Board Book, Tab 5, Article 1 [Officers, Elections, Resignations, Vacancies]

Section 2   Elections--Generally
Within the period of 90 days next preceding the annual meeting, the board, at a meeting called for that purpose, shall elect the president, vice-president and treasurer for the ensuing year. The president, vice president, and treasurer shall be elected from among all the board members.

The newly elected president, vice-president and treasurer shall assume the duties of their respective offices at the conclusion of the annual meeting following their election.

The term of the president shall be one year, except that he or she may be reelected to a second one-year term as president.

(Source: Bus. & Prof. Code, §6021, amended effective January 1, 2012.)

Section 3   Election Procedures
(a) Each year, the President must call a special meeting of the Board to elect his or her successor for the next term. The special meeting must be held on the same day and place as a regularly scheduled meeting of the Board. The election shall be no earlier than 90 days preceding the next scheduled Annual Meeting.

(b) The President, Vice President and Treasurer shall be elected from among all of the Board members.

(c) The Secretary shall be the judge of the election of officers, except that the President shall be judge of the selection of the Secretary.

(d) As to each of the offices mentioned, these procedures shall apply and unless an election for that office is uncontested, voting shall be by secret written ballot. The judge shall distribute the ballots, collect, and count them and report the results to the President who shall announce the vote.

(e) Upon commencement of balloting, each Board member present, other than the President, has the right to vote for his or her choice by casting a single vote for such person from among all of the candidates. If a Board member other than the President (in the absence of the President) is chairing the meeting, that position shall not disqualify such person from voting. In such balloting, the candidate receiving the majority of the valid votes cast shall be deemed elected. Neither abstentions nor votes for a noncandidate shall be a valid vote within the meaning of these procedures.

(f) If no candidate receives a majority of the votes cast, the candidate, or candidates receiving no votes and the candidate with the least number of votes, shall be removed from candidacy. If there is a tie for the least number of votes, the tying candidates shall engage in an elimination election, as described in paragraph (g). The candidate receiving the greatest number of votes in the elimination election shall remain in consideration while other candidates in the elimination election shall be eliminated from further consideration and a further ballot for the office shall be taken among the remaining candidates.

(g) If at any time two or more candidates are tied in an elimination election, a second ballot shall be taken to allow any Board member to change his or her vote or abstention. If the tie continues, an elimination election shall be held among those tied. In the event there is a tie among three or more candidates, an elimination election shall be held among two of the tied candidates, determined by lot. The one who receives the greatest number of votes in that elimination election shall then run against the third candidate in the elimination election chosen by lot, if necessary. This procedure shall be repeated so many times as may be necessary to complete the elimination election. The candidate winning the elimination election shall then run against the remaining candidate(s) receiving the greatest number of votes under paragraph (f).

(h) Following the determination of the final two candidates for any office, there shall then be a balloting to determine the winner for that office and the candidate receiving the majority of valid votes cast shall be deemed elected. In the event a tie occurs for three successive ballots, then the President may vote to break the tie. In the event the President does not vote to break the tie, the election shall be continued at the call of the President to a time and date not later than the next scheduled Board of Trustees meeting, at which time there shall be one additional ballot cast. If the tie remains, the President may vote to break the tie. If the President fails to do so, the matter shall be determined by lot.

(i) The candidates may submit to the Board a written statement of such length as the candidate wishes, which may include a statement of qualifications, a statement of proposals and priorities, or both. Any such written statements shall be in the hands of the Secretary ten days prior to the special meeting for the election of officers, the Secretary to cause the same to be duplicated and immediately distributed via the most expeditious means reasonably available to all members of the Board.

(j) Members are expected not to engage, directly or indirectly, in any electioneering for any office, including solicitation of support or votes, or announcement of candidacy, prior to the formal announcement by the Secretary of names of the candidates made at the regular meeting of the Board next preceding the special meeting for election of officers. The election shall be at the call of the President within the time set in Business and Professions Code, section 6021.

(k) After consultation with the candidates, the President shall set the time limit for election speeches or other forum, all of which shall precede the first ballot. The order of speeches shall be determined by lot.

(l) Any modifications of these procedures for the election of officers shall occur only between the end of the Annual Meeting and the following January 31st in order to insure fairness in any subsequent election.

(Source: Board Resolutions at various times prior to 1985; Board of Trustees Resolutions January 1985; April 1985; May 1986; January 1991; December 4, 1993; January 30, 2004, November 2006, January 12, 2008. Bus. and Prof. Code § 6021, effective January 1, 2012)