



# San Gabriel Basin Water Quality Authority

1720 W. Cameron Avenue, Suite 100, West Covina, CA 91790 • 626-338-5555 • Fax 626-338-5775

**WQA ADMINISTRATIVE/FINANCE COMMITTEE  
TO BE HELD ON TUESDAY, AUGUST 8, 2023 AT 10:00 A.M.  
AT  
1720 W. CAMERON AVE., SUITE 100 IN WEST COVINA, CA**

**Zoom Registration Link:**

<https://us06web.zoom.us/meeting/register/tZUocu-vpj0pG9PpnnUQT7jGJckJN4zKUXRe>

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**AGENDA**

**Committee Members:** Lynda Noriega, Mark Paulson and Robert DiPrimio

**Liaison Member:** Dave Michalko

- I. Call to Order
- II. Remote Participation Declaration - AB 2449  
[Government Code Section 54953(f)]
  - a. Notification of Just Cause
  - b. Emergency Circumstances Requests
- III. Public Comment
- IV. Discussion Regarding ACWA Board Officers' Election for President and Vice President for the 2024-2025 Term [enc]
- V. Discussion Regarding ACWA Region 8 Election for the 2024-2025 Term [enc]
- VI. Discussion Regarding ACWA Committee Appointments for the 2024-2025 Term [enc]
- VII. Discussion Regarding Updates to WQA Election Procedures [enc]
- VIII. Executive Director's Report
- IX. Adjournment



# San Gabriel Basin Water Quality Authority

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## AGENDA SUBMITTAL

**To:** WQA Administrative/Finance Committee  
**From:** Randy Schoellerman, Executive Director  
**Date:** August 8, 2023  
**Subject:** Election for ACWA President and Vice-President for the 2024-2025 Term

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### Summary

The Association of California Water Agencies (ACWA) will be holding its biennial election for ACWA President and Vice-President for the 2024-2025 term.

The ACWA Election Committee will present an open ballot with all qualified candidates that will be distributed July 17. Members of ACWA will elect the President and Vice President by voting electronically before ACWA's annual meeting at fall conference. Since the voting period has been moved up, the results of the election will be formally announced on Sept. 27.

The deadline for voting is 5 p.m. on Sept. 15. There will be no voting at fall conference. Mailed ballots must be postmarked by Sept. 15 and received by Sept. 20 to be counted.

The official candidates are:

### President

Cathy Green

### Vice-President

Ernesto "Ernie" A. Avila

Michael Saunders

### Enclosures

*ACWA Board Officers' Election Ballot for President & Vice-President*

*ACWA Board Officers' Candidate Statements*

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[How It Works](#)

[Logout \*\*Randy Schoellerman\*\*](#)

## ACWA Board Officers' Election for President & Vice President

Both questions below are optional.

Please vote for only **one** candidate for each seat.

To write-in the name of an eligible qualified candidate, select Write-in and then type the name. Write-in candidates must be an elected or appointed director of an ACWA member agency and must submit a nominating/support resolution from their member agency's board no later than September 15.

Deadline to submit ballots is 5 p.m. on September 15.

### ACWA President



**Cathy Green (Election Committee's preferred candidate)**

[\[hide details\]](#)

As ACWA's Vice President since 2022, I have and will continue to diligently listen to and work on behalf of all ACWA members. My vision for ACWA is to fully embrace its motto of *Bringing Water Together*. I believe that we can accomplish this by unifying ACWA members and collaborating with stakeholders to find effective solutions to the challenges we face.



As your ACWA President, I will continue to advance the momentum I have built on key initiatives including: 1) advocating for state accountability on water infrastructure investments and policy issues, 2) spearheading the ACWA Council of Past Presidents to mentor new members so that they are aware of membership benefits, and 3)

furthering ACWA's economical, efficient, and effective member services through sound fiscal, HR, managerial, and administrative practices.

I will also work on three new initiatives including: 1) re-examining ACWA dues to provide equity for all members, 2) strengthening the Association's ability to attract, develop, and retain top industry talent, and 3) increasing non-dues revenues.

I ask for your vote so that I may continue working to ensure ACWA offers value for all members. My experience, qualifications, decade long ACWA membership, and role as ACWA Vice President have provided me a unique understanding of ACWA as the nation's largest statewide coalition of public water agencies. Please contact me any time at 714.321.0522 or CGreen@OCWD.com.

### **ACWA Board Member and Committees**

- ACWA Vice President (2022-current)
- Executive Committee (2020-current)
- Region 10 Chair (2018-2019)
- Region 10 Vice Chair (2016-2017, 2020-2021)
- Region 10 Board Member (2012-2021)
- Water Quality Committee (2012-current)
- Energy Committee (2019-current)
- State Legislative Committee (2012-2015)

### **Orange County Water District**

- President (2015-2016, 2022-current)
- 1st Vice President (2013, 2014, 2019-2022)
- Director (2010-current)
- Joint Planning Committee Chair
- Labor Ad Hoc Committee Chair

### **Civic, Professional Experience**

- Huntington Beach Mayor (2003, 2009)
- Council Member (2002-2010)
- Registered Nurse
- Law degree

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☐

Write-in:

## ACWA Vice President



**Ernesto “Ernie” A. Avila (Election Committee’s preferred candidate)** [\[hide details\]](#)

I want to be the next Vice-President of the Association of California Water Agencies (ACWA) because I want ACWA to continue to be the nexus of knowledge and leadership in water for California. We are emerging from a multi-year drought, and I will put my energy into strategies to keep water in the public eye with ACWA as the trusted sources for information and innovation. A priority for me is to ensure that ACWA continues to equip member agencies with information and resources necessary to support their water supply reliability efforts, implement infrastructure and watershed improvements, and address the challenges associated with climate change.



I have 40 years of experience with California water as a Civil Engineer, General Manager, Executive Director of three water coalitions involving over 50 water agencies, and I currently serve as CCWD Board President. I have led or supported over \$5 Billion in California water infrastructure serving over 5 million citizens and many industries today.

I have supported ACWA for 20 years including serving on the Board of Directors, the Executive Committee, the Region 5 Board, the Federal Affairs Committee, the ACWA Foundation Steering Committee and Chair of the Local Government Committee.

This year, we have gone from extreme drought conditions to concerns about flooding in months. ACWA has been leading the discussions for water supply reliability, investments in infrastructure, including above- and below-ground storage, and it is now crucial to progress beyond conversations to action. I want to work with all ACWA members to find strategies to advance projects and I will work with ACWA members to keep our seat at the table to affirm the state’s commitment to help fund and facilitate these critical investments.

I would be honored to represent our members as the next Vice-President of ACWA. Learn more at: [ccwater.com/AvilaForACWAVP](http://ccwater.com/AvilaForACWAVP).



**Michael Saunders** [\[hide details\]](#)

I have been working with water issues as an elected; with MSRs as a County LAFCO commissioner; through my work with the CABY Integrated Regional Water Management Group; my work in the water use efficiency workgroups with the Department of Water Resources; and as an Executive Board member of the Regional Water Authority. I have been active in ACWA since I became an elected official in 2018, each year increasing my level of participation and leadership, from conferences to workgroups to symposiums. I was a member of the Diversity, Equity, and Inclusion Workgroup which helped form the new ACWA Foundation. I am currently a member of the Headwaters Workgroup, Water Use Efficiency Workgroup, State Infrastructure Workgroup, and the Membership Committee. I also participate in the State Legislative Committee. I am on the ACWA Region 3 Board and have worked on a regional forum and event and on our regional issues dealing with guidelines and legislation.



The qualities I can bring to the office is my understanding of the water issues from our Region and the State along with my working relationship with our Board members, Regional members, ACWA members, ACWA staff, elected officials, and District Staff. Coming from a small agency, the input from our members is vital and important to bring each Agency's issues, strategies, and suggestions to the table and make every agency feel valued. I will continue to be a strong legislative advocate, continue to build on our outreach, and rely and utilize the expertise and talents of our members and ACWA staff. I am enthusiastic and committed to the work of ACWA and hope to bring my excitement to our members and continue to push for the growth and success of ACWA.

I would be honored to have your vote.

☐

Write-in:

Continue

Cancel



# San Gabriel Basin Water Quality Authority

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## AGENDA SUBMITTAL

**To:** Administrative/Finance Committee  
**From:** Randy Schoellerman, Executive Director  
**Date:** August 8, 2023  
**Subject:** ACWA Region 8 Board Election for the 2024-2025 Term

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### **Discussion**

It is time to elect the 2024-2025 ACWA Region 8 officers and board members who will represent and serve the members of Region 8. Attached, you will find the official ballot which includes the Region 8 Nominating Committee's recommended slate as well as individual candidates running for the Region 8 Board.

The Region board members are elected to represent the issues, concerns and needs of your region. The region chair and vice chair will serve on ACWA's Board of Directors for this two-year term of office. The newly elected chair will communicate the region board's committee recommendations to the ACWA President for the 2024-2025 term. Either the chair or vice chair will serve on the ACWA Finance Committee.

All ballots must be submitted electronically to ACWA by September 15, 2023.

### **Recommendation**

Review/Approve ballot selection of ACWA Region 8 officers and board members for the 2024-2025 term.

### **Attachment:**

Region 8 Ballot

# OFFICIAL REGION 8 Board Ballot

2024-2025 TERM



**Please return completed ballot  
by Sept. 15, 2023**

**E-mail:** [regionelections@acwa.com](mailto:regionelections@acwa.com)

**Mail:** ACWA  
980 9th Street, Suite 1000  
Sacramento, CA 95814

## General Voting Instructions:

- 1 You may either vote for the slate recommended by the Region 8 Nominating Committee or vote for individual region board members. Mark the appropriate box to indicate your decision.
- 2 Complete your agency information. The authorized representative is determined by your agency in accordance with your agency's policies and procedures.

Submitted board candidate bios and headshots are available on [www.acwa.com/elections/2023-region-elections/](http://www.acwa.com/elections/2023-region-elections/).

1

## Nominating Committee's Recommended Slate

- ☐ I concur with the Region 8 Nominating Committee's recommended slate below.

### CHAIR:

- **Anthony R. Fellow, Ph. D**, Vice President, Upper San Gabriel Valley Municipal Water District

### VICE CHAIR:

- **William Cooper**, Director, Santa Clarita Valley Water Agency

### BOARD MEMBERS:

- **Frank Colcord**, Director, Foothill Municipal Water District
- **Robert Lewis**, Board of Director, Rowland Water District
- **John T. Morris**, Member, Board of Directors, Metropolitan Water District of Southern California
- **Leonard E. Polan**, Director, Las Virgenes Municipal Water District
- **Scott Quady**, Board Member, Calleguas Municipal Water District

OR

## Individual Board Candidate Nominations

- ☐ I do not concur with the Region 8 Nominating Committee's recommended slate. I will vote for individual candidates below as indicated.

### CANDIDATES FOR CHAIR: (CHOOSE ONE)

- ☐ **Anthony R. Fellow**, Ph. D, Vice President, Upper San Gabriel Valley Municipal Water District

### CANDIDATES FOR VICE CHAIR: (CHOOSE ONE)

- ☐ **William Cooper**, Director, Santa Clarita Valley Water Agency

### CANDIDATES FOR BOARD MEMBERS: (MAX OF 5 CHOICES)

**Frank Colcord**, Director, Foothill Municipal Water District

**William Cooper**, Director, Santa Clarita Valley Water Agency

**Robert Lewis**, Board of Director, Rowland Water District

**John T. Morris**, Member, Board of Directors, Metropolitan Water District of Southern California

**Leonard E. Polan**, Director, Las Virgenes Municipal Water District

**Scott Quady**, Board Member, Calleguas Municipal Water District

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AGENCY NAME

AUTHORIZED REPRESENTATIVE

DATE





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## AGENDA SUBMITTAL

**To:** Administrative/Finance Committee  
**From:** Randy Schoellerman, Executive Director  
**Date:** August 8, 2023  
**Subject:** ACWA Committee Appointment Nominations for the 2024-2025 Term

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### **Discussion**

Committees are an integral part of ACWA's activities and policy development. Structured to include representation from all 10 ACWA regions, committees provide key technical and policy input to the ACWA Board of Directors and bring together expertise and perspectives from across the state. Committee members are appointed for two-year terms that begin on January 1 of even-numbered years. The end of the current committee term is approaching, and it is time to submit nominations for the ACWA Committees for the 2024-2025 term.

Staff recommends nominating the current WQA committee appointments:

Ground Water Committee –Randy Schoellerman and Dan Colby  
Water Quality Committee – Randy Schoellerman and Dan Colby  
Communications Committee – Stephanie Moreno  
Local Government Committee – Stephanie Moreno

### **Recommendation**

Review/Approve nominations for ACWA Committees for the 2024-2025 term.

### **Attachment:**

ACWA Committee Nomination Form and Information Packet



# JOIN A COMMITTEE AND GET INVOLVED

ACWA has 13 standing committees that members can join and get involved. This is a great way for members to engage in state and local issues and influence policy and legislation. Committees are structured to include representation from all 10 ACWA Regions, bringing together diverse voices on technical and policy matters. **Take action, join a committee!**

## COMMITTEE APPOINTMENT PROCESS TIMELINE

### 2024 - 2025 TERM

Committee consideration forms emailed to member agency general managers and board presidents.

28

JUNE

Region Chair and Vice Chair recommendation deadline.

9

NOV

Incoming ACWA President appoints members of committees.

13

DEC

30

SEPT

All completed consideration forms due.  
*Any consideration submitted after deadline will be put on a waiting list.*

29

NOV

Region recommendations given to incoming ACWA President.

31

DEC

ACWA notifies committee members of appointments and rosters posted on [acwa.com](http://acwa.com).

# COMMITTEE COMPOSITION

Committee members are appointed for two-year terms that begin on Jan. 1 of even-numbered years. You can learn more about ACWA's 13 standing committees below. For more information and bylaws, visit [www.acwa.com](http://www.acwa.com). If you have any questions, please contact Region and Member Engagement Specialist Ana Javid at [anaj@acwa.com](mailto:anaj@acwa.com).

Committee	Description	Composition	Meetings Per Year	Liaison
Agriculture	<ul style="list-style-type: none"> <li>Makes recommendations to the Board of Directors, State Legislative Committee, Federal Affairs Committee or other committees, as appropriate, regarding agricultural issues affecting the interests of ACWA and its members.</li> </ul>	Unlimited	4	<b>Stephen Pang</b> State Relations Advocate <a href="mailto:stephenp@acwa.com">stephenp@acwa.com</a>
Business Development	<ul style="list-style-type: none"> <li>Develops and recommends to the Board of Directors programs and activities to be provided or administered by the association that generate non-dues revenue and provide a service or benefit to association members.</li> </ul>	Unlimited	2	<b>Joseph Ramos</b> Business Development Representative <a href="mailto:josephr@acwa.com">josephr@acwa.com</a>
Communications	<ul style="list-style-type: none"> <li>Develops and recommends to the Board of Directors and ACWA staff regarding communications and public affairs programs.</li> <li>Promotes sound public information and education programs and practices among member agencies.</li> <li>Prepares and distributes materials for use by member agencies in their local outreach efforts.</li> <li>Provides input and guidance to ACWA's Communications Department.</li> </ul>	Limited to 40	4	<b>Heather Engel</b> Director of Communications <a href="mailto:heathere@acwa.com">heathere@acwa.com</a>
Energy	<ul style="list-style-type: none"> <li>Recommends policies and programs to the Board of Directors, the State Legislative Committee and the Federal Affairs Committee as appropriate.</li> </ul>	Unlimited	4	<b>Nick Blair</b> State Relations Advocate <a href="mailto:nickb@acwa.com">nickb@acwa.com</a>
Federal Affairs	<ul style="list-style-type: none"> <li>Coordinates with other ACWA committees regarding input on federal issues before both Congress and the federal administrative branches.</li> </ul>	Limited to 5 per Region	2	<b>David Reynolds</b> Director of Federal Relations <a href="mailto:davidr@acwa.com">davidr@acwa.com</a>
Finance	<ul style="list-style-type: none"> <li>Makes recommendations to the Board of Directors regarding annual budgets, investment strategies, annual audits and auditor selection, dues formula and schedule, and other financial matters.</li> </ul>	Limited to 2 per Region (1 Region Chair/ Vice Chair and 1 with financial experience)	4 - 5	<b>Dan Gumpert</b> Controller <a href="mailto:dang@acwa.com">dang@acwa.com</a>
Groundwater	<ul style="list-style-type: none"> <li>Makes recommendations to the Board of Directors on groundwater policy issues.</li> <li>Monitors state and federal regulations and legislation affecting the quality and management of groundwater.</li> <li>Conducts studies and gathers data on groundwater issues.</li> <li>Develops policies regarding groundwater management.</li> <li>Coordinates with other committees on groundwater issues.</li> </ul>	Unlimited	4	<b>Soren Nelson</b> State Relations Advocate <a href="mailto:sorenn@acwa.com">sorenn@acwa.com</a>

Committee	Description	Composition	Meetings Per Year	Liaison
Legal Affairs	<ul style="list-style-type: none"> <li>Acts on requests for assistance on legal matters of significance to ACWA member agencies.</li> <li>Reviews proposed ACWA bylaw revisions and works with staff to produce publications to assist member agencies in complying with state and federal laws.</li> <li>Files amicus curiae filing on important cases, comments on proposed regulations and guidelines of state agencies such as the Fair Political Practices Commission and monitors and engages in water rights matters of interest to member agencies.</li> </ul>	Limited to 45	2 - 3	<b>Kris Anderson</b> State Relations Advocate <a href="mailto:krisa@acwa.com">krisa@acwa.com</a>
Local Government	<ul style="list-style-type: none"> <li>Makes recommendations to the Board of Directors and the State Legislative Committee on local government matters affecting water agencies, including planning issues, local government organization, and finance.</li> <li>Gathers and disseminates information on the value of special districts, and shares information promoting excellence in local government service delivery.</li> </ul>	Limited to 3 per Region	2	<b>Julia Hall</b> Legislative Relations Manager <a href="mailto:juliah@acwa.com">juliah@acwa.com</a>
Membership	<ul style="list-style-type: none"> <li>Makes recommendations to the Board of Directors regarding membership policies, eligibility and applications for membership.</li> <li>Assists staff in developing membership recruitment and retention programs and reviews and makes recommendations to the Finance Committee regarding an equitable dues structure.</li> </ul>	Unlimited	2	<b>Katie Dahl</b> Member Services Manager <a href="mailto:katied@acwa.com">katied@acwa.com</a>
State Legislative	<ul style="list-style-type: none"> <li>Reviews relevant introduced and amended legislation, and develops positions and provides recommendations to the Board of Directors on ballot measures and other major statewide policy issues.</li> <li>Works with staff amendments to bills and provides direction for staff on legislative matters.</li> </ul>	Limited to 4 per Region	10 - 12	<b>Adam Quiñonez</b> Director of State Relations <a href="mailto:adamq@acwa.com">adamq@acwa.com</a>
Water Management	<ul style="list-style-type: none"> <li>Makes recommendations to the Board of Directors on policy and programs related to water management.</li> <li>Reviews and recommends positions on legislation and regulations as requested by other committees.</li> <li>Assists in gathering and disseminating information regarding agricultural and urban water management, water conservation and water use efficiency, development and use of water resources, wastewater treatment and water recycling and reuse.</li> </ul>	Limited to 4 per Region	4	<b>Chelsea Haines</b> Regulatory Relations Manager <a href="mailto:chelseah@acwa.com">chelseah@acwa.com</a>
Water Quality	<ul style="list-style-type: none"> <li>Makes recommendations to the Board of Directors, the State Legislative Committee and the Federal Affairs Committee on policy and programs regarding water quality issues.</li> <li>Promotes cost-effective state and federal water quality regulations and provides a forum for members to work together to develop and present unified comments on water quality regulations.</li> <li>Develops and recommends positions and testimony on water quality regulatory issues.</li> </ul>	Unlimited	4	<b>Nick Blair</b> State Relations Advocate <a href="mailto:nickb@acwa.com">nickb@acwa.com</a>

TO GET INVOLVED, SUBMIT YOUR CONSIDERATION FORM NOW!



# COMMITTEE CONSIDERATION FORM

PLEASE PRINT LEGIBLY

Agency Name (DO NOT use acronyms or abbreviations)		ACWA Region #
Agency Address	City, State & Zip	Phone

**BELOW PLEASE LIST ALL THOSE INTERESTED IN BEING ON ACWA COMMITTEES FOR YOUR AGENCY.  
FOR ADDITIONAL RECOMMENDATIONS PLEASE FILL OUT ANOTHER FORM.**

*\*If an individual is not an agency employee or director, please indicate company affiliation.*

Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice

Signature (Agency/District General Manager or Board President signature required)	Title	Date
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*Committee member contact information will be shared on the committee roster and is to be used for committee business only.*

## QUESTIONS?

Contact [acwacommittees@acwa.com](mailto:acwacommittees@acwa.com)  
or (916) 441-4545

980 9th Street, Suite 1000  
Sacramento, CA 95814  
[www.acwa.com](http://www.acwa.com)



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## AGENDA SUBMITTAL

**To:** WQA Administrative/Finance Committee  
**From:** Randy Schoellerman, Executive Director  
**Date:** August 8, 2023  
**Subject:** **Updates to WQA Election Procedures For City Members**

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### Summary

Staff has reviewed the WQA election procedures for the City Members and has recommended some updates. The first update aims to modernize the nomination and voting process by allowing members to submit nominations and cast votes via email. The second update is to incorporate the language regarding how to fill a vacancy pursuant to SB 413.

### Recommended Action

Approve recommended updates to the WQA election procedures.

### Enclosures

*Draft Updates to WQA Election Procedures*

**DRAFT**

**PROCEDURES FOR CALLING AND CONDUCTING ELECTIONS  
OF CITY MEMBERS AND ALTERNATES FROM  
CITIES WITH PUMPING RIGHTS  
AND FROM  
CITIES WITHOUT PUMPING RIGHTS  
TO THE BOARD OF THE SAN GABRIEL WATER QUALITY AUTHORITY**

1. Definition.

“Authority” means the San Gabriel Basin Water Quality Authority.

“Board” means the San Gabriel Basin Water Quality Authority Board, which is the governing body of the Authority.

“City” means a city which partially or entirely overlies the Main San Gabriel Basin or a city which has, or may acquire, the right to pump water from the basin.

“Cities with pumping rights” means cities which have pumping rights in the basin in accordance with the judgment and includes the Cities of Alhambra, Arcadia, Azusa, Covina, El Monte, Glendora, Industry, Irwindale, Monrovia, Monterey Park, South Pasadena, and Whittier.

“Cities without pumping rights” means cities which do not have pumping rights in the basin in accordance with the judgment and includes the Cities of Baldwin Park, Bradbury, Duarte, La Puente, La Verne, Rosemead, San Dimas, San Gabriel, San Marino, Sierra Madre, South El Monte, Temple City and West Covina.

“Judgment” means the judgment, as amended or as it may be amended, of the Superior Court in and for the County of Los Angeles in Upper San Gabriel Valley Municipal Water District v. City of Alhambra (Case Number 924128).

“Main San Gabriel Basin” or “basin” means the groundwater basin underlying the land within the boundaries of the Authority.

2. City Members of the Board - Number and Qualifications.

- a). There shall be two members, and two alternates, of the Board of the Authority which are elected by the cities. One member, and one alternate, shall be elected by the cities with pumping rights. One member, and one alternate, shall be elected by the cities without pumping rights.
- b). An alternate member shall act in the place, and perform all the duties, of the city member selected by the same cities if that city member is absent from a meeting of the Authority or has vacated his or her office until the vacancy is filled pursuant to ~~the provisions of SB 1679~~Section 9 as set forth below.



- c). The member and alternate from cities with pumping rights shall be City Council members or Mayors from cities with pumping rights. The member and alternate from cities without pumping rights shall be City Council members or Mayors from cities without pumping rights.
- d). No person who, directly or indirectly, at the time of election, receives, or during the two-year period immediately preceding election received, 10 percent or more of his or her income from any person or public entity subject to regulation by, or that receives grants from or contracts for work with, the Authority may serve as a member of the Authority.

3. City Member of the Board - Term of Office.

The term of the city member shall commence on the first Monday in January and each member shall hold office for a term of four years and until the successor takes office.

4. Time and Place of Election.

An election of the city member and alternate from the cities with pumping rights and from the cities without pumping rights shall be conducted at the Board's final regular meeting of the calendar year preceding the expiration of the term of the office of that city member. ~~The election held to elect the initial city member and alternate from the cities with pumping rights and from the cities without pumping rights shall be conducted at a regular meeting of the Board prior to March 1, 1993.~~

5. Voting Rights of Cities.

- a). A City with pumping rights may vote for candidates to be elected to represent cities with pumping rights. A city with pumping rights may not vote for candidates to be elected to represent cities without pumping rights.
- b). A City without pumping rights may vote for candidates to be elected to represent cities without pumping rights. A city without pumping rights may not vote for candidates to be elected to represent cities with pumping rights.
- c). The number of votes which a city may cast is determined by the population of the city. Each city has one vote for each 10,000 residents or majority fraction thereof, as determined by the most recent United States decennial census data. The number of votes to which a city is entitled shall be computed by rounding the population of the city to the nearest 10,000 and dividing that number by 10,000. Each city has a minimum of one vote.

6. Nominations.

- a). Nominations for candidates for a city member elected by cities with pumping rights may be made by any city with pumping rights. Each city may nominate only one candidate.



b). At least 120 days preceding the meeting at which the election is to be held, the Authority shall send, by certified mail - return receipt requested, a Call for Nominations to the city council (city clerk and city manager) of each city with pumping rights. Such Call for Nominations shall be prepared in accordance with the sample attached as Exhibit "A-1".

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c). Nominations for candidates for a city member elected by cities without pumping rights may be made by any city without pumping rights. Each city may nominate only one candidate.

d). At least 120 days preceding the meeting at which the election is to be held, the Authority shall send, by certified mail - return receipt requested or FedEx, a Call for Nominations to the city council, (city clerk and city manager) of each city without pumping rights. Such Call for Nominations shall be prepared in accordance with the sample attached as Exhibit "A-2".

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e). Nominations shall be made by resolution of the city council of the nominating city. All nominations shall be submitted to the Authority at least 60, but not more than 90 days preceding the meeting at which the election is to be held, or in the case of a vacancy filled by board appointment, the meeting at which the board will select an appointee to fill the vacancy to the office of member or alternate. The nominations shall be submitted to the Authority, via certified mail, FedEx, UPS or similar service, hand delivery or email.

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## 7. Ballots.

a). The Authority shall compile all nominations which were received from the cities with pumping rights and shall prepare a ballot listing all nominated candidates in accordance with the sample ballot attached as Exhibit "B-1".

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b). The Authority shall compile all nominations which were received from the cities without pumping rights and shall prepare a ballot listing all nominated candidates in accordance with the sample ballot attached as Exhibit "B-2".

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c). Each ballot shall indicate the number of votes which the city is entitled to cast.

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d). At least 45 days before the meeting at which the election is to be held, the Authority shall distribute, by certified mail - return receipt requested, the ballots to each city eligible to vote in the election.

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## 8. The Election.

a). Each city shall cast all of its votes for one candidate, by resolution of the city council. The resolution casting the city's votes shall be delivered to the Authority via certified mail, FedEx, UPS or similar service, hand delivery or email at least 24 hours before the meeting of the Board at which the election is held. Any resolutions not received by the Authority 24 hours before the election may not be

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counted.

- b). At the Meeting at which the election is held, the Board of the Authority shall cause the votes to be counted. The candidate receiving the highest number of votes cast by cities with pumping rights shall be elected to fill the office representing cities with pumping rights. The candidate receiving the next highest number of votes cast by cities with pumping rights, who is not a city council member from the same city as the candidate receiving the highest number of votes, shall be elected as the alternate member. The candidate receiving the highest number of votes cast by cities without pumping rights shall be elected to fill the office representing cities without pumping rights. The candidate receiving the next highest number of votes cast by cities without pumping rights, who is not a city council member from the same city as the candidate receiving the highest number of votes, shall be elected as the alternate member.

9. Vacancy.

If a city member or alternate city member ceases to be a city council member, the office on the board occupied by that member shall be deemed vacant. A vacancy in the office of a city member or alternate shall be filled by either of the following:

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- a). A special election called by the board.  
The board shall call a special election if there are more than two years remaining on the unexpired balance of the term of the office that is vacant.
- b). An appointment made by the board from among the nominees submitted by those cities represented by the member or alternate who has vacated the office as a member or alternate.
- c). The board may allow the vacated office of a member or alternate to remain vacant if there is less than six months remaining on the unexpired balance of the office's term.

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In the event a special election is called by the Authority. Only those cities which are eligible to vote for the member or alternate to the office in which the vacancy has occurred (i.e. with pumping rights or without pumping rights) are eligible to vote in the special election for that office. Nominations and balloting shall be conducted in the same manner as a regular election, except that the date of the election and time periods shall be as prescribed by the Authority. The member or alternate elected to fill a vacancy shall meet the qualifications applicable to the vacant office and shall serve for the remaining term of the vacant office.

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- a). In the event the person holding the office of alternate member representing cities with pumping rights is elected to fill the vacancy for member, then the candidate receiving the next highest number of votes in the same election shall be elected to the office of alternate member; and

- b). In the event the person holding the office of alternate member representing cities with pumping rights is not elected to fill the vacancy for member, then he or she remains the alternate.
- c). In the event the person holding the office of alternate member representing cities without pumping rights is elected to fill the vacancy for member, then the candidate receiving the next highest number of votes in the same election shall be elected to the office of alternate member; and
- d). In the event the person holding the office of alternate member representing cities without pumping rights is not elected to fill the vacancy for member, then he or she remains the alternate.