



**COLORADO WATER UTILITY COUNCIL**  
**Rocky Mountain Section of the American Water Works Association**

**COLORADO WATER UTILITY COUNCIL**  
**OPERATING PROCEDURES**

October 1, 2011

Section 1 – Recognition of the Colorado Water Utility Council

The purpose of the Colorado Water Utility Council (Council) shall be to develop action programs to initiate, evaluate, respond and comment, within the framework of the Section, and the Association policies, on legislative, regulatory and other matters which directly affect water utilities of Colorado and to encourage provision of better water service to the consuming public. The council shall coordinate, as resources permit, with the Association's Water Utility Council in responding to and implementing the positions and programs of such Council.

Section 2 – Voting Membership

Any water utility that is a member of the AWWA Section in Colorado is eligible to become a voting member of the Council. In addition, a water utility which has its own source of supply and/or treatment facilities in Colorado is eligible to become a voting member of the Council.

Section 3 – Non-Voting Membership

Any organization, such as a consulting firm, law firm, state non-profit, etc., with an interest in drinking water related issues is eligible to become a non-voting member of the Council.

Section 4 – Member Representation

Any individual from a Council member organization is eligible to participate in regularly scheduled Council meetings; however, each voting member organization must designate a representative to serve as the primary contact for their organization during Council proceedings. In addition, each voting member must designate a back-up representative to serve as proxy in the event the primary representative is not available during Council proceedings. The primary contact will be utilized when issuing a ballot in accordance with Section 10,

unless the back-up was present during a meeting where a vote was deferred for ballot voting.

#### Section 5 – Officers & Board of Directors

The officers of the Council shall be a Past Chair, Chair, Vice Chair and Secretary, each of whom shall be elected through voting from the entire voting membership. Only representatives from the voting membership are eligible to become Council Officers, but it may be an individual who is not the primary contact or the proxy.

The Council will also have a six (6) member Board of Directors. Four (4) Directors must be from voting member organizations. The remaining two (2) Directors may be from any member organization. One of the six Directors shall be the Council Liaison (see Section 8). The remaining Directors will be elected through voting from the entire Council representation.

Elections shall be held annually during the month prior to the annual Section Conference.

#### Section 6 – Terms of Office and Vacancies

The term of the Office of Past Chair shall be one (1) year and he/she shall be eligible to succeed himself/herself only if the most recent Chair is unavailable to serve.

The term of Office of the Chair shall be one (1) year and he/she shall not be eligible to succeed himself/herself after serving one full term. This does not preclude an individual from running again at some point in the future.

The term of Office of the Vice Chair shall be one (1) year and he/she shall not be eligible to succeed himself/herself after serving one full term. The Vice Chair shall automatically succeed to the Chair position.

The term of Office of the Secretary shall be one (1) year and he/she may elect to either succeed himself/herself or succeed to the Vice Chair position. The Secretary may succeed himself/ herself without limit provided he/she elects to remain in the Secretary position

The term of Office of the Directors shall be two (2) years on a staggered basis and they shall not be eligible to succeed themselves; however, this does not preclude an individual from running again at some point in the future. In the first

election of Directors, the terms shall be fixed at one (1) and two (2) years respectively.

The terms of newly elected officers and directors shall begin, and those of their predecessors shall end, at the conclusion of the Section's Annual Meeting/Conference.

In the event the Chair is unable to complete his/her term, the Vice Chair shall fill the position of Chair until the next Annual Meeting of the Rocky Mountain Section. At the next Council meeting a new Vice Chair shall be elected to fill the unexpired term of this office. Vacancies occurring in other offices shall be filled by appointment of the Chair for the unexpired term and all such appointees shall be eligible for election at the next scheduled election to a full term in office.

Nominations for Officers and Directors can be issued by any member and any member is eligible to nominate themselves.

#### Section 7 – Executive Committee

There shall be an Executive Committee of the council composed of the Officers and the Board of Directors. The Executive Committee shall be empowered to act for and on behalf of the Council by a two thirds vote of the members of the Executive Committee present and voting on all matters affecting the Council.

When legislative or regulatory matters arise without sufficient notice and a member of the Executive committee of the Council feels that it is in the best interests of the Council to take action immediately, the Chair may poll the Executive Committee by telephone for their vote in matters affecting the Council. The telephone ballots shall be confirmed at the next regular meeting of the Executive committee and so recorded in the Minutes of that meeting.

#### Section 8 – Council Liaison

An officer/trustee of the Section appointed by the Governing Board of the Section shall be an ex-officio member of the Council and shall serve as the liaison representative of the Governing Board of the Section.

#### Section 9 - Voting

Each voting member organization shall have one (1) vote. Only those designated as the primary or proxy representative of a voting member organization may vote during council proceedings. A majority of the voting membership of the Council shall constitute a quorum, unless the meeting is announced by letter or email one (1) week in advance. In this event, a quorum is formed by those voting members present. An affirmative vote of a majority of

those voting members present and voting at any Council meeting shall be required to authorize action on any matter.

For matters that require individuals to discuss the issue with their utility management, a ballot will be cast in accordance with Section 10 of these bylaws. The ballot will be cast within one (1) business day with responses due within three (3) business days following issuance of the ballot.

### Section 10 –Ballots

Voting Council members may be asked to respond by ballot when a decision is needed on a Council position or proposed Council action and the question cannot be deferred until the next scheduled Council meeting. Each ballot shall contain a summary of the issue to be voted on, any attachments necessary to allow voting members to examine the issue in depth, a response date and provision for a three-option (yes, no, abstain) answer. Ballots may be cast through phone, letter, e-mail, internet survey tools or other advanced technology methods,

An affirmative vote of a two-thirds majority of the voting membership shall be required for passage of an issue voted on through ballot. For an issue raised during a specific meeting and deferred for ballot voting, an affirmative vote of a majority of those voting members present during the meeting shall be required to authorize action on the matter.

Comments on an issue raised in a letter ballot will be welcomed, but will not be substituted for an answer.

In all votes of Council, the Council shall publish those members in the minority of an issue who request to be listed as being in opposition or abstaining when releasing the results of voting. In the absence of such requests, any representations of the council position shall indicate the vote count if required by any dissenting voter.

### Section 11 – Meetings

The Council shall hold at least one (1) meeting each year that coincides with the Annual meeting of the Section. Other meetings may be held upon call of the Chair at such times and places as may be specified.

### Section 12 – Committees

The Chair shall be empowered to appoint such standing and Ad Hoc Committees as in his/her opinion may be required to properly conduct the business of the Council. Both voting and non-voting members are eligible for appointment to committees.

### Section 13 - Policy for Establishing Council Position

The Colorado Water Utilities Council will follow the policies and procedures outlined below for purposes of determining the Council's position on legislation, regulation, or policies affecting the membership and of communicating those positions.

1. Matters of concern may be referred to established or Ad Hoc Committees for evaluation.
  - A. The Committee Chair will be appointed as needed by the Council Chair. Committee chairs will oversee the assigned functions of the committee and maintain communication with the members and with the Council.
  - B. Whenever a committee is going to evaluate legislation or regulation for the Council, a member of the committee will be named to lead the committee for that issue, taking responsibility for calling meetings and putting positions in writing for the Council to consider.
  - C. Positions of committees shall be taken to the membership for approval or, if timing does not allow that, to the Executive Committee.
  - D. In no case shall written positions of the Council be distributed without review by the Executive Committee.
2. Positions on issues may be taken by the Council following a vote by the membership in accordance with the operating procedures.
  - A. When a motion is made to take a position, the motion shall include the position and the person or persons who will present the position to the legislature or rule-making authority.
  - B. Members may not formally present the position of the council unless specifically authorized to do so.
  - C. Anyone authorized to speak for the Council should clearly state that they are speaking for the Council. Members speaking on their own behalf should clearly indicate that they are speaking on their own behalf and not on behalf of the Council.
  - D. When members disagree with a Council position, it is their responsibility to ask the Council to specifically mention that they are not in agreement or to present the vote tally on that issue.
3. The Secretary shall maintain a record of the written positions taken and the vote tallies for each position and provide copies to members at their request.

#### Section 14 – Special Funds

If, in the opinion of the Council, legislative or regulatory matters arise, which require expenditures beyond funds available to the council, the Council, with the concurrence of the Officers of the Section, shall be authorized to solicit funds from Utility Members of the Section specifically to respond to the matters in question.

#### Section 15 – Reports

The Chair shall present a report on Council activities to the Section Chair during monthly Section meetings and at the Annual Section Business Meeting.

#### Section 16 – Policies and Procedures

The Council may adopt such policies and procedures, not inconsistent with these Operating Procedures, as deemed appropriate. Such policies may be recommended by the Executive Committee or by a member.