

# SUNNYSLOPE COUNTY WATER DISTRICT

## ORDINANCE NO. 76

### AN ORDINANCE OF SUNNYSLOPE COUNTY WATER DISTRICT AMENDING THE DISTRICT ORGANIZATION RELATING TO THE POSITIONS OF DISTRICT ENGINEER, CONSTRUCTION INSPECTOR/ENGINEERING TECHNICIAN, GENERAL MANAGER, WATER SUPERINTENDENT, WATER/WASTEWATER SUPERINTENDENT, AND ASSISTANT/ASSOCIATE ENGINEER

Be it ordained by the Board of Directors of  
Sunnyslope County Water District  
as follows:

- Section 1. Authority. This ordinance is enacted pursuant to Sections 30000 and following of the California Water Code and Section 53000 of the Government Code.
- Section 2. Findings. The Board of Directors determines that each fact referenced in this section to be true and correct.
- A. Adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to the CEQA Guidelines, Title 14 California Code of Regulation, Section 15378 (b) (5) as it is not a Project and is organizational or administrative activities of a government agency that will not result in direct or indirect physical changes in the environment.
  - B. As of January 1, 2014, the District no longer requires the services of the position titled Construction Inspector/Engineering Technician and District Engineer.
  - C. Effective January 1, 2014, the General Manager position shall be modified to include the duties of the District Engineer.
  - D. Effective January 1, 2014, the position of Assistant/Associate Engineer position shall be created to provide general engineering and development review services to the District.
  - E. Effective September 1, 2013, the District determined the position titled Water Superintendent shall be changed and titled Water/Wastewater Superintendent and the position be reclassified as a management and over-time exempt position. The job description shall be modified to require a Grade III Water Treatment Plant Operator Certificate issued by the California Department of Public Health and a Grade III Wastewater Treatment Plant Operator Certificate issued by the California State Water Resources Control Board.
- Section 3. Purpose of Ordinance. This ordinance modifies the District organization and eliminates the positions of District Engineer and Construction Inspector/Engineering Technician, modifies duties of the General Manager to include those of the District Engineer, reclassifies the Water Superintendent as the Water/Wastewater Superintendent and makes that position a management and over-time exempt employee, and creates an Assistant/Associate Engineer position.
- Section 4. Sections Amended. District Code Section 2.08.045 shall be deleted in its entirety, and District Code Sections 2.08.010, 2.08.040, and 2.08.050 shall be amended to read, in full, as follows:
- 2.08.010 Creation.  
A water and wastewater department is created comprising the General Manager/Secretary/District Engineer, a Water/Wastewater Superintendent, and a Finance/Human Resources Manager, and any other support staff deemed necessary by the Board of Directors.
  - 2.04.040 Water/Wastewater Superintendent.

A. The position of Water/Wastewater Superintendent is created. He/she shall maintain necessary licenses to operate and maintain the District's water and wastewater facilities and shall report to the General Manager.

2.80.50 Performance of duties.

The duties of the Water/Wastewater Superintendent and Finance/Human Resources Manager may be performed by the General Manager or by an additional employee or employees.

Section 5. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, or superseded by some other provision of law, such provisions shall be severed from and shall not affect the validity of the remaining provisions of this ordinance. The Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any other part thereof be unconstitutional or invalid, or superseded by some other provision of law. The parts of this ordinance, which are not unconstitutional, invalid, or superseded shall remain in full force and effect and shall be enforced according to their terms.

Section 6. Interpretation. Words and Phrases used in this ordinance shall be read conjunctively with and shall have the same meaning as in prior District ordinances and the District Code, unless specifically changed by this ordinance or unless the context requires some other construction. If there is any inconsistency between this ordinance and prior provisions, this ordinance shall control.

Section 7. Effective Date. This ordinance shall take effect immediately on adoption.

Section 8. Publication and Posting. Within 10 days after adoption, the District shall publish, in a newspaper published in San Benito County and circulated within the District, either a summary or the full text of this ordinance, and shall post in the District office a certified copy of the full text of this ordinance as adopted along with the names of those directors voting for and against adoption.

On motion of Director Villalon, seconded by Director Hill, the foregoing Ordinance is enacted and shall take effect on August 14, 2013, by the following roll call of the Board:

AYES: Directors Clapham, Hill, Johnson, Meraz, and Villalon  
NAYS: None  
ABSENT: None

By: Dave Meraz  
Dave Meraz, President

ATTEST:

Donald G. Ridenhour  
Donald G. Ridenhour, Secretary

CERTIFICATE OF SECRETARY

The undersigned hereby certifies that the foregoing Ordinance was adopted and approved by the Board of Directors at their regular meeting on August 14, 2013.

Donald G. Ridenhour  
Donald G. Ridenhour, Secretary