

AMENDED BY-LAWS  
OF  
DUNNIGAN WATER DISTRICT

ARTICLE I. OFFICE

The office of the Dunnigan Water District shall be in the “Old School Complex” at 3817 First Street, Dunnigan, Yolo County, California. The location of the district office may be changed by resolution of the Board of Directors not less than thirty (30) days before any such change becomes effective.

ARTICLE II. MEETINGS

The Board of Directors shall meet in regular session on the third Thursday of each month at 1:30 P.M. at the District Office. The date, hour and place of holding regular monthly meetings may be changed at any time by resolution of the Board of Directors entered on its minutes not less than thirty (30) days prior to such change becoming effective.

Meetings of the Board of Directors shall be called, conducted and noticed as provided by California Water Code Section 34803 and the Ralph M. Brown Act (Government Code Sections 54950, and following).

ARTICLE III. AMENDMENTS

These By-Laws may be amended or repealed or new By-Laws adopted in accordance with the provisions of Water Code Section 35305.

ARTICLE IV. QUALIFICATIONS AND TENURE OF DIRECTORS

Members of the Board of Directors shall take office in accordance with Water Code Section 34700 and following. Each Director shall be either (a) a landowner within the District; (b) the legal representative of a landowner within the District; or (c) the designated representative of a landowner, if the landowner has filed evidence of that designation with the District. The normal term of a Director is four years, except in the case of a vacancy appointment. Directors shall serve until their successor qualifies and takes office.

The Board of Directors may by resolution require each director to furnish a bond. The cost of any such bond shall be an expense of the District.

#### ARTICLE V. PRESIDENT AND VICE-PRESIDENT

The Board of Directors shall elect from among its members a President and Vice-President. The President shall preside at all meetings of the Board and shall perform all other duties usually incumbent upon such officer, and all duties required by law or by order of the Board of Directors. In the President's absence or inability to act, the Vice-President shall act. The terms of office of the President and Vice-President shall be one (1) year. The Board will elect the President and Vice-President at the last regular Board of Directors meeting of each term, and the new officers will take office on the first day of the fiscal year following the election of those officers. In the event of a vacancy in either position, the Board may act immediately to elect from within its ranks a replacement candidate, who shall take office upon election and serve the duration of the vacated term.

#### ARTICLE VI. SECRETARY

The Board of Directors shall appoint a Secretary of the District to hold office at the pleasure of the Board. The Secretary shall keep a full and correct record of all the proceedings of meetings of the Board of Directors and shall have charge of all books, maps, papers contracts, records and other documents pertaining to the affairs of the District, except those required by the Tax Collector, Treasurer, Assessor or Manager. The Secretary shall perform all duties usually pertaining to such office and those required by law or the order of the Board. The Secretary need not be a resident or holder of title to land in the District.

The Secretary's compensation shall be established by resolution of the Board. The Board may by resolution establish a bond for the Secretary and the cost thereof shall be an expense of the District.

#### ARTICLE VII. ASSESSOR, TAX COLLECTOR, AND TREASURER

The office of Assessor, Tax Collector and Treasurer of the District shall be consolidated into one office, and shall be called "Assessor, Tax Collector and Treasurer (Consolidated)." In

the event of segregation of such consolidated offices, each such office or any combination thereof, may be held by the same person. The holder of such office or offices shall perform all duties prescribed by the Water Code of the State of California as it may from time to time be amended, and shall be appointed by the Board of Directors and shall serve at its pleasure.

The compensation for the office of Assessor, Tax Collector and Treasurer (Consolidated), shall be established by resolution of the Board. This officer shall be required to carry an official bond in such amount as the Board of Directors establishes. The cost of such bond shall be an expense of the District.

### ARTICLE VIII. MANAGER

The Board of Directors may employ a manager of the district who shall attend to the maintenance and operation of the works of the District and distribution of water and such other duties as may be delegated to management by the Board. The Board may by resolution establish a bond for the Manager to carry, and the cost thereof shall be an expense of the District.

The Board may appoint such additional agents, officers and employees as it deems necessary from time to time as provided in Water Code Section 34900, and prescribe the duties and fix the salaries of each. The Board may by resolution establish a bond to be carried by any of such additional agents, officers, and employees, and the cost thereof shall be an expense of the District.

### ARTICLE IX. COMPENSATION OF DIRECTORS

The compensation and reimbursement of Directors shall be set by resolution of the Board, in accordance with Water Code Sections 20201 and 34741. The number of compensable days will not exceed six (6) days in any calendar month.

### ARTICLE X. POWERS OF THE BOARD

The duties and powers of the Board of Directors and the officers of the District shall be those specified and set forth by pertinent provisions of the Water Code. The Board of Directors shall have such powers as are now or may be hereafter conferred on them by law, including and

without limitation, the power to do all things necessary and proper to carry out their duties and to carry out the business and affairs of the District.

The Board of Directors may by resolution adopt rules and regulations, consistent with these By-Laws for the operation of the District and the sale and distribution of water, and fix the rates to be charged for water for that year. Rules and rates so adopted shall continue from year to year until changed by later Board action.

#### ARTICLE XI. ELECTIONS

Elections for members of the Board of Directors shall be conducted accordance with the provisions of Chapters 1 and 2, Part 4, Division 13 of the California Water District Law and the Uniform District Election Law of the State of California as set forth in Part 3, Division 14 of the Election Code of the State of California. Bond elections shall be conducted in accordance with California Water Code Sections 35150 and following.

A voter shall be entitled to cast one vote per acre, or portion of an acre, of land that voter owns in the District, as reflected by the most recent equalized assessment roll issued by Yolo County. A landowner or that landowner's legal representative may cast the votes associated with a parcel. In the event that the landowner's legal representative serves as voter, that person shall provide with his or her voted ballot a copy of the authority under which the votes were cast.

Votes shall be divided among multiple landowners as follows:

(1) Land held by Tenants in Common or Joint Tenants: The total number of votes shall be divided by the number of owners, each of whom will be entitled to cast an equal division of the votes.

(2) Land held by a partnership: Any member of the partnership may cast all of the votes assigned to the parcel.

(3) Land held by a corporation: The officer of the corporation may cast the votes assigned to land held by a corporation.

(4) Land held under a deed of trust: The trustor shall cast the votes assigned to land held under a deed of trust.

(5) Land held as community property: The votes assigned to land held as community property shall be divided equally, with 50% of the votes assigned to each spouse.

In the event that there is any discrepancy in the list of persons entitled to vote at any election or any controversy as to the persons actually entitled to vote, the books and records of the District shall be conclusive.

Voting may be done by written proxy where the proxy is acknowledged and specifically states the name of the person entitled to cast the vote as proxy, the name of the landowner, the election for which the proxy is given and otherwise complies with the provisions of Section 35005 of the Water Code of the State of California.

#### ARTICLE XII.VACANCIES

A vacancy on the Board of Directors shall be filled pursuant to Government Code Section 1780.

A vacancy in any non-elective office of the District shall be filled by appointment by a majority of the Board of Directors, in accordance with the provisions and requirements of the Water Code and these By-Laws.

#### ARTICLE XIII.VIOLATIONS OF THE BY-LAWS

The Board of Directors may, by motion or resolution, impose a penalty for a violation of these by-laws of up to Two Hundred Dollars (\$200.00) for any one offense. The levy of such penalty shall require a unanimous vote of all the members of the Board of Directors.

#### ARTICLE XIV.CLAIMS

Claims for money or damages against the District are governed by Part 3, (commencing with Section 900) and Part 4, (commencing with Section 940) of Division 3.6 of Title 1 of the Government Code except as provided therein, or by other statutes or regulations expressly applicable thereto.

Pursuant to Government Code Section 935, a claim that is otherwise excepted from the procedures in Government Code Section 900 and following, and which is not governed by any other statutes or regulations expressly relating thereto, must be presented to the District and acted upon prior to the initiation of a lawsuit. As to claims within this category, the following procedures apply:

(1) The claim must be submitted in writing to the District within six (6) months of the accrual of the cause of action for any claim relating to a cause of action for death or for injury to person or to personal property or growing crops, and within one (1) year for claims relating to any other cause of action.

(2) The claim must be signed by the claimant or that person's authorized agent, and shall include the information required by Government Code section 910.

(3) The Board of Directors shall act to reject, allow, or settle the claim, in whole or in part, within 45 days of the date that the claim is presented to the District. If the Board of Directors does not act, the claim shall be deemed presented and rejected.

(4) The Board of Directors shall provide the claimant with written notice of any action that it takes on the claim within 10 days of taking that action.

(5) Following the presentation of the claim and action on the claim by the Board of Directors, any lawsuit filed on that claim shall be governed by the time limits and procedures set out in Government Code section 945.6 and 946.

#### ARTICLE XV. WATER CODE

As to all matters concerning the affairs and business of the District, not herein specifically set forth or provided, pertinent provisions of the Water Code shall govern.

Adopted by the Dunnigan Water District Board of Directors on April 21, 2016.