

JORDAN VALLEY WATER CONSERVANCY DISTRICT

**BYLAWS**

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ARTICLE I: NAME, ORGANIZATION, PURPOSES, PRINCIPAL OFFICE

1.1 NAME OF CORPORATION; ORGANIZATION

1.1.1 Name. The name of this water conservancy district is the "Jordan Valley Water Conservancy District" (hereafter "District").

1.1.2 Organization. The District was organized on September 14, 1951, by court decree in Civil No. 510092340 in the Third Judicial District Court, State of Utah, pursuant to the provisions of the Utah Water Conservancy Act, Utah Code Ann. (1953) §§ 17A-2-1401 et seq., as amended.

1.1.3 Nature of District. The District is a political subdivision of the State of Utah and a body corporate with all the powers of a public or municipal corporation.

1.2 PUBLIC PURPOSE

The purpose of the District includes: to provide for the development and conservation of water for the greatest beneficial use of water within its legal boundaries; to exercise all powers conferred upon such districts by law, including the power to contract with the United States of America, the Secretary of Interior thereof, or any other officer or agency of the United States of America, or of the State of Utah, under any acts that may hereafter be enacted relating to any of the purposes for which the District is organized, established and incorporated; to conserve, develop, and stabilize supplies of water for domestic, irrigation, power, manufacturing, municipal and other beneficial uses; to make adequate amounts of domestic waters available to the inhabitants of both the incorporated and unincorporated areas included within the District at a reasonable cost and in a reasonable manner of delivery.

1.3 PRINCIPAL OFFICE

The District's office and principal place of business shall be located at 8215 South 1300 West, West Jordan, Utah, until changed pursuant to Board action.

ARTICLE II: BOARD OF TRUSTEES

2.1 BOARD OF TRUSTEES

The District shall be governed by a Board of Trustees (the "Board") which shall manage and conduct the business and affairs of the District and shall determine all questions of District policy. All powers of the District are exercised through the Board.

2.2 QUALIFICATIONS FOR APPOINTED TRUSTEES

2.2.1 Before entering upon his<sup>1</sup> official duties, each trustee shall be a resident of the division he represents.

2.2.2 Oath of Office. Before entering upon the duties of office, each Board member shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this

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<sup>1</sup>The male pronouns "he," "him," "his," and "himself," when used in the Bylaws and the District's Policy Manual, include the corresponding female pronouns.

State, and that I will discharge the duties of my office with fidelity.” The failure of a Board member to take the oath does not invalidate any official act of that member.

## 2.3 NUMBER AND APPOINTMENT

- 2.3.1 Authorized Number. The Board shall consist of not more than eleven persons. This authorized number shall change as the authorized number is changed by the Legislature.
- 2.3.2 Actual Number. The actual number of trustees and the representation and vote of each trustee shall be established by the court in the decree creating the District, as such decree may be subsequently amended. The actual number of trustees presently established by the court is eight.
- 2.3.3 Appointments. Each trustee shall be appointed from a division of the District as such divisions shall from time to time be established by the court. Trustees shall be appointed by the Governor of the State of Utah, with the advice and consent of the Utah State Senate, from nominees submitted as follows:
- A. In a division comprised solely of incorporated cities, each city within the division shall submit two nominees per trustee;
  - B. In all other divisions, the legislative body of the county in which the division is located and which is entitled to representation shall submit three nominees per trustee. If a trustee represents a division situated in more than one county, the legislative bodies of those counties in which the division is located shall collectively compile the list of three nominees.

## 2.4 TERM OF OFFICE

- 2.4.1 The term of each member of the Board shall begin at noon on the first Monday of January following the member's election or appointment.
- 2.4.2 The term of each member of the Board shall be four years, except that the term of approximately half the Board members shall expire every two years.
- 2.4.3 Each Board member shall serve until a successor is duly elected or appointed and qualified, unless the member earlier is removed from office or resigns or otherwise leaves office.
- 2.4.4 A Board member is not limited in the number of terms the member may serve.

## 2.5 VACANCIES IN BOARD OF TRUSTEES

- 2.5.1 Events Creating Vacancies. A vacancy in a trustee's term of office shall be deemed to exist in the case of death, resignation, disqualification of the trustee, or if a trustee has been declared of unsound mind by order of a court, or if a trustee has been convicted of a felony.
- 2.5.2 Notice. Upon vacancy in the office of trustee, and at least 90 days before expiration of a trustee's term, the secretary of the Board shall (i) give written notice to the nominating entities and to the Governor; and (ii) pursuant to the requirements of the Utah Water Conservancy Act, publish notice in a newspaper having general circulation.
- 2.5.3 Filling Vacancies on Board. All vacancies or term expirations which may occur on the Board shall be filled in accordance with the provisions of Section 2.3.3 hereof. A trustee appointed

to fill a vacancy in a trustee's term of office shall only serve the unexpired portion of the term of the trustee replaced.

## 2.6 FIDELITY BONDS FOR APPOINTED TRUSTEES

Each member of the Board shall give a corporate surety bond, at the expense of the District, in the amount and with sureties prescribed by the Board, conditioned upon the faithful performance of his respective duties.

## 2.7 MEETINGS

The Board of Trustees shall hold an annual meeting each year, and the Board shall also hold meetings at least quarterly, or as more frequently as the Board may determine. The Annual Meeting of the Board shall be held on the date and hour of its regularly scheduled meeting in August.

### ARTICLE III: PRINCIPAL OFFICERS

## 3.1 PRINCIPAL OFFICERS

The principal officers of the District shall consist of a Chair of the Board, a Vice Chair of the Board, a Secretary, a Treasurer, and such other officers as the Board shall from time to time establish.

## 3.2 QUALIFICATIONS; ELECTION AND TERM OF OFFICE

3.2.1 Election. At the Annual Meeting, the Board shall choose one of its members as Chair of the Board, and shall choose another of its members as Vice Chair of the Board. The Board shall also elect a Secretary of the Board and of the District, who may or may not be a member of the Board. The Secretary shall also serve as Treasurer of the District, unless a Treasurer is otherwise provided for by the Board. The Board shall also elect a Finance Committee Chair and a Conservation Committee Chair.

3.2.2 Term. The officers shall serve until the next Annual Meeting.

## 3.3 NOMINATION OF OFFICERS

Nominations from the floor shall be made at the Annual Meeting.

## 3.4 RESIGNATION

Any officer may resign at any time by giving verbal or written notice to the Board or to the Secretary of the District. Any resignation shall take effect upon receipt of such notice or at any later time specified therein. Unless otherwise specified in the notice, acceptance of the resignation shall not be necessary to make it effective.

## 3.5 REMOVAL

Any officer elected by the Board may be removed by a majority vote of the Board whenever in its judgment the best interests of the District would be served.

ARTICLE IV: POLICIES OF THE DISTRICT

4.1 POLICIES OF THE DISTRICT

4.1.1 From time to time, the Board shall adopt policies and procedures for the governing and operation of the District. The policies shall include but not be limited to Administrative Policies and Procedures, Personnel Rules and Regulations, and Rules and Regulations for Retail and Wholesale Water Service.

4.1.2 The Administrative Policies and Procedures of the District shall be set forth in an "Administrative Policy and Procedures Manual," duly adopted and approved by the District's Board.

4.1.3 The District's policies and procedures may from time to time be amended by the Board.

ARTICLE V: SEAL

5.1 SEAL

The Board shall adopt and provide a corporate seal which shall be circular in form and shall have inscribed thereon the name of the District, state of organization, and the words "Corporate Seal."

ARTICLE VI: AMENDMENTS TO BYLAWS

6.1 AMENDMENTS BY BOARD

Amendments to these Bylaws may be made at any meeting of the Board provided notice of the proposed amendment shall have been given in the notice of the meeting.