

ARTICLE II. VOTING MEMBERSHIP

Article II. Section 1. Initial Composition

The initial voting members of the RWPG shall include the initial coordinating body appointed by the TWDB on February 19, 1998, plus the additional voting members appointed by the initial coordinating body to ensure adequate representation of the interests comprising the RWPA stated in Texas Water Code §16.053(c), if present, and other interests determined by the RWPG.

Article II. Section 2. Current Composition

The current voting membership of the RWPG shall include adequate representation of the interests comprising the RWPA stated in Texas Water Code §16.053(c), if present in the RWPA, and other interests determined by the RWPG. The voting membership of the RWPG may also include persons added or removed as provided under this Article and any 31 TAC §357.4(g)(4) member selected for voting membership under Article IV. The voting membership of the RWPG shall not exceed 19 members.

Article II. Section 3. Terms of Office

Definitions

For the purposes of this Section only:

“Current Voting Member” means all voting members in office as of February 1, 2007.

“New Voting Member” means the voting member who replaces a Current Voting Member.

Current Voting Members

All ~~voting members~~ Current Voting Members ~~as of June, 2003,~~ are considered to have filled one term. The ~~voting members'~~ Current Voting Members' second terms shall expire as follows:

All Current Voting Members ~~voting members~~ shall be divided into ~~three (3)~~ nine (9) Groups substantially equal in number. Groups shall be staggered such that the terms expire at ~~three (3)~~ one (1) year intervals after the final scheduled meeting of the expiration year. The first Group's second term will expire after the final scheduled meeting of 2007, and each subsequent Group's second term will expire each subsequent year in like manner with the ninth Group's second term expiring after the final scheduled meeting of 2015. ~~Members of Group 1 shall have terms which expire at the end of the last scheduled quarterly meeting in 2004. Members of Group 2 shall have terms which expire at the end of the last scheduled quarterly meeting in 2007. Members of Group 3 shall have terms which expire at the end of the last scheduled quarterly meeting in 2010.~~ The purpose of the Group divisions set forth above is to stagger the terms of office for members.

New Voting Members and Successors

At the conclusion of the ~~terms-second term~~ described above for each Group, ~~New Voting Members shall be selected in accordance with Article III to replace the outgoing Group members. all-All subsequent terms of office for voting members~~New Voting Members and their successors shall be for ~~five-two~~ years.,~~the goal of staggering the terms of office having been accomplished. All persons~~New Voting Members and their successors shall be eligible to serve a maximum of ~~two-(2)~~ five (5) consecutive terms as a voting member of the RWPG, with the exception of the General Manager of the Brazos River Authority, who shall have no term of office and shall serve until replaced by the Brazos River Authority.

Upon the expiration of a member's term, the member may serve a subsequent term, if eligible, upon a two-thirds vote of the voting membership present. If a member fails to be affirmed for a subsequent eligible term, then the voting members shall initiate procedures to appoint a successor utilizing the process set forth under Article III.

Vacancies

A person selected to fill a vacancy for a Current Voting Member shall serve for the unexpired term of such Current Voting Member. Upon completion of the term, the New Voting Member shall be eligible to serve a maximum of five (5) consecutive terms as a voting member of the RWPG in accordance with this Article II.

A person selected to fill a vacancy for a New Voting Member or successor thereof shall serve for the unexpired term of their predecessor. If the unexpired term falls within the predecessor's first consecutive five years of service, then the new member is only eligible to complete their predecessor's eligible terms; if the unexpired term falls within the predecessor's last consecutive five years of service, then the new member may complete the predecessor's remaining eligible terms and shall be eligible to serve an additional five (5) consecutive terms as a voting member of the RWPG in accordance with this Article II.

~~A person selected to fill a vacancy for a voting member shall serve for the unexpired term of his or her predecessor in office. If the unexpired term is the predecessor's first term, it shall count as the first term for the new member; if the unexpired term is the predecessor's second term, it shall not count against the two (2) consecutive term limitation for the new member, for the purpose of maintaining the term staggering set forth above.~~

~~No later than ninety calendar days prior to the end of a voting member's final term, the voting members shall initiate procedures to appoint successors utilizing the process set forth under Article III.~~

~~For voting members appointed after June 2003, upon the expiration of the voting member's first term, a two-thirds vote of the voting membership present shall be required for the member to continue to serve for a second term. If a member fails to be affirmed for a second term, then the voting members shall initiate procedures to appoint a successor utilizing the process set forth under Article III.~~

member. If the Chair does not believe that a ground for removal exists and indicates that he or she will not place an item on the next agenda addressing the possible removal, then if five voting members request its inclusion on the agenda in writing, the Chair shall place an item on the next subsequent meeting agenda addressing the possible removal of the member.

At the meeting, all discussion and debate with regard to the possible removal shall take place in an executive session, but the final vote on removal shall take place in an open meeting. During the executive session, the Chair shall lay out all of the correspondence and information that has been received related to the possible removal, and the member subject to the possible removal may present evidence refuting or verifying the information presented. The voting members may remove the member by a two-thirds vote of the voting membership present. The member subject to the removal action shall not participate in the removal vote, nor shall his or her membership count as part of the total voting membership for purposes of calculating a two-thirds vote.

ARTICLE III. SELECTION OF NEW VOTING MEMBERS

Article III. Section 1. Timing

No later than ninety calendar days prior to the end of a voting member's **final** term, or within forty-five calendar days of all other removals of a voting member pursuant to Article II, Section 8, the RWPG shall solicit nominations from the public for a successor, in a manner to be determined by the RWPG.

Article III. Section 2. Solicitation Requirements

Such solicitations shall identify the particular interest for which nominations are sought, state the conditions of membership, delineate the method for submitting nominations, and establish a deadline for submission of nominations.

Article III. Section 3. Submission of Nominations

Members of the RWPG may also submit nominations in the manner prescribed in the public solicitation.

Article III. Section 4. Executive Committee Responsibilities