



**REVISED**

ITEM NO.  
5.1

## **BOARD MEMORANDUM**

**DATE:** November 9, 2020

**TO:** Board of Directors

**FROM:** Joseph Byrne and Thomas Bunn  
General Counsel

**SUBJECT:** SB 387 Directors' 2024 Election Term Seat Lot Drawing

---

### **SUMMARY**

The Santa Clarita Valley Water Agency Law (Agency Act) establishes election procedures for the successors to the initial members of the Board of Directors. Specifically, it divides the Agency's service area into three electoral divisions, requiring that two Directors be elected for each electoral division at the 2020 general election and every 4 years thereafter, and one Director be elected for each electoral division at the 2022 general election and every 4 years thereafter. SB 387 amended the Agency Act effective January 1, 2020 to more evenly distribute the number of directors elected between the two election cycles. It requires one of the Directors elected at the 2024 general election to be chosen by lot to serve a two-year term.

### **DISCUSSION**

The Agency Act, as amended by SB 387, provides that at the next regular meeting of the Board following the 2020 general election, the Board shall choose by lot the seat of one of the Directors elected at the 2020 general election, which shall result in the Director elected to that seat at the 2024 general election serving a two-year term. Subsequent elections for the seat of the Director chosen by lot to serve a two-year term shall be conducted at the 2026 general election, and on that four-year election cycle thereafter.

For the 2024 election, the seats for the division with the two-year seat will be separated into Seat 1 and 2, with one seat having a two-year term and the other having a four-year term. Any candidate, including the sitting Director who is chosen for the two-year term and any other sitting Director in that division, can decide to run for the two-year or four-year seat at the 2024 general election. The candidate who receives the most votes for each of the seats will be elected. All of the other divisions will not be separated and will remain as they currently are, with the highest one or two vote getters prevailing, depending upon the number of seats up for election.

Regarding the selection of the two-year term, due to COVID 19, the process will be virtual and will proceed as follows:

Each Director that ran in the 2020 election for each of the three divisions determined to be the candidate with the highest votes, their names will be written on a piece of paper by SCV Water

Attorney Tom Bunn who will then, on camera that night, show each name and place that folded paper in a hat, at which time the SCV Water Board Secretary April Jacobs, again on camera, will select a random piece of paper out of the hat, show the camera and the Director whose name is on said paper, will complete his or her four-year term, and at the ~~2~~2024 election his or her seat will become a two-year seat, reverting to a four-year seat in the ~~2~~2026 election.