

<i>Olivenhain Municipal Water District</i> ADMINISTRATIVE AND ETHICS CODE	Article No. 3	Page 1 of 4
	Title : ORGANIZATION OF STAFF	
	Latest Revision Date June 22, 2011	ORDINANCE NO. 388

ARTICLE 3. ORGANIZATION OF STAFF

Sec. 3.1 revised by Ordinance No. 388 / June 22, 2011

Sec. 3.1. revised by Ordinance No. 379 / June 23, 2010

Sec. 3.1. revised by Ordinance No. 371-A / June 24, 2009

Sec. 3.1. revised by Ordinance No. 350 / July 13, 2007

Sec. 3.1. revised by Ordinance No. 344 / January 24, 2007

Sec. 3.1. revised by Ordinance No. 320 / July 27, 2005

Sec. 3.1. revised by Ordinance No. 310 / May 14, 2004

Sec. 3.2. revised by Ordinance No. 305 / October 22, 2003

Sec. 3.1. Organization Chart of District Personnel. See attached.

Sec. 3.2. General Manager. The General Manager shall be the Chief Administrative Officer responsible directly to the Board of Directors of the District.

In employing a General Manager, the Board shall give due consideration to the following characteristics: extensive administrative experience with not less than 5 years work in a supervisory capacity in a water district, a thorough knowledge of the principles and practices of public utility management, financing, an understanding and knowledge of State and Federal laws and agencies involved in the production, distribution and use of potable and recycled water, and the collection, treatment and disposal of sewage, a knowledge of civil engineering, and modern construction practices.

The General Manager shall give full time to the duties of his/her office; shall have charge of and supervise the administrative and all operations of the District; shall plan and carry out all construction work when authorized by the Board of Directors necessary or proper to carry out the purposes of the District; shall make such recommendations to the Board of Directors concerning the affairs of the District as the General Manager may deem advisable and shall prepare and submit to the Board of Directors an annual budget estimate, monthly agenda, and such other reports as may be required by that body; shall perform such other duties as may from time to time be required by the Board of Directors and as required by law.

Subject to the approval of the Board of Directors, the General Manager shall have full charge and control of the maintenance, operation, and construction of the water works system of the District, with full power and authority to employ, discipline, and discharge all employees and assistants, other than those appointed directly by the Board, at pleasure, prescribe their duties and fix their compensation, including benefits.

In the absence of the General Manager, the General Manager's designee shall assume the duties and responsibilities of the General Manager during such absence.

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Organizational Chart follows this page...

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Sec. 3.2.1. revised by Ordinance No. 305 / October 22, 2003

Sec. 3.2.1. Emergency Authority. An emergency is defined as a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent and mitigate the loss or impairment of life, health, property, or essential public services. In the event the General Manager determines that an emergency exists requiring immediate action, the General Manager shall have the power without prior Board action, (i) to enter into contracts and/or agreements and to expend funds on behalf of the District, provided that such expenditures or contracts do not exceed, in total, \$1 million without competitive bidding; (ii) to control; limit, or redirect the delivery of water to District customers; (iii) to reassign District personnel and to employ additional personnel, (iv) to implement the District's emergency response plan; and (v) to perform all other acts deemed necessary or appropriate to alleviate the emergency and to protect the interests of the public and the District. Not later than 72 hours after determination by the General Manager of an emergency and that action must be taken pursuant to this section, the General Manager shall notify the Board President of the reasons necessitating such determination and the actions taken. If the President cannot be reached, then the General Manager must notify the Vice-President, and if the Vice-President cannot be reached, then the General Manager must notify the Secretary. The Board shall review the General Manager's emergency action not later than seven (7) days after the General Manager declares an emergency or at the next Board meeting if it occurs within 14 days of the emergency action.

Sec. 3.3. revised by Ordinance No. 305 / October 22, 2003

Sec 3.3. Attorney The Attorney shall be appointed by the Board and shall be directly responsible to the Board. He/She shall provide legal services and advice as requested by the Board and shall assist the General Manager, the Engineer, the Treasurer or other District staff on negotiating and drafting District agreements, managing claims and lawsuits on behalf of the District, and defending the District in court actions, and in handling various issues and legal problems which may arise in the administration of his/her respective duties. A properly qualified Law Firm may be employed to perform the functions of Attorney.

Sec. 3.3. revised by Ordinance No. 373 / February 10, 2010

Sec 3.4. Consulting Engineer. The Consulting Engineer shall be appointed by the Board and shall perform selected engineering functions of the District, including plan check and hydraulic analysis where required and as

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authorized or directed by the Board of Directors, and specific and/or special projects requested by the General Manager where necessary or upon request of the General Manager. The Consulting Engineer shall be directly responsible to the Board of Directors.

The Board may enter into an agreement with properly qualified engineering firms to provide the services of Consulting Engineer to the District or for specific and/or special projects.

Sec. 3.5. Auditor. The Auditor shall be appointed annually by the Board of Directors and shall be directly responsible to the Board for the annual audit of the District's books. The Auditor shall assist the General Manager in establishing and maintaining the District's books and records in accordance with generally accepted accounting practices and the laws of the State of California, shall furnish the District with assistance and advice upon request of the General Manager, and shall perform such other duties as may be imposed upon the Auditor by the Board of Directors.

The Board may enter into an agreement with a properly qualified accounting firm to provide the services of Auditor.

The Board shall give consideration to the employment of a different Auditor every 4 to 5 years.

The Auditor shall have qualifications no less than those qualifications specified in the California Business and Professional Code.