Combined Offices. The same person may be appointed secretary and general manager or secretary and auditor.
5. Disqualification of Director. A director shall not be secretary, auditor or general manager.
6. Other Officers and Employees. The board may at any time hire or employ and prescribe the authorities and duties of other officers, employees, attorneys and engineers necessary or convenient for the business of the district, each of whom shall serve at the pleasure of the board.
7. Compensation. The secretary, auditor and general manager shall each receive compensation determined by the board.
8. Bonds. The secretary, auditor and general manager and other employees or assistants of the district shall each give a bond to the district conditioned for the faithful performance of his duties as prescribed by the board.

## VII

### ACTIVITIES AND DUTIES

1. Duties of President. The president shall:
  - (a) Sign all contracts in behalf of the district.
  - (b) Preside over all meetings of the board.
  - (c) Appoint all committees authorized by the board.
  - (d) Perform all other duties imposed by the board or prescribed by law.
2. Duties of Vice-President. In the absence of the president, the vice-president shall perform all of the duties of the

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president. In addition, the vice-president shall perform all other duties imposed by the board or prescribed by law.

3. Duties of Secretary. The secretary shall:

- (a) Countersign all contracts in behalf of the district.
- (b) Prepare and maintain a record of all proceedings of the board.
- (c) Maintain all documents of the district and keep the seal of the district.
- (d) Perform all other duties imposed by the board or prescribed by law.

4. Duties of Auditor. The auditor shall install and maintain a system of auditing and accounting that shall completely and at all times show the financial condition of the district.

5. Duties of General Manager. The general manager shall:

- (a) Have full charge and control of the maintenance, operation, and construction of the water works or water-works system of the district.
- (b) Have full power and authority to employ and discharge all employees and assistants subject to approval by the board.
- (c) Prescribe the duties of employees and assistants.
- (d) Fix and alter the compensation of employees and assistants subject to approval by the board.
- (e) Report to the board in accordance with its rules and regulations.
- (f) Perform all other duties imposed by the board.

6. Disbursement of District Funds. All checks, drafts and requisitions for the withdrawal or payment of funds of the district shall be signed by those members of the board and/or officers designated by resolution of the board.
7. Administration of Oaths. Each director or the secretary may administer oaths and affirmations in connection with the taking of testimony at any hearing, investigation, or other matter pending before the board.
8. Personal Interest in Contracts. Any director or officer of the district who is in any manner interested in any contract awarded or to be awarded by the board, or in the profits to be derived from the contract, is guilty of a misdemeanor. Conviction shall work a forfeiture of his office.

## VIII

### GENERAL DISTRICT ELECTION

1. Application of Elections Code. The provisions of the Elections Code relating to the qualifications of electors, so far as they be applicable, shall govern all district elections except:
  - (a) To the extent that provisions of the Elections Code pertaining to the qualification of voters at local elections are inconsistent with the provisions of that code pertaining to general elections, the provisions of the Elections Code pertaining to local elections shall control.

(b) Inconsistent provisions of the County Water District Law shall control over any provisions of the Elections Code, except the Uniform District Election Law.

2. Application of Uniform District Election Law. The provisions of the Uniform District Election Law shall govern the manner in which the election of directors shall be called and conducted and the results canvassed, returned and declared.
3. Date of General District Election. The election of directors shall be held on the first Tuesday after the first Monday in November in each odd-numbered year for those directors whose term of office will expire on the following last Friday in November.
4. County Clerk. The county clerk shall conduct the general district election.
5. Payment of Expenses. The district shall reimburse the county for the actual costs incurred by the county clerk in conducting the general district election. The county clerk shall determine the amount due and shall bill the district accordingly.
6. Effect of Informalities. If fairly conducted, no informalities in the conduct of the general district election shall invalidate it.

## IX

### GENERAL DISTRICT ELECTION

1. Delivery of Notice or Information. Whenever the secretary is required to deliver a notice or other information to the county

clerk on or before a designated date, pursuant to the Uniform District Election Law, the secretary may personally deliver such notice or other information on or before that date, or the secretary may deliver such notice or other information by certified mail if such notice or other information will be received by the county clerk, in the ordinary course of mails, on or before that date.

2. Delegation of Duties. At the request of the board, the county clerk may perform any of the duties of the secretary of the district and the Board of Supervisors may perform any of the duties of the board of the district.
3. Notice of Election. At least one hundred and ten (110) days prior to the date fixed for the general district election, the secretary shall deliver a notice to the county clerk which shall bear the signature of the secretary and the seal of the district. Said notice shall contain the following information:
  - (a) The elective offices of the district to be filled at the next general district election.
  - (b) The elective officers to be elected at large at the next general district election.
  - (c) Whether the district or the candidate shall pay for the publication of a statement of qualifications pursuant to Section 10012.5 of the Elections Code.

The notice shall be accompanied by a map or description of the boundaries of the district.



4. Nomination Petitions. Forms for petitions required for nomination to all district offices shall be obtained from either the secretary or the county clerk. The forms shall first be available on the seventy-fifth (75th) day prior to the general district election and shall be filed not later than 5:00 o'clock p.m. on the fiftieth (50th) day prior to the general district election in the office of the county clerk during regular office hours or may be filed by certified mail so that the forms reach the clerk's office no later than the deadline for filing in that office. At the time of issuance of such forms, there shall be filled in the name of the candidate and the office for which he is a candidate. The form shall be marked "Official Filing Petition" and signed by either the secretary or the county clerk. The petition shall be signed by not less than ten (10) nor more than twenty (20) voters or by not less than twenty-five percent (25%) nor more than fifty percent (50%) of the voters if the same be less than forty (40). The county clerk shall record the date of filing upon the first page of each petition filed pursuant to this section. On request of the secretary, the county clerk shall provide the secretary a copy of each nominating petition filed by the candidate.
5. Appointment to Office. If, by 5:00 o'clock p.m. on the forty-sixth (46th) day prior to the day fixed for the general district election; only one person has been nominated for any elective office to be filled at that election; or no one has been nominated for such office; or, in the case of directors to be

elected from the district at large, the number of nominees for director at large does not exceed the number of offices of director at large to be filled at that election; and if a petition signed by five percent (5%) of the voters in the district requesting that the general district election be held has not been presented to the board, the secretary of the district shall submit a certificate of these facts to the Board of Supervisors and request that the Board of Supervisors at a regular or special meeting held prior to the last Monday before the last Friday in November in which the election is held to appoint to such office or offices the person or persons, if any, who have been nominated. The Board of Supervisors shall make such appointments. If no person has been nominated for any office, the Board of Supervisors shall appoint any person to the office who is qualified on the date when the election would have been held. The person appointed shall qualify and take office and serve exactly as if elected at a general district election for such office.

6. Notice of Necessity of Election. On the forty-third (43rd) day prior to the day fixed for the general district election, the secretary shall deliver to the county clerk a notice which shall contain the title of each elective office of the district for which a general district election is required to be held as a result of a petition signed by five percent (5%) of the voters in the district requesting an election be

held for such office having been presented to the board. If no such election is to be held, no notice pursuant to this section need be given.

7. Delivery of Notices by County Clerk. For each district, the county clerk shall immediately deliver a copy of all published notices to the secretary of the district and each notice shall be posted in the district office.

X

RESULT OF ELECTION

1. Statement of Results. As soon as the result of the canvass by the county clerk is declared, the county clerk shall prepare and mail a statement of the result of the election to the secretary. The statement shall be signed by the county clerk, authenticated by the seal of the County and shall show:
  - (a) the number of ballots cast for the offices of director of the district.
  - (b) The name of each candidate for the office of director of the district.
  - (c) The number of votes cast in each precinct for each candidate for the office of director of the district.
2. Declaration of Elected Candidates. No later than the last Monday before the last Friday in November in which the general district election is held, the board at a regular or special meeting shall declare the candidates elected to the offices of director. If there are two or more persons to be elected

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to an office of director, those candidates equal in number to the number to be elected who receive the highest number of votes for the offices of director shall be declared elected.

If a tie vote makes it impossible to determine which of two or more candidates has been elected, the board shall forthwith notify the candidates who have received the tie votes to appear before it either personally or by a representative at a time and place designated by the board. The board shall at that time and place determine the tie by lot and the results thereof shall be declared by the board. The candidate so chosen shall qualify, take office and serve as though elected at the preceding general district election.

3. Delivery of Certificate of Election. The secretary shall immediately make and deliver to each person elected, and who satisfies the requirements of Section 23559 of the Elections Code, a certificate of election signed by the secretary and authenticated with the seal of the district.
4. Campaign Statement. Pursuant to Section 23559 of the Elections Code, a candidate for election to the board shall file with the county clerk a campaign statement, pursuant to Chapter 1 (commencing with Section 11500) of Division 8 of the Elections Code, if the lawful receipts and expenses of his campaign exceed two hundred dollars (\$200). If his lawful receipts and expenses do not exceed two hundred dollars (\$200), a candidate for election to the board shall file only a

written declaration to this effect. The provisions of this section do not apply to a person appointed to the board. The county clerk shall notify the secretary immediately in writing when a candidate complies with the provisions of this section, if the candidate is required to do so.

5. Oath of Office. Prior to taking office, each elective officer shall take the official oath and execute such bond as may be required by the County Water District Law.
6. Time of Taking Office. Elective officers, elected or appointed, take office at noon on the last Friday in November next following the general district election.

XI

PRINCIPAL OFFICE AND MAILING ADDRESS

1. The principal office of the district shall be located in the County of Los Angeles, State of California, at a place designated from time to time by resolution of the board.
2. Until different action of the board, the mailing address of the district shall be P.O. Box <sup>2560</sup> ~~786~~, Lancaster, California,  
~~93536~~ 93536 25315 W. Ideal Ave,

XII

SEAL

1. The district shall have and maintain a seal, described as follows:

Two concentric circles, the outer circle being approximately one and one-half inches in diameter and the inner circle approximately one inch in diameter; with the words "WEST VALLEY COUNTY WATER DISTRICT" in the upper part of the space between the circles and with the words "AUG. 10, 1971" in the middle and lower part of the inner circle." An impression of said seal appears below.


XIII

TIME OF TAKING EFFECT

1. Adoption. These rules of procedure shall be adopted by resolution of the board and shall become effective immediately thereupon.

\_\_\_\_\_  
President of the West Valley County  
Water District and of the Board of  
Directors thereof.

ATTEST:

  
\_\_\_\_\_  
Secretary of the West Valley County  
Water District and of the Board of  
Directors thereof.

(SEAL)

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF LOS ANGELES )

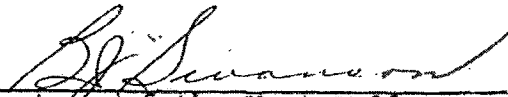
I, B. J. SWANSON, Secretary of the Board of Directors of the West Valley County Water District, DO HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Directors of said district at a regular meeting of the Board held on the 24th day of September, 1971, and that it was so adopted by the following vote:

AYES: Directors Barnes, Erstad, Hyland,  
Purpus, Skelton

NOES: None

ABSENT: None

(SEAL)


  
Secretary of the West Valley County  
Water District and of the Board of  
Directors thereof.

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF LOS ANGELES )

I, B. J. SWANSON, Secretary of the Board of Directors of the West Valley County Water District, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolution No. 8-1971 of said Board, and that the same has not been amended or repealed.

DATED: September 24, 1971.

(SEAL)

  
Secretary of the West Valley County  
Water District and of the Board of  
Directors thereof.