

Governance Policies

California Urban Water Conservation Council

Governance Policies

Section 1. Elections of Officers and Board of Directors

- 1.1 The Council shall mail to the membership, by regular mail or by electronic mail, a nomination form prior to the September plenary. The form shall indicate that the filing deadline is 5:00 p.m. the day prior to the plenary for all completed nominations by fax; completed nominations may also be presented during Group caucuses at the September plenary. All candidates for election must be nominated at the September plenary.
- 1.2 The Council shall mail to the membership, by regular mail or by electronic mail no later than 14 days prior to the election, a ballot indicating the duly nominated candidates for Board of Directors and for officers. The ballot shall indicate that the absentee filing deadline is 5:00 p.m. the day prior to the election.
- 1.3 Each member shall have only one vote. Members shall have the option to vote by faxed and signed absentee ballot only, or to vote in person at the plenary, but not both. Members doing so shall have all such votes disqualified.
- 1.4 A member may vote for up to the maximum number of individual candidates for open seats for Board of Directors as described in Article VII of the Bylaws, Exhibit 5 of the MOU. Cumulative voting is not allowed: that is, voting multiple times for one candidate. Members doing so shall have all such votes disqualified.
- 1.5 Ballots must be legibly signed and shall include the name of the member printed clearly. All ballots must also clearly show the name of the member agency voting, and any ballot not clearly showing the name of the member shall be disqualified. In the event of a tie for the final Board of Directors seat or for an officer, the members present at the plenary shall cast a second ballot to break the tie.

(Approved by the Steering Committee August 7, 2002; Revise by the Plenary, September 16, 2011)

Section 2. Board of Directors Responsibility

- 2.1 It is the responsibility of each Board of Directors member agency or organization to select a representative that is sufficiently empowered to make decisions as may be required by the Committee. It will be the responsibility of each appointed representative to appropriately inform their respective agency or organization of all actions, activities, upcoming decisions or any other Board of Directors matter or

Governance Policies

California Urban Water Conservation Council

matters, such that the representative may transmit their agency's or organization's positions on issues to the Committee in a timely manner, facilitating the Board of Directors' decision making responsibilities.

(Approved by the Steering Committee May 7, 2002)

Section 3. Board of Directors Membership

3.1 In order for an agency or organization to be considered eligible to seek a position on the Board of Directors, or to remain as a participant for their respective terms, the agency or organization must be considered in "Good Standing" with the Council. "Good Standing" for this purpose means that all council dues payments must be current; and for Group 1 members, that the agency's annual BMP reports are filed and up to date.

(Approved by the Steering Committee August 7, 2002)

Section 4. Chair Emeritus

4.1 The outgoing Chair, or Chair Emeritus, shall be a Board of Directors member for the calendar year immediately following his or her term of office if not otherwise elected and if willing to serve. The Chair Emeritus is a non-voting ex-officio position on the Board of Directors.

(Approved by the Steering Committee February 5, 2003)

Section 5. Board of Directors Agenda

5.1 The Council shall manage its Board of Directors meetings as follows: each agenda item shall be introduced with a staff report; following the staff report will be an opportunity for public comment; to be followed by questions, comments, and decisions by Board of Directors members only. The meeting protocol will be Roberts Rules of Order.

(Approved by the Steering Committee May 7, 2002)

Section 6. Committee Procedures

6.1 The Council's Governance Committee shall be responsible for initiating the Executive Director's Annual Performance Review. The committee shall be responsible for oversight of Council governance, including review of bylaws, policies, membership development and training, communication (internal and

Governance Policies

California Urban Water Conservation Council

external), strategic planning, and meeting protocol. The committee shall supervise the creation of additional committees as needed, and closing of committees as the assigned tasks are completed, and the tracking of the progress of all existing committees. The Governance Committee shall be composed of three Group 1 representatives and three Group 2 representatives from the Board of Directors. Both the Chair and Vice-Chair shall be represented. The membership terms shall be reviewed yearly.

(Approved by the Steering Committee Feb 25, 2004; originally approved by the Steering Committee May 7, 2002)

- 6.2 Minutes shall be taken by Council staff at all Board of Directors, Finance, Governance and Plenary meetings. The draft minutes shall be posted within one week of the meeting on the Council's web site, in the appropriate committee area. Programmatic Committees shall designate a member to take and record minutes of their meetings.

(Approved by the Steering Committee November 8, 2004; Revised by the Plenary, June 8, 2011)

Section 7. Policy Issue Resolution

- 7.1 The Executive Director shall review any policy decision needs with the Governance Committee, usually through a meeting or conference call. If there is no immediate time constraint, the Governance Committee will forward the issue to the next Board of Directors meeting for information exchange, discussion, and if straightforward enough to do so, a decision immediately or at the subsequent Board of Directors meeting three months later.
- 7.2 If the policy issue is too urgent to wait for the next Board of Directors meeting, it shall be assigned a "Red Alert" status, and information on the issue shall immediately be transmitted to Board of Directors Members by email or fax. The Chair and Vice-Chair shall conduct conference calls with respective caucuses of the Board of Directors shortly after receipt of the policy issue material. Depending upon the available timeframe, the full Board of Directors will -- either on a conference via telephone or at the next scheduled meeting -- decide the matter.

(Approved by the Steering Committee May 7, 2002)

Section 8. Legislative Advocacy

- 8.1 The Council shall not initiate or sponsor legislative activity.
- 8.2 The Council shall not support or oppose any legislative measure unless the measure directly relates to one or more of the BMPs or to the Council in name or function.

Governance Policies

California Urban Water Conservation Council

8.3 A Legislative Committee shall review any legislative measure proposed for Council support or opposition and shall make a recommendation to the Board of Directors. The Committee shall be composed of three Group 1 representatives and three Group 2 representatives from the membership at large. The Council shall take official positions on legislation only through a 2/3 vote of Group 1 and a 2/3 vote of Group 2 Board of Directors membership in a meeting or conference call, with opportunities for absentee balloting by all members not present.

(Approved by the Steering Committee February 25, 2004)

8.4 The Executive Director may represent the Council on an informational basis at any legislative hearing or meeting, particularly at the request of a legislative member or staffer, and shall clarify whether or not the Council has a position on any measure in question.

8.5 The Council shall not undertake any legislative activity inconsistent with the requirement of its non-profit 501(c)(3) status.

(Approved by the Steering Committee August 7, 2002)

Section 9. Endorsements of Individuals

9.1 The following policies shall be followed for Council endorsements:

- a. Endorsements will be considered only upon written request, and may be given by vote of the Board of Directors or the Plenary.
- b. The Council shall not endorse political candidates for office.
- c. Endorsements must be related to water conservation or water efficiency issues that impact the Council or its signatories.
- d. Endorsements should not benefit any individual signatory to the exclusion of others.
- e. Notice of the requested endorsement shall be given in the Board of Directors or Plenary packet or at least 10 days in advance of the vote.

(Approved by the Steering Committee May 9, 2000)

Section 10. Access to BMP Reporting Data

10.1 The following policies shall be followed for public access to BMP reporting data:

- a. The Council will regard any data stored in the Council BMP Reporting Database that has been formally "submitted as final" as public information.

Governance Policies

California Urban Water Conservation Council

This data may be used in Council data summaries and reports and may be released to the public upon request.

- b. All data “submitted as final” to the Council BMP Reporting Database shall be web-enabled for public viewing.
- c. All publicly-released reports shall carry a disclaimer indicating that reports are based on self-reported data that has not been 100% validated by the Council.

(Approved by the Steering Committee August 6, 2003)

Section 11. BMP Revision Process

11.1 The following is the approved process for BMP revisions:

- a. A BMP revision item comes to Board of Directors for discussion;
- b. The Board of Directors forwards item to an ad-hoc BMP Revision PAC, with a fixed membership; the actual number of members will be determined by the Board of Directors on a case-by-case basis but in all cases shall include, on an ex-officio non-voting basis, the Chair of the original committee proposing the BMP revision;
- c. The Board of Directors BMP Revision PAC has 90-days for discussion, review, and analysis of the proposed revision;
- d. At end of 90-days, the Board of Directors BMP Revision PAC reports back to the Board of Directors for the next step. The PAC report comes before the Board of Directors as an informational item, with action to be taken at the following Board of Directors meeting;
- e. If the Board of Directors BMP Revision PAC is unable to complete a BMP revision within this allotted time, it shall either terminate the revision process or submit a request to the Board of Directors for additional time and the reasons therefor;
- f. The Board of Directors may accept the PAC’s recommendation for revision, may accept the PAC’s request for more time, may reassign responsibility for the BMP revision to a different committee, or may terminate the revision process;
- g. The PAC at the conclusion of its revision process shall distribute its recommendation(s) to the original committee for final comments, prior to any action on the BMP revision by the Board of Directors;

Governance Policies

California Urban Water Conservation Council

- h. The PAC and any drafting team or work group created by the PAC for purposes of BMP revision, shall hold meetings and/or teleconferences at times and locations that ensure participation of both Group 1 and Group 2 members at each meeting where a BMP revision is being considered. Group 1 and Group 2 members may caucus separately regarding BMP revision at any time

(Approved by the Steering Committee May 11, 2005; originally approved by the Steering Committee May 14, 2003)

11.2 The BMP Evaluation-Revision Form shall include the following section titles:

- a. BMP Under Evaluation/Revision
- b. Current BMP Language
- c. Problem Statement
- d. Issues
- e. Solution Options (Focus of PAC)
- f. Policy Issues (Focus of Board of Directors)
- g. Historical Activities/Technical Issues

(Approved by the Steering Committee May 14, 2003)

Section 12. Caucus Protocol

- 12.1 The Council shall recognize the prerogative of Group 1, Group 2, and Group 3 members to meet in private caucus sessions. The Council shall make available separate meeting areas for member caucuses when needed at Board of Directors and Plenary meetings, and shall provide private conference call capability for member caucus discussions upon request.
- 12.2 Conversations conducted in private member caucus sessions shall be considered confidential.
- 12.3 Council staff may participate in member caucuses, but only at the request of the Caucus chair.
- 12.4 Any decisions made at member caucuses are not binding and must be brought to the full Board of Directors for action.

(Approved by the Steering Committee May 3, 2006)



BMP Evaluation/Revision Form

A. BMP Under Evaluation/Revision:

B. Current BMP Language:

C. Problem Statement:

D. Issues:

E. Solution Options:

F. Policy Issues:

G. Historical Activities/Technical Issues: