

IWVWD Proposed Language on Voting

Version #1

offered by Jim Worth/Keith Lemieux

Section 7.06 – Quorum and Vote.

A quorum of the Board shall consist of majority of the Directors representing General Members and must include each of the Directors appointed by the County of Kern, the City of Ridgecrest and the Indian Wells Valley Water District. In the absence of a quorum, no business may be transacted beyond the adjournment of a meeting by the remaining Directors. A Director shall be deemed present for the determination of a quorum if the Director is present at the meeting in person or if they participate in the meeting telephonically as provided for by Ralph M. Brown Act.

The affirmative vote of a majority of the Board shall be required for the approval of any item subject to the following additional requirements:

(a) no action can be approved unless it receives the affirmative votes from no less than two of the Directors appointed by the County of Kern, the City of Ridgecrest or the Indian Wells Valley Water District. (hereafter "Supermajority Requirement"); and

(b) no action that would impose (1) any fee or other financial obligation on the Indian Wells Valley Water District related to the use or extraction of water; or (2) any limitation or restriction of the ability to extract groundwater by Indian Wells Valley Water District can be approved unless it receives the affirmative vote of the Director appointed by the Indian Wells Valley Water District.

The Board, by unanimous consent may through written resolution elect to exempt certain routine decisions from the Supermajority Requirement."

Version #2

offered by Keith Lemieux

Section 7.06 – Quorum and Vote.

A quorum of the Board shall consist of majority of the Directors representing General Members and must include each of the Directors appointed by the County of Kern, the City of Ridgecrest and the Indian Wells Valley Water District. In the absence of a quorum, no business may be transacted beyond the adjournment of a meeting by the remaining Directors. A Director shall be deemed present for the determination of a quorum if the Director is present at the meeting in person or if they participate in the meeting telephonically as provided for by Ralph M. Brown Act.

The affirmative vote of a majority of the Board shall be required for the approval of any item subject to the following additional requirements:

(a) no action can be approved unless it receives the affirmative votes from no less than two of the Directors appointed by the County of Kern, the City of Ridgecrest or the Indian Wells Valley Water District. (hereafter "Supermajority Requirement"); and

(b) no action to adopt or modify a Groundwater Sustainability Plan may be approved without the unanimous consent of all General Members.

Notwithstanding any other provision in this agreement, these additional requirements for approval may not be amended or removed without the unanimous consent of all General Members."