SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors **AGENDA NO. III-D**

FROM: Steve Mack, General Manager

Meeting Date: October 6, 2011

Subject: ADOPTION OF ORDINANCE 47 REVISING SECTION 2000 OF DISTRICT POLICIES AND PROCEDURES

RECOMMENDED ACTION: Waive the full reading of the text and adopt, by title only, Ordinance 47, Replacing Section 2000 of the District's Policies and Procedures.

FISCAL IMPACT: None.

DISCUSSION:
Ordinance 47, revision of Section 2000 of the District's Policies and Procedures, was introduced at the September 1, 2011 meeting. Because there have been no changes from the Ordinance 47 that was introduced, staff is not recirculating hard copies of the Ordinance Exhibits. Please review the September 1 agenda package for the track changes (Exhibit A) and clean (Exhibit B) hard copy versions of the proposed Section 2000 associated with Ordinance 47. Electronic versions are available with this distribution.

The review of the past months has had the purposes of reducing duplicative language – both in general and with the Union Memorandum of Understanding, correcting mistakes, changing the policies to make them more up-to-date and more in keeping with current District practices, avoid reference to specific numbers (amounts) that are subject to change, and avoiding restating State or Federal law which may be subject to change. The review of Section 2000 was greatly aided by our legal intern, Patricia Doyle, the legal staff at Meyers Nave, and Director Robb-Wilder, who spent much time reviewing the document and developing the Table of Contents and referencing which is available in the final electronic version.

Staff recommend adoption of Ordinance 47. Ordinance 47 will become effective 30 days after adoption.

ORDINANCE NO. 47

AN ORDINANCE OF SWEETWATER SPRINGS WATER DISTRICT REPLACING SECTION 2000 OF THE DISTRICT'S POLICIES AND PROCEDURES

WHEREAS, Section 2000 of the Sweetwater Springs Water District's Policies and Procedures contains important policies regarding personnel activities and actions, and;

WHEREAS, the District's Policies and Procedures direct review of Section 2000 on a periodic basis; and

WHEREAS, District staff, legal counsel and the Board of Directors have reviewed, discussed, and revised numerous sections of Section 2000 over the past year; and

WHEREAS, the purpose of reviewing Section 2000 was to update the Policies to reflect current practices and current law, reduce duplication generally, reduce conflicts and duplication with the Union Memorandum of Understanding, improve wording, and eliminate references and legal descriptions that are incorrect, and/or subject to change; and

WHEREAS, Exhibit A attached shows the changes recommended by this review and Exhibit B attached is a clean, final version of Section 2000.

NOW THEREFORE BE IT ORDAINED by the Board of Directors of the Sweetwater Springs Water District, County of Sonoma, as follows:

Section 1. Section 2000 of the District's Policies and Procedures is hereby replaced with a new section 2000, a copy of which is attached as Exhibit B.

S**ection 2**. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance. The Board hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

Section3. Effective Date. This ordinance shall become effective thirty (30) days after the date of its adoption by the Board of Directors.

This Ordinance was adopted on October 6, 2011, on roll call by the following vote:

Jim Quigley _____
Gaylord Schaap: _____
Victoria Wikle: _____
Richard Holmer: _____
Sukey Robb-Wilder: _____

_____
Jim Quigley
President of the Board

ATTEST:

_____
Julie A. Kenny
Clerk of the Board