



## MEMORANDUM

To: Tony Perez, General Manager

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From: James B. Roybal, President of the Board

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CC: CBMWD Board of Directors, Rick Olivarez, Richard Padilla

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Date: **October 2, 2013**

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Subject: **Ethics Committee Assignments -- Part 2**

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According to Article 3 of the Administrative Code (May 20, 2013), only the President has the power to "Appoint members to committees of the Board of Directors." And in my role as the President I reconfigured the Ethics Committee on September 25, 2013. Therefore, since Director Hawkins is no longer on the Ethics Committee, he does not have any power to call Special meetings for the Ethics Committee. Again, the Administrative Code is very clear on the role of individual Directors: "Individual Members of the Board have no independent authority." Hence, Director Hawkins has no authority to call an emergency meeting for the Ethics Committee.

In addition, and as you know, the Administrative Code in general, and the Ethics Committee specifically, are in the process of being revised. Currently, there is dissension and turmoil caused by the ambiguity of the language of the Administrative Code and the Ethics Committee; and it is having a pernicious and destructive impact on staff morale. Since I have acted within the parameters of the Administrative Code, and since Director Hawkins is no longer on the Ethics Committee, he has no standing in this matter, and it is time to rectify this contentious issue.

At this time, it is in the best interest of the Central Basin to cancel all Ethics Committee meeting until the issue is resolved by an action of the entire Board.

Accordingly, as President of the Board, I direct you to not convene this illegal and politically motivated meeting. Also, if you allow this meeting to be convened, I direct you to read this memorandum during the Public Comments section. Also, since this meeting may be subject to potential litigation, I direct you to record this meeting in its entirety.