



**SPECIAL MEETING  
OF THE BOARD OF TRUSTEES  
LOCATION: TELECONFERENCE – SEE BELOW**

**January 24, 2022, 6:30 PM**

**AGENDA**

**IMPORTANT NOTICE REGARDING COVID-19 AND TELECONFERENCED MEETINGS:**

Based on the authority under AB 361 and the guidance from the County Public Health Officer and the CDC to minimize the spread of the coronavirus, please note the following changes to the District's ordinary meeting procedures:

- The District's Board Room is not open to the public at this time.
- The meeting will be conducted via teleconference using Zoom.
- All members of the public seeking to observe and/or to address the local legislative body may participate in the meeting telephonically or otherwise electronically in the manner described below.

**HOW TO OBSERVE THE MEETING:**

**Telephone:** Listen to the meeting live by calling Zoom at **(408) 636-0968** or **(669) 900-6833**.

Enter the **Meeting ID# 650-344-8592** followed by the pound (#) key. More phone numbers can be found on Zoom's website at <https://zoom.us/j/6503448592> if the line is busy.

**Computer:** Watch the live streaming of the meeting from a computer by navigating to <https://zoom.us/j/6503448592> using a computer with internet access that meets Zoom's system requirements (see <https://support.zoom.us/hc/en-us/articles/201362023-System-Requirements-for-PC-Mac-and-Linux>)

**Mobile:** Log in through the Zoom mobile app on a smartphone and enter **Meeting ID# 650-344-8592**.

**ACCESSIBILITY INFORMATION:**

Board Meetings are accessible to people with disabilities and others who need assistance. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to observe and/or participate in this meeting and access meeting-related materials should contact Brian Weber, District Manager, at least 48 hours before the meeting at (650) 344-8592 or [bweber@smcmvcd.org](mailto:bweber@smcmvcd.org). Advanced notification will enable the District to swiftly resolve such requests to ensure accessibility.

**PUBLIC RECORDS:**

Public records that relate to any item on the open session agenda for a meeting are available for public inspection. Those records that are distributed after the agenda posting deadline for the meeting are available for public inspection at the same time they are distributed to all or a majority of the members of the Board. The Board has designated the District's website located at <https://www.smcnvcd.org/board-meetings> as the place for making those public records available for inspection. The documents may also be obtained by calling the District Manager.

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

- Secretary of the Board will take roll call

**4. PUBLIC COMMENTS AND ANNOUNCEMENTS**

- This time is reserved for members of the public to address the Board relative to matters of the District not on the agenda. No action may be taken on non-agenda items unless authorized by law. Comments will be limited to three minutes per person (or six minutes where a translator is being used). Speaker cards are available for those making a public comment

**5. STUDY SESSION**

Hold a Study Session regarding District Policy **4150 Nomination and Election of Board Officers**

**ACTION:** Motion to consider recommending edits to policy **4150 Nomination and Election of Board Officers**, if necessary

## Agenda Item 5

### **SUBJECT: Study Session regarding Policy 4150 Nomination and Election of Board Officers**

---

#### **Summary**

At their November 10, 2021, Board of Trustees Meeting, Officers of the District Board were nominated as directed in **Policies 4150.41 – 4150.414**. The slate of nominees was included in the January Board meeting packet and voted on as directed in **Policies 4150.421 - 4150.430**. Numerous concerns were raised by Trustees during both the nomination and Board Officer election process.

Although the next election cycle is not for two years, it was determined that it was best to conduct a study session to review the nomination and election process while ideas were fresh. Additionally, Staff and Counsel have reviewed election and nomination policies at other special districts/government agencies that may be useful as a point of comparison. With this information in mind, President Martin decided to hold a Special Board Meeting (Study Session) regarding **Policy 4150 Nomination and Election of Board Officers** to solicit Board comment.

#### **How will the Study Session function?**

The Study Session will function much like a regular Board meeting, However, the sole focus will be on **Policy 4150**. You can expect:

- A respectful discussion amongst Board members regarding **Policy 4150 Nomination and Election of Board Officers**.
- To provide comment and hear feedback on potential changes to the policy or how the policy is implemented (or practiced).
- With the help of Counsel, to determine if those changes or practices meet legal requirements, including the Brown Act.
- A summary of the feedback and recommendations for policy changes (if any) to be reported to the full Board at a regular meeting to consider further action.

#### **What will the Trustees discuss?**

Some of the feedback already received that the Trustees should be prepared to discuss further at this study session is:

- Too much time between nominations (November) and the Board Officer election (January)
- Not enough volunteers for Officer positions / reasons for Trustees declining nominations
- Need for an Officer Nomination Committee
- Too many officer positions (*e.g.*, delegate secretary / assistant functions to staff)
- Timing of candidates' speeches / statements regarding their vision for office
- Roll call voting procedure, particularly where a position has multiple nominees

The nomination and election procedures used by other agencies.

Trustees are also encouraged to bring additional ideas or concerns related to the nomination and election process to the meeting. The ultimate goal will be to consider whether any change is needed to Policy 4150 and, if so, to craft a legal nomination or election policy or practice that Board members can come to a consensus on.

**Materials Attached**

1. Policy **4150 Nomination and Election of Board Officers**
2. Sample nomination and election policies of other agencies



---

## **POLICIES AND PROCEDURES**

**TITLE:**                    **Nomination and Election of Board Officers**

**NUMBER:**                **4150**

**4150.10**            **Background** The Officers of the District Board of Trustees include the President, Vice President, Secretary, and Assistant Secretary. All officers are elected by the membership at large. The term of office is for two consecutive years. Each officer may stand for re-election.

**4150.20**            **Overview**

**4150.21**            Nominations for the officers will be accepted by the Board Secretary from the floor at the November Board meeting, or in writing prior to the November meeting.

**4150.22**            The Board Secretary will include the election notice and a list of candidates in the Pre-packet for the January Board Meeting.

**4150.23**            The election will be conducted by a roll call vote at the January Board meeting and the results will be announced at that meeting.

**4150.24**            The new Board Officers will take office at the following February Board meeting.

**4150.30**            **Criteria**

**4150.31**            Participation on the Board of Trustees as a Board Officer requires a substantial commitment of time. Policies #4040-4070 on the Duties of Board Officers and Policy #4150 on Nominations and Elections will be included in the packet for the November Board meeting that is sent to all Trustees.

**4150.40**            **Process**

**4150.41**            Nominations for the Board officers will occur at the November Board meeting as directed:

---



**4150.411** Nominations can be submitted orally, at the November Board meeting, or in writing, to the Board Secretary, prior to the November Board meeting.

**4150.412** Trustees who are present when nominated must immediately accept or decline. Nominated Trustees who are absent must accept or decline by writing to the Board Secretary prior to the mailing of the January Board packets. Nominees who fail to respond on time will be considered to have declined the nomination.

**4150.413** After the closing of nominations at the November Board meeting, each candidate may make a brief acceptance statement.

**4150.414** At the November Board meeting, the Board Secretary will announce the Slate of Candidates for Board Offices (Appendix # 4150-1). The Slate of Candidates for each office will be confirmed at the November meeting by a majority vote of the Board.

**4150.415** Requests by nominees to have their names removed from the ballot must be submitted in writing and received by the Board Secretary prior to the mailing of the Pre-Packet for the January Board Meeting.

**4150.42** Election of the Board Officers will be conducted at the January Board meeting as directed:

**4150.421** The Board Secretary will provide a list of candidates for each Board Office (Appendix #4150-2) for inclusion in the packet for the January Board meeting.

**4150.422** The list of candidates for each Board Offices will have each Trustee listed only once and for only one position. The list of candidates will include all nominees who have agreed to stand for election.

**4150.424** A candidate must receive a majority of the votes cast in order to be elected to office.

**4150.425** If no candidate receives a majority of the votes cast, then a runoff election will be held between the two candidates with the highest number of votes.



**4150.426** In the event of a three way or more tie for the highest number of votes in the election, a drawing of straws will be used in order to eliminate all but two of the candidates. The remaining two candidates will participate in a runoff election.

**4150.427** In the event of a tie in a runoff election, a coin flip will determine the winner.

**4150.428** The election roll call votes will be tallied at the January Board meeting by the Board Secretary.

**4150.429** The election tally sheet will be included in the record for the Board meeting.

**4150.430** The Board Secretary will announce the elected Board Officers at the January Board meeting, after the votes have been tallied.

**4150.431** If any office becomes vacant during the two-year term, nominations and a special election to fill the remaining term, will be held at the next appropriate Board of Trustees meetings. Time must be allowed to include the nominations and election announcement and documents in the packet for the Board meetings at which nominations are taken and the election will be held. Otherwise, the same nomination and election process described above (Policy #4150.20 to 4150.31) will be applied to the special election. Any qualified Trustee or qualified current Officer may be nominated to run for election. The election of a current Officer to the vacant position will create another vacancy and require an additional nomination and election to be held at the same meeting.

**Issued:** September 9, 2009

**Revised:** November 14, 2013

**Revised by committee:** June 2015

**Board Approval:** September 14, 2016

### **City of Rohnert Park:**

The Mayor and Vice Mayor will be elected by three (3) affirmative votes of the City Council. In years when members of the City Council are to be elected, the City Council shall consider the election of a Mayor and Vice Mayor for one (1) year terms at the first regular meeting after certification of the general election results has been received by the City. In years when no members of the City Council are to be elected, the City Council shall consider the election of the Mayor and Vice Mayor for one (1) year terms at the second regular meeting in November of each year or no later than the succeeding meeting.

### **Groveland Community Services District. (Note that they made staff take on the role of treasurer and secretary).**

Annually, at the regular December Board Meeting, the Board shall select a President and Vice President for the next calendar year. The General Manager or his designee shall perform the duties of Treasurer and the District's Executive Secretary shall be Board Secretary.

### **Livermore-Amador Valley Water Management Agency**

The officers of LAVWMA shall consist of a chair and a vice-chair, selected from the Board membership by a majority vote of the directors present. The Board shall have the power to appoint such additional officers as it deems necessary. The chair and vice-chair shall hold office for a period of one year commencing July 1<sup>st</sup> of each and every fiscal year.

### **SDRMA (Special District Risk Management Authority)**

There shall be three officers of the Board: a president, a vice president and a secretary, who shall be members of the Board of Directors.

Election of officers shall be held at the first meeting following January 1 of each year, and each officer's term shall begin immediately thereafter, and shall end following adjournment of the first meeting following January 1 of the next year, or as soon thereafter as a successor is elected.

In the event the president, vice president or secretary so elected ceases to be a member of the Board of Directors, the resulting vacancy in the office shall be filled by election at the next regular meeting of the Board of Directors after such vacancy occurs. The president or vice president may be removed, without cause, by the Board of Directors at any regular or special meeting thereof, by a two-thirds vote of the voting members of the Board.