

ARTICLE I

GENERAL PROVISIONS

Section 1.1. Name. The name of the district is Bradford Island Reclamation District No. 2059 (the "District").

Section 1.2. General Information. The District was formed by petition of landowners in the year 1921. The District is a reclamation district formed under the laws of the State of California, and is governed by Division 15 of the California Water Code (commencing with Section 50000). The District is a public agency and is governed by the applicable provisions of the California Government Code.

Section 1.3. Acreage within the District. The District consists of 2,172.39 acres within the District's jurisdictional boundaries.

Section 1.4. Location. The District is located in the unincorporated area of the County of Contra Costa.

Section 1.5. District Office or Principal Place of Business. The District Office and Principal Place of Business shall be determined by Resolution of the Board of Trustees. The District Office and Principal Place of Business shall be as close in proximity as is practical to the jurisdictional area of the District, and shall be within the County of Contra Costa or an adjacent County, in accordance with the California Water Code.

ARTICLE II

PURPOSE

Section 2.1. Purpose. To manage and maintain levees and drainage within the lands of the District.

ARTICLE III

BOARD OF TRUSTEES

Section 3.2. Number. The authorized number of Trustees shall be five (5).

Section 3.3. Election and Term of Office. The Trustees shall be elected by the majority vote at the District's general election. Trustees shall be elected for a term of four years and shall serve until their successors are elected and qualified. The terms of the Trustees shall be staggered.

Section 3.4. Vacancies.

- a. Vacancies in the Board of Trustees shall be determined by Section 1770 of the Government Code.
- b. Vacancies in the Board of Trustees shall be filled pursuant to Section 1780 of the Government Code.

Section 3.5 Powers and Duties of the Board. The Board of Trustees may exercise all powers and perform all duties enumerated in California Water Code sections 50650 to 50660, and any other powers vested in the Trustees by operation of law.

ARTICLE IV ELECTIONS

Section 4.1 General Elections. General District Elections shall be called and conducted in accordance with Sections 50700 and following of the California Water Code.

Section 4.2. All Mailed Ballots. The District may conduct its elections by all mailed ballots in accordance with Section 50707 of the California Water Code.

Section 4.3. Special Elections. Special Elections shall be called and conducted in accordance with Sections 50800 and following of the California Water Code.

ARTICLE V POWERS OF THE DISTRICT

Section 5.1. The District may exercise all powers enumerated in Sections 50900 and following of the California Water Code, and any other powers vested in reclamation districts by operation of law.

ARTICLE VI MEETINGS OF THE BOARD OF TRUSTEES

Section 6.1. Place of Meetings. All meetings of the Board of Trustees shall generally be held at the District Office or Principal Place of Business, except when warranted by special circumstances. Meetings held outside of the District Office or Principal Place of Business shall be in accordance with all applicable open meeting laws under the California Government Code (commonly known as the Ralph M. Brown Act, sections 54950 and following of the California Government Code).

Section 6.2 Time of Regular Meetings. Regular meetings of the Board shall be held on a monthly basis, at a regular time determined by Resolution of the Board of Trustees.

Section 6.3. Posting of Agendas. The posting of all meeting agendas shall be in accordance with the requirements of the Ralph M. Brown Act of the California Government Code.

Section 6.4. Quorum. A majority of the number of Trustees of the Board constitutes a quorum. Official action may only be undertaken in the presence of a quorum of the Board of Trustees, except for actions to:

- a. fix the time to which to adjourn the meeting for lack of a quorum,;
- b. adjourn;
- c. recess; or
- d. take measures to obtain a quorum.

Section 6.5. Committees. The President may appoint ad-hoc committees consisting of Trustees, landowners, consultants, or any combination thereof. Committees consisting of a quorum of the Board of Trustees, or those which have continuing subject matter jurisdiction or a meeting schedule fixed by formal action of the District shall be subject to the applicable requirements of the Ralph M. Brown Act.

ARTICLE VII

OFFICERS

Section 7.1. Election and Qualifications. The officers of the District shall consist of a President and a Secretary. By Resolution, the Board may also create the office of Vice President. The Board shall elect one of

its members as its President, Vice President (if such office exists), and one of its members, or any other person, as its secretary

Section 7.2. President. The powers and duties of President of the District are:

- a. To call and preside overall meetings of the Board;
- b. To serve as the official District spokesperson to the public and media, unless another spokesperson is designated by the Board of Trustees;
- c. To act as the official District representative at meetings, negotiations, or other conduct of District business, unless the Board of Trustees has designated another individual for this purpose;
- d. To affix the signature of the District to all deeds, conveyances, mortgages, leases, obligations, bonds, certificates, and other papers and instruments in writing which have been authorized by the Board..

Section 7.3. Vice President. If the Board of Trustees elects a Vice President, the Vice President shall serve in the same capacity as the President in the event, and only in the event, that the President is unable to perform his or her duties.

Section 7.4 Treasurer.

- a. The Treasurer of the District shall be County Treasurer of the County of Contra Costa.
- b. The District may appoint a Trustee, the District Secretary, or other administrative personnel to serve as Treasurer to the Board of Trustees, who shall be responsible for preparing all financial reports, and other documents relating to the District's finances, as directed by the Board.

Section 7.5. Secretary.

- a. The District Secretary may be a Trustee and elected by the Board of Trustees, or may be any other qualified person appointed by the Board of Trustees.
- b. Pursuant to Water Code section 50631, the secretary shall have charge of the office of the Board, and shall keep the minutes of all meetings, attest all documents, other than bonds, requiring the signature of the president, and keep accounts of all expenditures made in behalf of the District.
- c. The District Secretary may be assigned other administrative tasks by the Board of Trustees, as necessary.
- d. The District may employ an Administrative Secretary to attend to the day to day administrative needs of the District, and the person so employed may simultaneously serve as the appointed District Secretary.

Section 7.6. Instruments in Writing. All checks, drafts, demands for money, notes and written contracts of the District shall be signed by the President and the District Secretary. No officer, agent, or employee of the District shall have the power to bind the District by contract or otherwise unless authorized to do so by these Bylaws or by the Board.

ARTICLE VIII

SPECIAL ELECTIONS

Section 8.1. Special Elections shall be called and held in strict accordance with Water Code sections 50700 et seq.

ARTICLE IX

CONSTRUCTION OF BYLAWS WITH REFERENCE TO PROVISIONS OF LAW

Section 9.1. Bylaw Provisions Construed as Additional and Supplemental to Provisions of Law. All restrictions, limitations, requirements, and other provisions of these Bylaws shall be construed as supplemental and additional to the general requirements of the California Water Code, the California Government Code, and any other controlling local, state, or federal law.

Section 9.2. Bylaw Provisions Contrary to or Inconsistent with Provisions of Law. Any portion of these Bylaws which may be found to be contrary to, or inconsistent with, any applicable controlling provision of law, shall not apply so long as said provisions of law shall remain in effect. Such invalidity of said portion of these Bylaws not affect the validity or applicability of any other portion of these Bylaws.

ARTICLE X

CERTIFICATION, ADOPTION, AMENDMENT, OR REPEAL OF BYLAWS

Section 10.1 Bylaws may be adopted, amended, or repealed by vote of the owners of a majority of the number of acres within the jurisdictional boundaries of the District.

OFFICIAL BUSINESS
Document exempt from recording
fee per Govt Code § 6103

Recording Being Requested By:
Bradford Reclamation Dist. # 2059

After Recording Please Mail To:
Bradford Reclamation Dist. # 2059
PO Box 1059
Oakley, CA 94561

The above section is for County Use Only



Bradford Reclamation District 2059

PO Box 1059 Oakley, CA 94561

Phone: 925-209-5480

Fax: 925-625-4660

RESOLUTION NO. 2018-02

A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 2059 AMENDING DISTRICT BYLAWS FOLLOWING APPROVAL BY A MAJORITY OF THE DISTRICT LANDOWNERS

WHEREAS, Reclamation District No. 2059 (hereafter, "District") is a reclamation district formed pursuant to sections 50000 *et seq.* of the California Water Code; and

WHEREAS, the District was lawfully created and official bylaws ("Bylaws") were adopted on November 21, 1921 by approval of the owners of a majority of the acreage within the jurisdictional boundaries of the District; and

WHEREAS, pursuant to California Water Code section 50373, a reclamation district may only amend its bylaws in the manner in which the original bylaws were adopted; and

WHEREAS, prior attempts by the District to amend its Bylaws failed because they did not meet the procedural requirements pursuant to Water Code section 50373; and

WHEREAS, the District Board of Trustees ("Board") desires to amend the Bylaws, a copy of which is attached hereto as **Exhibit "A"** ("Amended Bylaws"); and

WHEREAS, at the March 6, 2018 District Board meeting, the Board authorized a public hearing and submission of the Amended Bylaws to District landowners for approval by Protest Ballot by mailing Notice and Protest Ballots at least 45 days prior to the public hearing; and

WHEREAS, the District Secretary then caused a Notice of Hearing to be published in the East County Times at least 10 days prior to the public hearing; and

WHEREAS, the District held a public hearing on the Amended Bylaws at the regular meeting of the Board on May 1, 2018; and

WHEREAS, if at the close of public hearing, the District determines that a majority protest does not exist, the Board can find that the Amended Bylaws have been approved by a majority vote of the affected property owners and the Board may adopt the Amended Bylaws.

NOW, THEREFORE, BE IT RESOLVED, that the Reclamation District 2059 Board of Trustees makes the following findings:

- 1) The foregoing recitals are true and correct and incorporated herein by this reference.
- 2) Reclamation District 2059 complied with California Water Code section 50373 by submitting the Amended Bylaws to District landowners for approval by Protest Ballot.
- 3) In compliance with Protest Ballot proceedings, Reclamation District 2059:
 - a. Mailed the District landowners at least 45 days prior to the public hearing:
 1. Notification of the public hearing and Election by Protest Ballot
 2. An Official Protest Ballot, and
 3. A copy of the Amended Bylaws.
 - b. Published notice of the public hearing in a newspaper of general circulation within the District's boundaries.
 - c. Held a public hearing on May 1, 2018 at the regular meeting of the District Board.
 - d. At the close of the public hearing, District staff received all Protest Ballots, tabulated the votes, and determined a majority protest did not exist.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Board of Trustees of Reclamation District 2059 determines that the Amended Bylaws have been approved by a majority vote of the affected property owners and hereby adopts the Amended Bylaws.

PASSED AND ADOPTED at the regular meeting of the Board of Directors of Reclamation District No. 2059, this 1st day of May, 2018.

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0


Robert Davies,
President of the Board of Trustees

ATTEST:


Angelia Tant,
Secretary of the Board

Exhibit A

Amended Bylaws