

Part 2 ADMINISTRATION

Chapter 1 Board of Directors

Purpose & Mission

The primary mission of the Central Basin Municipal Water District is to provide reliable, high-quality water supplies from MET and local recycled water sources, to meet present and future water needs, at an equitable and economical cost, and to promote water use efficiency throughout the District's service area.

Article 1 – Articles of Election or Appointment

New legislation effective January 1, 2017 expanded the membership of the Board of Directors of the District. Until the directors elected at the November 8, 2022 election take office, the Board of Directors will be composed of eight directors.

In addition to the four publically-elected directors, three additional directors will be appointed by the water purveyors within the District pursuant to Section 71267 of the Water Code. After 2022, the Board of Directors will be composed of seven directors, as one of the elected positions will be eliminated through redistricting.

1.1 Election of Public Officials

Directors are elected to office in accordance with the provisions of the Municipal Water District Law of 1911. Elections shall be conducted in November of even numbered years and the term of office shall be for four (4) years. The timing of elections for each District shall be as follows and shall continue every four (4) years thereafter:

Division 1	November 2024
Division 2	November 2024
Division 3	November 2022
Division 4	November 2024

1.2 Appointments of Public Officials

When a vacancy of a publicly elected seat occurs on the Board prior to the expiration of a term, the remaining Directors shall have the option of filling such vacancy by appointment by a majority vote of the Board, or by calling for an election in the manner set forth in Government Code section 1780.

If the Board fails to fill the vacancy either by appointment or by calling for an election, the manner in filling the vacancy shall be governed by the method as set forth in Government Code section 1780.

1.3 Authorization and Application of Appointed Purveyors

The following rules establish the procedures by which the water purveyors will appoint members to the three seats allocated to them.

Section 71267(c)(1) of the Water Code provides as follows:

The three directors appointed by the water purveyors shall be selected by the water purveyors every four years as follows:

- (a) One director shall be selected by all large water purveyors from the nominees of large water purveyors. Each large water purveyor shall have one vote.
- (b) One director shall be selected by all cities that are water purveyors of the district from the nominees of cities. Each city shall have one vote.
- (c) One director shall be selected by all of the water purveyors of the district from any nominee. The vote of each purveyor shall be weighted to reflect the number of service connections of that water purveyor within the district.

Section 71267(c)(2) of the Water Code provides as follows:

The appointment of directors pursuant to paragraph (1) shall not result in any of the following:

- (a) The appointment of three directors that are all employed by or representatives of entities that are all large water purveyors.
- (b) The appointment of three directors that are all employed by or representatives of entities that are all cities.
- (c) The appointment of three directors that are all employed by or representatives of entities that are all small water purveyors.

1.4 Nomination and Selection of Appointed Purveyor

- (a) Written notice of the opportunity to submit nominations for appointment to the Central Basin Municipal Water District Board of Directors shall be sent by the District to all entities eligible to vote no later than 120 calendar days prior to the date scheduled for appointment. The notice shall (1) inform each such entity of its right to nominate any number of eligible individuals for any office to be filled; and (2) inform each entity eligible to vote of the positions to be filled on the Board.
- (b) Nominations shall be made on nomination forms to be prepared by the District, samples of which are to be disclosed and discussed at a Purveyor Workshop, the notice for which discloses such proposed action.

- (c) Nominations may be submitted at any time during the 60-day period defined by written notice by the District, provided that the nomination period shall not begin earlier than 120 days before the date the seat is to be filled. Nominations shall be submitted on the form provided by the District and shall be accompanied by the candidate's certification and statement of qualifications, which shall be limited to one page. Nominations received by the District after the specified deadline will be deemed invalid.
- (d) Prior to appearing on a ballot, a nominee for appointment as a director shall certify in writing (i) that he or she does not hold elective office, (ii) that he or she does not hold more than 0.5 percent ownership in a company regulated by the California Public Utilities Commission, (iii) that he or she lives or works within the District, and (iv) that he or she has a minimum of five years' experience in one or more positions materially responsible for performing services relating to the management, operations, engineering, construction, financing, contracting, regulation or resource management of a Public Water System. For purposes of subsection ii above, a candidate shall be deemed to "work within the District" if he or she is primarily and directly responsible for the operation or management of one or more components of a Public Water System which component(s) are physically located within the boundaries of the District.
- (e) A form of mail ballot containing all qualifying mailed nominations for each category to be filled at the election, and including a copy of the candidates' certifications and statements of qualifications, shall be distributed by the District by certified mail or FedEx to each entity eligible to vote in that category no later than 30 days prior to the scheduled election. A separate ballot shall be provided for each office to be filled. An affidavit signed by the responsible staff member stating that all eligible entities were sent a ballot shall be filed with the election information maintained by District. The mail ballot shall indicate that each eligible entity shall return the ballot as directed by the General Manager and that only those ballots physically received at the District's headquarters or postmarked on or prior to the close of business on the specified deadline shall be considered valid and counted. Ballots received after the specified deadline will not be counted.
- (f) Seats shall be filled by tabulation of the separate written ballots submitted for each category in which a Water Purveyor is eligible to vote. All ballots shall remain sealed until opened and tallied by the General Manager at a Purveyor Workshop. The election results shall be certified by the General Manager and the results of the election shall be reported within 7 days of the election by posting the results on the District's website.
- (g) In the event of a tie of successful candidates, a new ballot containing only the tied successful candidates shall be distributed by certified mail or FedEx to each entity eligible to vote in the relevant category. The new ballot shall indicate that each entity eligible to vote shall return the completed ballot as directed by the General Manager, and only those ballots physically received at the District's headquarters

or postmarked on or prior to the close of business on the date so designated shall be considered valid. The deadline date for return of the ballots shall be no earlier than 30 days nor later than 50 days after the ballots are distributed. In the event that there were only two original candidates, or if the second ballot also results in a tie, the successful candidate shall be chosen by a drawing conducted by the General Manager at a Purveyor Workshop.

- (h) If the selection of a director under these procedures would result in a violation of the restriction in Section 1.2 of these rules (Wat. C. §71267(c)(1)(C)), the first eligible candidate receiving the next highest number of votes shall be selected.
- (i) In order to ensure continuity of knowledge, the directors first appointed by the Purveyors, at the time they are seated, shall classify themselves by lot so that two of them shall hold office until the selection of their successors at the first succeeding purveyor selection and one of them shall hold office until the selection of his or her successor at the second succeeding purveyor selection. The first succeeding purveyor selection shall be scheduled to coincide with the term of office of the next directors to be publically elected, and the second succeeding purveyor selection shall be scheduled for two years thereafter. An appointed director may not serve more than one consecutive term of office on the Board, whether or not his or her initial term is for two years or four years.
- (j) The above deadlines shall apply in the original nomination and selection process, where the normal expiration of the term of office occurs, and when it is necessary to fill a position following a vacancy, including a vacancy occurring as a result of the application of Wat. C. § 71267(f); where there is a term of office remaining, nominations for the balance of the term shall be valid if received by the District within 60 days of notice by the District, and ballots shall be timely submitted within 30 days of the close of the nominations period, unless all Purveyors submit nominations or affirmatively decline to make a nomination within a shorter period of time.
- (k) Ballots are public information and shall be treated as public records within the meaning of Government Code §§ 6250 et seq.
- (l) An appointed Water Purveyor shall be subject to all applicable conflict-of-interest and ethics provisions and shall recuse himself or herself from participating in a decision that could have a direct material benefit on the financial interests of the director, please refer to Chapter 9, Directors' Code of Conduct.

1.5 Oath of Office

Terms of elected directors respectively begin and end at noon on the first Friday in December at the end or beginning of the term.