

OLIVEHURST PUBLIC UTILITY DISTRICT

ORDINANCE No. 2.1

AN ORDINANCE AMENDING ORDINANCE NO. 2,
OF THE OLIVEHURST PUBLIC UTILITY DISTRICT

BE IT ENACTED by the Board of Directors of Olivehurst Public Utility District, that the Board of Directors does hereby ordain that Ordinance No. 2, adopted on January 24, 1949, is hereby amended to read as follows:

1. The duties of the Treasurer of the Olivehurst Public Utility District shall be performed by the County Treasurer of Yuba County, California. Said appointment shall be in accordance with provisions of Public Utilities Code Section 16036. The duties of the Treasurer shall be those duties as is specified in the applicable provisions of the Government Code of the State of California applicable to the Treasurer of a local district. The County Treasurer shall ensure that his official bond as County Treasurer includes his duties as Treasurer of OPUD and, if so, no additional bond shall be required of said Treasurer. If not, the Board shall specify the bond to be provided by the Treasurer.

2. The income and revenue of the Olivehurst Public Utility District received by the District shall be transmitted to the Treasurer and shall be kept in a fund to be entitled OLIVEHURST PUBLIC UTILITY DISTRICT GENERAL FUND, excepting funds received by the Treasurer in trust from the District necessary to pay principal, interest and other expenses associated with improvements constructed by the District, including those improvements for which bonds or other certificates of participation have been issued and the District shall so advise the Treasurer of the need for said special funds and it is to be maintained in said status until the obligations under which said funds have been established have been satisfied.

3. All claims properly allowed by the Board of Directors of said district shall be paid by warrant on said Treasurer by two authorized signatures of said District and shall be subject to audit and allowance by the County Auditor.

4. Warrants drawn on the Treasurer by Olivehurst Public Utility District are entitled to preference as to payment out of

money in the fund available to honor such warrant, according to the order in which they shall be presented to the Treasurer for payment.

5. The provisions of law pertaining to public utility districts and the investment of surplus funds thereof (Government Code Section 53600, et seq.) and relating to the manner of presentment and payment of claims, issuing warrants, and settling accounts, as far as they may be applicable, shall apply to the Treasurer of Yuba County in his position as Treasurer with the Olivehurst Public Utility District.

6. The District shall, in accordance with the provisions of Section 53646 of the Government Code of the State of California, adopt an Investment Policy and the Treasurer shall, as directed by the Board of Directors of Olivehurst Public Utility District and as communicated from time to time to the Treasurer, ensure compliance with said Investment Policy and routinely report to the Board as to the status of said funds and their investment and conformance with said policy.

7. The District may, from time to time, and as determined to be appropriate by the Board of Directors and/or on recommendation of the Treasurer of Yuba County, in his capacity as Treasurer of Olivehurst Public Utility District, amend and revise this Ordinance and/or the policies under which the funds of the District shall be invested and the Treasurer shall so comply with said investment policies and directives as they may be duly adopted by the Board of Directors of Olivehurst Public Utility District.

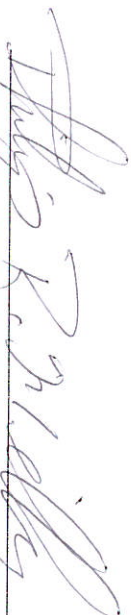
8. In accordance with the provisions of Section 53600.3 of the Government Code of the State of California, as Treasurer of Olivehurst Public Utility District, the Treasurer of the County of Yuba shall act as a fiduciary and receive all funds from the District in trust in said fiduciary capacity for the benefit of and for the sole use of the Olivehurst Public Utility District. The District may, from time to time, in a manner duly and properly authorized by the Board of Directors, direct the Treasurer of the County of Yuba, in its capacity as Treasurer of Olivehurst Public Utility District to place said funds in investments authorized for public agencies in a manner where they are separately accounted for and maintained for the benefit of Olivehurst Public Utility District and/or permit the

investment of said funds in established investments and/or pools maintained by the County of Yuba, as is directed by the Board of Directors of Olivehurst Public Utility District in its sole discretion. In the event of a conflict between the investment standards of Olivehurst Public Utility District and the investment standards of Yuba County, the Treasurer shall notify Olivehurst Public Utility District of the conflict, and the investment standards of Yuba County shall apply.

9. A certified copy of this Ordinance shall be delivered to the County Treasurer and County Auditor of Yuba County. This Ordinance shall take effect upon the expiration of 30 days after its passage, and it shall be duly posted and published by the Clerk of the District prior to the expiration of said thirty (30) day period.

PASSED AND ADOPTED this 20th day of February, 1997.

OLIVEHURST PUBLIC UTILITY DISTRICT



President, Board of Directors

ATTEST:



Deputy Clerk & ex-officio Secretary

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY



Jeffrey A. Meith, Legal Counsel

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I hereby certify that the foregoing is a full, true and correct copy of an Ordinance duly adopted and passed by the Board of Directors of the Olivehurst Public Utility District, Yuba County, California, at a meeting thereof held on the 20th day of February, 1997, by the following vote:

AYES, AND IN FAVOR THEREOF: DIRECTORS BLUETT, CHRISTENSEN, MORRISON, PATRICK, AND MILLER

NOES, : NONE

ABSTAIN, : NONE

ABSENT, : NONE



Deputy Clerk & ex-officio Secretary