

**RESOLUTION NO. 17-979**

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE JOSHUA BASIN WATER DISTRICT, AMENDING ARTICLE 4, SECTION 4.04.01  
AND SECTION 4.04.07 OF THE ADMINISTRATION CODE

**WHEREAS**, Joshua Basin Water District has previously adopted an Administration Code; and

**WHEREAS**, the Board of Directors desires to amend the Administration Code to clarify the General Manager’s authority to revise job descriptions and expend funds in an emergency.

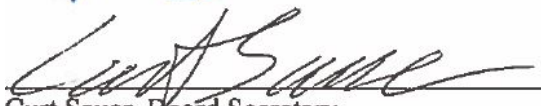
**NOW THEREFORE BE IT RESOLVED**, as follows:

**RESOLVED**, that Article 4, Sections 4.04.01, Employee Positions and Job Classifications, and 4.04.07, Expenditure of Funds for Emergencies, are amended as set forth in Appendix “A” attached to this Resolution.

ADOPTED, SIGNED AND APPROVED ON THIS 4<sup>TH</sup> DAY OF OCTOBER 2017.

Tom Floen	Aye
Gearly Hund	Aye
Robert Johnson	No
Mickey Luckman	Aye
Rebecca Unger	Aye

  
\_\_\_\_\_  
Mickey Luckman, President, Board of Directors

  
\_\_\_\_\_  
Curt Sauer, Board Secretary

## APPENDIX A

### ARTICLE 4

#### GENERAL MANAGER

**4.01 General.** The General Manager of the Joshua Basin Water District is employed by the Board of Directors to serve as the Chief Executive of the District and, pursuant to the California Water Code Section 30580, is responsible for: implementing the decisions of the Board; determining and executing administrative policies through subordinate managers; supervising the operations and staffing of the District as prescribed by the Board; managing all engineering, planning, design, and inspection for construction activities; and supervising and controlling the administrative, operational, and financial affairs of the District, including all administrative, executive, and ministerial powers not specifically reserved by law for the Board of Directors, General Counsel, or District Auditor.

**4.02 Director-Manager Relations.** The Board of Directors will deal with the administrative services of the District only through the General Manager. Neither the Board of Directors nor any Director will give orders to subordinates of the Manager. The General Manager shall take his orders and instructions from the Board of Directors only in a duly held meeting of the Board of Directors, and no individual Director will give any orders or instructions to the General Manager, except the officers of the District acting within the scope of their respective offices.

**4.03 Authority Over Employees.** The General Manager will have the authority to control and give directions to all employees. The General Manager will also hire, remove, promote, and demote any and all employees of the District. Consultants will be directed by the General Manager. Consultants will be hired and removed by the Board of Directors.

**4.04 Manager's Powers and Duties.** The General Manager is the administrative head of the Joshua Basin Water District, under the direction and control of the Board of Directors. He is responsible for the administration of all the affairs of the District under his control. In addition to general administrative powers, the General Manager's powers and duties shall include, but not be limited to, the following:

**4.04.01 Employee Positions and Job Classifications.** It shall be the duty of the General Manager to establish new District employee positions and job classifications, subject to approval by the Board of Directors. Revisions to existing job descriptions will be made as follows:

**Minor Revision** - This is defined as duties being added/changed/revised/updated, with such amendments not resulting in alteration to the job scope, the job title, and/or salary adjustments.

**Major Revision** - This is defined as duties being added/changed/revised/updated, that result in changes to the job scope, job title, and/or salary adjustments.

**AFSCME Revision Process for Minor Revisions:**

1. Make the revisions to the description with employee, supervisor, and/or manager involvement.
2. Send the revised description to AFSCME.

3. After AFSCME approval, send to the General Manager for approval.
4. The General Manager has the authority to adopt the newly revised description.

**AFSCME Revision Process for Major Revisions:**

1. Make the revisions to the description with employee, supervisor, and/or manager involvement.
2. Send to the General Manager.
3. After General Manger approval, send to AFSCME.
4. After AFSCME approval, send to the Finance or appropriate committee.
5. After committee approval, send the job description to the BOD.
6. After BOD approval, formally adopt the job description.

**MSC Revision Process for Minor Revisions:**

1. Make the revisions to the description with employee, supervisor, and/or manager involvement.
2. Send to the General Manager for approval.
3. The General Manager has the authority to adopt the newly revised description.

**MSC Revision Process for Major Revisions:**

1. Make the revisions to the description with employee, supervisor, and/or manager involvement.
2. Send to the General Manager.
3. After General Manger approval, send to the Finance or appropriate committee.
4. After committee approval, send the job description to the BOD.  
After BOD approval, formally adopt the job description.

**4.04.02 Attendance at Board Meetings.** It is the duty of the General Manager to attend all regular and special meetings of the Board of Directors unless excused.

**4.04.03 Manager to be On Call.** The General Manager is expected to be on call twenty-four (24) hours a day and it shall be understood that no compensatory time will be allowed.

**4.04.04 Financial Reports.** It is the duty of the General Manager to keep the Board of Directors fully advised as to the financial condition and needs of the District. The Manager shall be responsible for maintaining the District's books of accounts and will have said books audited at the end of each fiscal period by the District's Independent Auditor. It is the duty of the General Manager to prepare the monthly financial report, which shall include such items as determined by the Board.

**4.04.05 Budget.** It is the duty of the General Manager to prepare the annual budget and submit it to the Board of Directors. The Manager shall adhere to the budget unless otherwise directed by the Board and shall establish a system of accounting for expenditures. The Manager shall regularly review the status of the budget with the Board and propose appropriate corrective action if revenues or expenditures vary materially from the approved budget.

**4.04.06 Purchasing.** It is the duty of the General Manager to be responsible for the purchase of all supplies and equipment for the District. All expenditures for items classified as capital assets, such as auto equipment, office machines, etc., shall be submitted to the Board of Directors for approval when the cost is in excess of \$20,000. Any amount over \$10,000 that the General Manager approves must be presented to the Board at the next Board Meeting, with explanation.

**4.04.07 Expenditure of Funds for Emergencies.** It shall be the duty of the General Manager, or his/her designee, to expend the unlimited funds necessary to correct an emergency situation. The General Manager, or his/her designee, shall notify the President of the Board as soon as possible as to the nature of the emergency and the estimated funds required to remedy the situation.

**4.04.08 Public Complaints.** It is the duty of the General Manager to investigate all complaints concerning the administration and operations of the District and report his finding to the Board of Directors.

**4.04.09 Public Property.** It is the duty of the General Manager to exercise general supervision over all property belonging to the Joshua Basin Water District. It is the duty of the General Manager to accept, on behalf of the District, easements and other real property rights and interests required for performance of the District's legitimate functions.

**4.04.10 Hours of Employment.** It shall be the duty of the General Manager to devote his entire time to the duties of his office. The General Manager shall see that the office is open to the public from 8:00 AM to 5:00 PM five days a week, excluding Saturdays, Sundays, and holidays.

**4.04.11 Payment of Bills.** It shall be the duty of the General Manager to pay all bills when due.

**4.04.12 Preparations for Board Meetings.** It is the duty of the General Manager to see that notice of all meetings and agendas are prepared as provided by law. The General Manager will be responsible for providing the services of a recording secretary at all Board Meetings and he will supervise the preparation of the agenda, minutes, Resolutions, and Ordinances of all regular and special meetings.

**4.04.13 Correspondence.** It is the duty of the General Manager to reply to all correspondence except letters addressed to the Board of Directors requiring an Officer's signature, unless such authority is delegated to the General Manager. The General Manager will keep the members of the Board informed by furnishing copies or memoranda of all vital replies or notices.

**4.04.14 Annual Independent Audit.** It is the duty of the General Manager to submit a draft of the District's Annual Audit to the Board of Directors for its review and approval no later than the end of December of each year.

**4.04.15 Filing.** It is the duty of the General Manager to keep the District's files up to date.

**4.04.16 Director Attendance.** It is the duty of the General Manager to keep a record of all Directors in attendance at all regular and special meetings.

**4.04.17 Committee Meetings.** The General Manager is instructed to attend all committee meetings unless otherwise instructed.

**4.04.18 Special Problems.** It is the duty of the General Manager to call to the attention of the President special problems which cannot await the next regular Board Meeting.

**4.04.19 News Media.** It is the duty of the General Manager to prepare and dispense such press releases as depict the growth and activities of the District.

**4.04.20 Manager's Activities.** It is the duty of the General Manager to report the District's activities at the regular Board Meetings.

**4.04.21 Petty Cash.** It is the duty of the General Manager to record disbursements from the petty cash fund and to replenish said fund as required.

**4.04.22 Additional Duties.** It is the duty of the General Manager to perform such other duties and exercise such other powers as may be delegated to him from time to time by Resolution or other action of the Board of Directors.

**4.04.23 Document Review/Inspection by Board Members.** The General Manager shall coordinate all requests by individual Directors to review/inspect the District's records. The General Manager shall schedule any such review/inspection to a date and time mutually agreed upon.

**4.04.24 Document Reproduction for Board Members**

- a. The General Manager shall provide Directors, at no cost to the Directors, a copy of documents relative to the governance of the District such as the Administration Code, Best Practices, Urban Water Management Plan, Groundwater Management Plan, special studies of the US Geological Survey, information pertaining to the Brown Act, and similar documents.

- b. The General Manager shall coordinate all requests by individual Directors for copies of District records. Requests for copies in excess of 25 pages per month, unless pre-approved by the Board in an open and public meeting, shall be subject to the same fees that are applicable to Public Records Requests from the public-at-large. This includes the requirement to submit a deposit in advance for documents based on the number of pages.

**4.04.25 Document Production.** The General Manager shall forward all requests by individual Directors for the "production" of a work product (e.g. summaries, reports, and the like) to the Board for the Board's consideration. No such work effort shall be undertaken unless approved by the Board in advance, in an open and public meeting.

**4.04.26 Dispute Resolution.** Any question concerning the General Manager's compliance with regard to Sections 4.04.23 through 4.04.25 of this Article 4 shall be referred to the Board for consideration at an open and public meeting

**4.05 Removal of the General Manager.** The removal of the Manager shall be only upon not less than three (3) votes of the Board of Directors, subject to the applicable provision of the Employment Contract between the Manager and the Board of Directors.

**4.06 Temporary Manager.** The General Manager will recommend, subject to the approval of the Board of Directors, one of the employees of the District to serve as General Manager pro tem during any temporary absence or disability of the Manager. In the event that the General Manager cannot make the appointment, the President of the Board shall make the appointment subject to approval by the Board of Directors.

**4.07 Reimbursement for Expenses.** The General Manager will be reimbursed for all sums incurred by him in the performance of his duties. Reimbursement will be made when an itemized expense voucher setting forth the sums expended has been presented to the Board of Directors for approval. The District will either furnish an automobile or reimburse the General Manager for use of his personal automobile at the established rate per mile while on District business at the discretion of the Board of Directors.

**RESOLUTION NO. 17-979**

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE JOSHUA BASIN WATER DISTRICT, AMENDING ARTICLE 4, SECTION 4.04.01  
AND SECTION 4.04.07 OF THE ADMINISTRATION CODE

**WHEREAS**, Joshua Basin Water District has previously adopted an Administration Code; and

**WHEREAS**, the Board of Directors desires to amend the Administration Code to clarify the General Manager's authority to revise job descriptions and expend funds in an emergency.

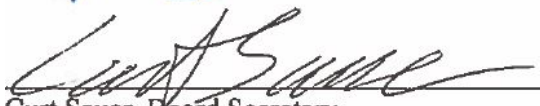
**NOW THEREFORE BE IT RESOLVED**, as follows:

**RESOLVED**, that Article 4, Sections 4.04.01, Employee Positions and Job Classifications, and 4.04.07, Expenditure of Funds for Emergencies, are amended as set forth in Appendix "A" attached to this Resolution.

ADOPTED, SIGNED AND APPROVED ON THIS 4<sup>TH</sup> DAY OF OCTOBER 2017.

Tom Floen	Aye
Geary Hund	Aye
Robert Johnson	No
Mickey Luckman	Aye
Rebecca Unger	Aye

  
\_\_\_\_\_  
Mickey Luckman, President, Board of Directors

  
\_\_\_\_\_  
Curt Sauer, Board Secretary