

May 10, 2024

MEETING NOTICE
BOARD POLICY AND MONITORING COMMITTEE

Members of the Board Policy and Monitoring Committee:

Nai Hsueh, Director District 5

Tony Estremera, Director District 6

John Varela, Director District 1

Staff Support of the Board Policy and Monitoring Committee:

Rick Callender, Esq., Chief Executive Officer

Rita Chan, Acting Assistant Chief Executive Officer

Carlos Orellana, District Counsel

Brian Hopper, Senior Assistant District Counsel

Andrew Gschwind, Assistant District Counsel

Michele King, Clerk of the Board

Rachael Gibson, Chief of External Affairs

Aaron Baker, Chief Operating Officer, Water Utility

Christopher Hakes, Chief Operating Officer, Watersheds

Tina Yoke, Chief Operating Officer, IT & Administrative Services

Jennifer Codianne, Deputy Operating Officer

Marta Lugo, Assistant Officer

Lisa Bankosh, Assistant Officer

Rosie Cofre, Racial, Equity, Diversity & Inclusion Manager

Ingrid Bella, Employment Services Manager

Bhavani Yerrapotu, Deputy Operating Office

Patrice McElroy, Deputy Administrative Officer

Linda Nguyen, Senior Management Analyst

Blanca Sanchez-Cruz, Program Administrator

Courtney Letts, Program Administrator

Lidya Tesfaye, Program Administrator

Sasa Seto, Senior Management Analyst

Richard Nguyen, Management Analyst II

The regular meeting of the Board Policy and Monitoring Committee is scheduled to occur at 10 a.m. on Wednesday, May 15, 2024 in the Headquarters Building Boardroom located at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California.

The meeting agenda and corresponding materials are located on our website:

<https://www.valleywater.org/how-we-operate/committees/board-advisory-committees>



THIS PAGE INTENTIONALLY LEFT BLANK



Santa Clara Valley Water District Board Policy and Monitoring Committee Meeting

Headquarters Building Boardroom
5700 Almaden Expressway, San Jose, CA 95118

Join Zoom Meeting:
<https://valleywater.zoom.us/j/81170871803>

REGULAR MEETING AGENDA

**Wednesday, May 15, 2024
10:00 AM**

District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.

Board Policy and Monitoring Committee	All public records relating to an item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the Clerk of the Board at the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, CA 95118, at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to attend Board of Directors' meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.	Rick Calendar, Rita Chan, Michele King, Brian Hopper (Staff Liaisons)
Director Nai Hsueh, Member (District 5) Director Tony Estremera, Member (District 6) Director John Varela, Member (District 1)		Stephanie Simunic Assistant Deputy Clerk II Office/Clerk of the Board (408) 630 -2408 ssimunic@valleywater.org

Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.

**Santa Clara Valley Water District
Board Policy and Monitoring Committee
REGULAR MEETING
AGENDA**

Wednesday, May 15, 2024

10:00 AM

Headquarters Building Boardroom
5700 Almaden Expressway,
San Jose, CA 95118
Join Zoom Meeting
<https://valleywater.zoom.us/j/81170871803>

*****IMPORTANT NOTICES AND PARTICIPATION INSTRUCTIONS*****

Santa Clara Valley Water District (Valley Water) Board of Directors/Board Committee meetings are held as a “hybrid” meetings, conducted in-person as well as by telecommunication, and is compliant with the provisions of the Ralph M. Brown Act.

To maximize public safety while still maintaining transparency and public access, members of the public have an option to participate by teleconference/video conference or attend in-person. To observe and participate in the meeting by teleconference/video conference, please see the meeting link located at the top of the agenda. If attending in-person, you are required to comply with Ordinance 22-03 - AN ORDINANCE OF THE SANTA CLARA VALLEY WATER DISTRICT SPECIFYING RULES OF DECORUM FOR PARTICIPATION IN BOARD AND COMMITTEE MEETINGS located at <https://s3.us-west-2.amazonaws.com/valleywater.org.if-us-west-2/f2-live/s3fs-public/Ord.pdf>

In accordance with the requirements of Gov. Code Section 54954.3(a), members of the public wishing to address the Board/Committee during public comment or on any item listed on the agenda, may do so by filling out a Speaker Card and submitting it to the Clerk or using the Raise Hand tool located in the Zoom meeting application to identify yourself in order to speak, at the time the item is called. Speakers will be acknowledged by the Board Chair in the order requests are received and granted speaking access to address the Board.

- Members of the Public may test their connection to Zoom Meetings at: <https://zoom.us/test>

- Members of the Public are encouraged to review our overview on joining Valley Water Board Meetings at: <https://www.youtube.com/watch?v=TojJpYCxXm0>

Valley Water, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in Valley Water Board of Directors/Board Committee meetings to please contact the Clerk of the Board’s office at (408) 630-2711, at least 3 business days before the scheduled meeting to ensure that Valley Water may assist you.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Sections 54950 et. seq. and has not been prepared with a view to informing an investment decision in any of Valley Water’s bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in

the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water's bonds, notes or other obligations and investors and potential investors should rely only on information filed by Valley Water on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and Valley Water's Investor Relations website, maintained on the World Wide Web at <https://emma.msrb.org/> and <https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Under the Brown Act, members of the public are not required to provide identifying information in order to attend public meetings. Through the link below, the Zoom webinar program requests entry of a name and email address, and Valley Water is unable to modify this requirement. Members of the public not wishing to provide such identifying information are encouraged to enter "Anonymous" or some other reference under name and to enter a fictional email address (e.g., attendee@valleywater.org) in lieu of their actual address. Inputting such values will not impact your ability to access the meeting through Zoom.

Join Zoom Meeting:
<https://valleywater.zoom.us/j/81170871803>
Meeting ID: 81170871803
Join by Phone:
1 (669) 900-9128, 81170871803#

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA.

Notice to the public: Members of the public who wish to address the Board/Committee on any item not listed on the agenda may do so by filling out a Speaker Card and submitting it to the Clerk or using the "Raise Hand" tool located in the Zoom meeting application to identify yourself to speak. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and granted speaking access to address the Board/Committee. Speakers' comments should be limited to three minutes or as set by the Chair. The law does not permit Board/Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board/Committee action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Board/Committee may take action on any item of business appearing on the posted agenda.

- 2.1. Election of 2024 Board Policy and Monitoring Committee (BPMC) [24-0484](#)
Chairperson and Vice Chairperson.
Recommendation: Nominate and elect the 2024 BPMC Chairperson and Vice Chairperson.
Manager: Candice Kwok-Smith, 408-630-3193
Est. Staff Time: 5 Minutes
- 2.2. Approve the Board Policy and Monitoring Committee (BPMC) Purpose. [24-0499](#)
Recommendation: Approve the BPMC Purpose.
Manager: Candice Kwok-Smith, 408-630-3193
Est. Staff Time: 5 Minutes
- 3. APPROVAL OF MINUTES:**
- 3.1. Approval of January 2, 2024 Board Policy and Planning Committee (BPPC) Minutes and January 11, 2024 Diversity and Inclusion Committee (DIAHC) Minutes. [24-0486](#)
Recommendation: Approve the minutes.
Manager: Candice Kwok-Smith, 408-630-3193
Attachments: [Attachment 1: 010224 BPPC Draft Minutes](#)
[Attachment 2: 011124 DIAHC Draft Minutes](#)
Est. Staff Time: 5 Minutes
- 4. REGULAR AGENDA:**
- 4.1. Discuss Board Governance Policy Governance Process-6 (GP-6): Board Members' Code of Conduct and Provide Feedback. [24-0488](#)
Recommendation: A. Review Board Governance Policy Governance Process-6 (GP-6): Board Members' Code of Conduct; and
B. Identify areas where Board Governance Policy GP-6: Board Members' Code of Conduct could be improved and provide direction to staff on next steps.
Manager: Rick Callender, (408) 630-2017
Attachments: [Attachment 1: Board Governance Policy GP-6.](#)
[Attachment 2: GP-6 Flowcharts](#)
[Attachment 3: Sample Censure Policies](#)
Est. Staff Time: 45 Minutes

- 4.2. Develop a Draft Fiscal Year 2024-2025 (FY25) Board Work Plan and Submit for Board Review and Approval. [24-0493](#)

Recommendation: A. Review the Draft Fiscal Year 2024-2025 (FY25) Board Work Plan, incorporating input from the Board at the April 29, 2024 Special Board Meeting;
B. Review any additional input on the FY25 Board Work Plan received at the May 14, 2024 Board Meeting, if any; and
C. Submit a FY25 Board Work Plan for Board review and approval.

Manager: Theresa Chinte, 408-630-2714

Attachments: [Attachment 1: Draft FY25 Board Work Plan](#)

[Attachment 2: Staff Recommendations to FY25 Board Work Plan](#)

Est. Staff Time: 15 Minutes

- 4.3. Discuss Potential BPMC Work Plan Agenda Items and the Committee's Next Meeting Date/Schedule. [24-0485](#)

Recommendation: Discuss potential BPMC Work Plan agenda items and the Committee's next meeting date/schedule.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: 2023 BPPC Work Plan](#)

[Attachment 2: 2023 DIAHC Work Plan](#)

Est. Staff Time: 5 Minutes

5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.

6. ADJOURN:

- 6.1. Adjourn to Regular/Special Meeting at TBD per Committee.

THIS PAGE INTENTIONALLY LEFT BLANK



Santa Clara Valley Water District

File No.: 24-0484

Agenda Date: 5/15/2024

Item No.: 2.1.

COMMITTEE AGENDA MEMORANDUM Board Policy and Monitoring Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Election of 2024 Board Policy and Monitoring Committee (BPMC) Chairperson and Vice Chairperson.

RECOMMENDATION:

Nominate and elect the 2024 BPMC Chairperson and Vice Chairperson.

SUMMARY:

The Board voted to consolidate the Board Policy and Planning Committee and the Diversity and Inclusion Ad Hoc Committee on February 27, 2024. The Board Policy and Planning Committee and the Diversity and Inclusion Ad Hoc Committee had the following purposes:

Board Policy and Planning Committee: Support the Board planning process; Board Committees' principles and structures; Board and organization performance monitoring and other tasks as assigned by the Board.

Diversity and Inclusion Ad Hoc Committee: Established to work on Board and Director identified issues.

The Committee Chair and Vice Chair are elected by the Committee to serve a 1-year term. Nomination and election of the Chair and Vice Chair typically occurs annually at the start of the calendar year.

ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:

The election of BPMC Chairperson and Vice Chairperson is not subject to environmental justice analysis.

ATTACHMENTS:

None.

UNCLASSIFIED MANAGER:

Candice Kwok-Smith, 408-630-3193

THIS PAGE INTENTIONALLY LEFT BLANK



Santa Clara Valley Water District

File No.: 24-0499

Agenda Date: 5/15/2024

Item No.: 2.2.

COMMITTEE AGENDA MEMORANDUM Board Policy and Monitoring Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Approve the Board Policy and Monitoring Committee (BPMC) Purpose.

RECOMMENDATION:

Approve the BPMC Purpose.

SUMMARY:

Under direction of the Clerk, purpose statements are used by Board Committees to define the purpose of the Committee.

The purpose of the BPMC is to provide support to the Board in areas of:

1. Board planning process;
2. Board Committees' principles and structures;
3. Board and organization performance monitoring and
4. Work on Board and Director identified issues related to Diversity & Inclusion
5. Other tasks as assigned by the Board

ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:

The review and approval of the Committee's purpose is not subject to an environmental justice analysis.

ATTACHMENTS:

None.

UNCLASSIFIED MANAGER:

Candice Kwok-Smith, 408-630-3193

THIS PAGE INTENTIONALLY LEFT BLANK



Santa Clara Valley Water District

File No.: 24-0486

Agenda Date: 5/15/2024

Item No.: 3.1.

COMMITTEE AGENDA MEMORANDUM Board Policy and Monitoring Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Approval of January 2, 2024 Board Policy and Planning Committee (BPPC) Minutes and January 11, 2024 Diversity and Inclusion Committee (DIAHC) Minutes.

RECOMMENDATION:

Approve the minutes.

SUMMARY:

The Board voted to consolidate the Board Policy and Planning Committee (BPPC) and the Diversity and Inclusion Committee (DIAHC) on February 27, 2024.

In accordance with the Ralph M. Brown Act, a summary of Committee discussions, and details of all actions taken by the Board Policy and Planning Committee, during all open and public Committee meetings, is transcribed and submitted for review and approval.

Upon Committee approval, minutes transcripts are finalized and entered into the District's historical records archives and serve as historical records of the Committee's meetings.

ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:

The approval of minutes is not subject to environmental justice analysis.

ATTACHMENTS:

Attachment 1: 010224 BPPC Minutes

Attachment 2: 011124 DIAHC Minutes

UNCLASSIFIED MANAGER:

Candice Kwok-Smith, 408-630-3193

THIS PAGE INTENTIONALLY LEFT BLANK



BOARD POLICY AND PLANNING COMMITTEE MEETING

DRAFT MINUTES

Tuesday, January 2, 2024
2:00 PM

(Paragraph numbers coincide with agenda item numbers)

1. **CALL TO ORDER**

1.1 ROLL CALL

A special meeting of the Santa Clara Valley Water District (Valley Water) Board Policy and Planning Committee (Committee) was called to order at 2:00 p.m. on January 2, 2024.

Board Members in attendance: Director Nai Hsueh – District 5; Director Tony Estremera – District 6, constituting a quorum of the Committee. Director Rebecca Eisenberg – District 7, arrived as noted below.

Staff members in attendance: Aaron Baker, Lisa Bankosh, Mark Bilski, John Bourgeois, Rick Callender, Theresa Chinte, Chris Hakes, Brian Hopper, Michele King, Patrice McElroy, Brian Mendenhall, Carlos Orellana, Kirsten Struve, and Tina Yoke.

District 2 Director Barbara Keegan participated as an observer.

2. **Time Open for Public Comment on Any Item Not on Agenda**

Committee Chair Hsueh declared time open for public comment on any item not on the agenda. There was no one present who requested to speak.

3. **3.1 Approval of Minutes.**

The Committee considered the November 6, 2023, meeting minutes.

Committee Chair Hsueh requested that her name be removed from the summary section for Item 4.2, as she did not present the item.

It was moved by Director Estremera, seconded by Director Hsueh, and unanimously carried, to approve the November 6, 2023, Minutes as amended, with Director Eisenberg absent.

4. **REGULAR AGENDA**

4.1 Election of 2024 Board Policy and Planning Committee Officers.

Committee Chair Hsueh continued this item to the next meeting of the committee.

4.2 Upper Pajaro Watershed Plan Priority Actions

Director Rebecca Eisenberg arrived during the presentation of this item.

Nicholas Mascarello, Associate Environmental Planner, reviewed the information on this item as outlined in the attached PowerPoint presentation, Attachment 1.

Committee Chair Hsueh suggested that effort should focus on action steps that are identified as data collection, establishing models, the more basic knowledge type of activities. These should be prioritized first to ensure that we have the appropriate data to use moving forward. She also suggested that when this plan is presented to the full board it would be beneficial to connect it to their decision-making process, i.e., how these master plans connect with decision making to ensure we are doing what we intended to do.

Katja Irvin, Sierra Club, Loma Prieta Chapter, expressed concern for about how the Pacheco Reservoir project is presented in the plan. She suggested that to improve stakeholder participation, they should be notified when agenda items relating to the watershed plans are scheduled.

Director Eisenberg expressed that if we are going to be true to our goals of preserving our natural environment, we wouldn't be doing projects like Pacheco Reservoir. The best way to serve our climate change impacts goals, would be not to do harm.

It was committee consensus to recommend that staff present this information to advisory committees and the full board.

4.3 Review Proposed Changes to the Board Governance Policies – Executive Limitations (EL) 3-Human Resources.

Patrice McElroy, Deputy Administrative Officer, presented information on this item as outlined in the attached memo.

Director Eisenberg expressed concern for the proposed removal of the BAO Interpretation which could identify protections for staff and asked whether the unions were made aware of these changes.

Rick Callender, Chief Executive Officer, answered that the BAO Interpretations have never been reviewed with the unions or staff prior to making changes.

Committee Chair Hsueh requested that the word "current" be inserted before budget in Item 3.7, in the Recruitment and Employment section.

It was moved by Director Estremera, seconded by Director Hsueh, that the changes be presented to the full Board for consideration, with Director Eisenberg voting no.

4.4 Review Proposed Changes to Board Governance Policies-Executive Limitations (EL) 8-Inclusion, Equal Employment Opportunity, Discrimination/Harassment Prevention, and Diversity.

Patrice McElroy presented information on this item as outlined in the attached memo.

Director Eisenberg asked if contractor/consultants are included in the language, as well as the formerly incarcerated individuals. be included in the language.

Brian Hopper, Senior Assistant District Counsel, answered that contractor/consultants are covered in Section 8.2 and that formerly incarcerated individuals is not a protected and would not be covered in this policy.

Director Estremera stated that Section 8.5.1 generally addresses Director Eisenberg's concern for formerly incarcerated individuals.

It was moved by Director Eisenberg, seconded by Director Estremera, and unanimously approved that the changes be presented to the full Board for consideration.

4.5 Review Board-Approved Committee Purpose and Draft 2024 Work Plan and Meeting Schedule.

Committee Chair Hsueh continued this item to the next meeting.

5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

No Report.

6. ADJOURNMENT

Chair Director Hsueh adjourned the meeting at approximately 3:10 p.m.

Michele L. King
Clerk of the Board

Approved:

THIS PAGE INTENTIONALLY LEFT BLANK



DIVERSITY & INCLUSION AD HOC COMMITTEE MEETING

DRAFT MINUTES

SPECIAL MEETING
THURSDAY, JANUARY 11, 2024
12:00 PM

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER:

A special meeting of the Santa Clara Valley Water District (Valley Water) Diversity and Inclusion Ad Hoc Committee (Committee) was called to order in the Valley Water Headquarters Building Boardroom at 5700 Almaden Expressway, San Jose, California, and by Zoom teleconference, at 12:00 p.m.

1.1 Roll Call.

Committee members in attendance were District 5 Vice Chairperson Nai Hsueh, and District 6 Director Tony Estremera, Chairperson presiding, constituting a quorum of the Committee.

Director Rebecca Eisenberg (District 7) arrived as noted below.

Staff members in attendance were: Ingrid Bella, Roseryn Bhudsabourg, Rick Callender, Isela Chaparro, Theresa Chinte, Rosie Cofre, Alejandro Duenas, Rachael Gibson, Walter Gonzalez, Heather Hamp, Laurel Hanchett, Brian Hopper, Bassam Kassab, Gauri Khanna, Candice Kwok-Smith, Courtney Letts, Susana Inda, Marta Lugo, Velia Mariscal, Patrice McElroy, Nicole Merritt, Maral Najafkhani, Linda Nguyen, Carlos Orellana, Blanca Sanchez-Cruz, Sasa Seto, Diahann Soleno, Lidya Tesfaye, Tina Yoke, and Beckie Zisser.

Public in attendance was: None.

2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA:

Chairperson Estremera declared time open for public comment on any item not on the agenda. There was no one who wished to speak.

2.1. Election of 2024 Diversity and Inclusion Ad Hoc Committee Officers.

Recommendation: Nominate and elect the 2024 Diversity and Inclusion Ad Hoc Committee Chairperson and Vice Chairperson

The Committee continued this item to the next meeting.

3. APPROVAL OF MINUTES:

3.1. Approval of Diversity and Inclusion Ad Hoc Committee Meeting Minutes of August 15, 2023.

Recommendation: Approve the minutes.

The Committee considered the attached minutes of the August 15, 2023 Committee meeting without a staff presentation.

Public Comments:
None.

It was moved by Vice Chair Hsueh and seconded by Chairperson Estremera and carried by majority vote that the minutes be approved.

4. REGULAR AGENDA:

4.1. Receive Valley Water's Diversity, Equity and Inclusion (DEI) Strategic Initiative Update and Provide Feedback to Staff.

Recommendation: Receive an update on Valley Water's DEI Strategic initiatives, and provide feedback to staff.

Rosie Cofre reviewed the information on this item, per the attached Committee Agenda Memo and per the information contained in Attachment 1.

Director Eisenberg arrived.

Rosie Cofre was available to answer questions.

Public Comments:
None.

The Committee received the information, took no formal action, and noted the following:

- The Committee confirmed that the Racial Equity, Diversity & Inclusion (REDI) Liaison Cohorts obtain approval from their

supervisors/managers before volunteering to assist with providing staff feedback or insight.

- The Committee expressed support and appreciation for the DEI Strategic Initiatives Implementation Update highlighting the Veteran's Hiring Pledge, the Disability Employment Program, and the Tribal Outreach & Engagement.

4.2. Receive Nomination Request to Rename the Junipero Serra Channel; and Consider the Recommendation to Postpone Consideration of Renaming Until Bay Area Tribal Communities are Consulted.

Recommendation: Receive nomination request to rename the Junipero Serra Channel; and consider the recommendation to postpone consideration of renaming until Bay Area Tribal communities are consulted.

Blanca Sanchez-Cruz reviewed the information on this item, per the attached Committee Agenda Memo, and per the information contained in Attachment 1.

Blanca Sanchez-Cruz was available to answer questions.

Public Comments:
None.

The Committee received the information, took no formal action, and noted the following:

- The Committee confirmed support for staff's work, and for moving towards being proactive by exploring additional renaming opportunities with the local Tribal communities.

4.3. Receive the Employee Engagement Survey Recommendation Update.

Recommendation: Receive an update on Valley Water's 2023 Employee Engagement Survey recommendations as requested by this committee.

Patrice McElroy reviewed the information on this item, per the attached Committee Agenda Memo, and per the information contained in Attachment 1.

Patrice McElroy was available to answer questions.

Public Comments:
None.

The Committee received the information, took no formal action, and noted the following:

- The Committee confirmed support for staff's approach to have a new Employment Engagement Survey by May 2025 after the completion of the listening sessions.
- The Committee confirmed interest on the survey themes regarding trust, credibility, inclusion, and collaboration on Page 6 of Attachment 1 to be addressed by the listening sessions for all classification levels of employment.
- The Committee noted looking forward to sharing results with the Board in the future.

4.4. Receive the Fair Chance and Disabled Hiring Update.

Recommendation: Receive an update on Fair Chance & Disabled Hiring as part of this committee's work plan.

Patrice McElroy and Courtney Letts reviewed the information on this item, per the attached Committee Agenda Memo, and Laurel Hanchett reviewed the information contained in Attachment 1.

Patrice McElroy, Courtney Letts, and Laurel Hanchett were available to answer questions.

Public Comments:
None.

The Committee received the information, took no formal action, and noted the following:

- The Committee noted support of staff's approach, and satisfaction with the progress of establishing a program for employment opportunities for Fair Chance and Disabled applicants.

4.5. Review Diversity and Inclusion Ad Hoc Committee 2024 Work Plan and Accept 2024 Meeting Schedule, and Confirm Regular Meeting Time.

Recommendation: A. Review the 2024 Diversity and Inclusion Ad Hoc Committee 2023 Work Plan and make adjustments as necessary; and
B. Accept the 2024 meeting schedule and confirm regular meeting time.

The Committee continued this item to the next meeting.

Patrice McElroy confirmed an update will be provided at the next meeting for the Next Generation Career Pathways and the Leadership Workforce Development programs.

Carlos Orellana introduced Susana Inda as the Committee legal support going forward.

Public Comments:
None.

5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS:

This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.

None.

6. Adjourn:

6.1. Adjourn to Regular Meeting at 2:00 p.m, on April 25, 2024.

Chairperson Estremera adjourned the meeting at 1:10 p.m., to the regular meeting at 2:00 p.m. on April 25, 2024, but this Committee was subsequently consolidated with the Board Policy and Planning Committee and was renamed the Board Policy and Monitoring Committee scheduled to meet at 10:00 a.m. on May 15, 2024.

Nicole Merritt
Assistant Deputy Clerk II

Date Approved:

THIS PAGE INTENTIONALLY LEFT BLANK



Santa Clara Valley Water District

File No.: 24-0488

Agenda Date: 5/15/2024

Item No.: 4.1.

COMMITTEE AGENDA MEMORANDUM Board Policy and Monitoring Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Discuss Board Governance Policy Governance Process-6 (GP-6): Board Members' Code of Conduct and Provide Feedback.

RECOMMENDATION:

- A. Review Board Governance Policy Governance Process-6 (GP-6): Board Members' Code of Conduct; and
- B. Identify areas where Board Governance Policy GP-6: Board Members' Code of Conduct could be improved and provide direction to staff on next steps.

SUMMARY:

Following acceptance of the Director Gary Kremen Investigation Report in 2022, the Board assigned to the then Board Policy and Planning Committee to review Board Governance Policy, Governance Process-6, Board Members' Code of Conduct (GP-6) and identify areas of improvement.

On September 12, 2023 the Board approved an updated Board of Director Code of Ethics and Conduct Policy, which was finalized by the Board Policy and Planning Committee on August 10, 2023. Substantive portions of the Code of Conduct were updated but the Committee deferred making changes to the implementation of the policy at that time.

This item allows the Board Policy and Monitoring Committee to review GP-6 (Attachment 1) and suggest areas that could be improved to clarify and simplify the implementation of the policy. Staff have also summarized and created flowcharts outlining the Board's current process in GP-6 to address complaints made against Board members either from other Board members or address complaints from non-Board members (Attachment 2).

Also attached (Attachment 3) for the Committee's review and reference are sample policies referencing censure procedures from various public agencies including:

- 1. City of San Jose's Council Conduct Policy
- 2. City of Santa Clara's Admonition and Censure Policy

3. City of Oakland's Rule 32. Censure of Councilmembers
4. City of Los Angeles' Rules of the Los Angeles City Council, Chapter XIV Censure Procedures for the Los Angeles City Council
5. Western Municipal Water District's (Riverside County) 2.15.180 Censure Policy.
6. Ventura County's Draft Councilmember Ethics and Conduct

Staff anticipates that the Committee will provide direction to staff at this meeting and over the next few months of Board Policy and Monitoring Committee meetings with the goal of recommending a final updated policy to the Board at the October 22, 2024 Board meeting.

ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:

There are no environmental justice and equity impacts associated with this item.

ATTACHMENTS:

Attachment 1: Board Governance Policy GP-6

Attachment 2: GP-6 Flowcharts

Attachment 3: Sample Censure Policies

UNCLASSIFIED MANAGER:

Rick Callender, (408) 630-2017

Governance Policies of the Board

Title: Board Members' Code of Conduct		
Category: Governance Process		
Policy No. GP-6	Adopted: June 15, 1999 Chair: Larry Wilson	Latest Revision: September 12, 2023 Chair: John L. Varela
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

The Board commits itself and its members to ethical, business-like, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

Board members who do not adhere to this code of conduct may be subject to the procedures of GP-6.3 through GP-6.5 listed below.

- 6.1. Board members shall refrain from abusive conduct, personal charges or verbal assaults upon the character or motives of other members of the Board, committees, commissions, staff and the public.
- 6.2. The Board may not authorize severance pay for a Board-appointed employee of the District when the employee voluntarily separates from District employment. "Severance pay" does not include any otherwise lawful payment required to be paid by the District under a pre-existing employment agreement or under a separation and release agreement resolving a claim or claims made or threatened against the District. The Board shall not agree to amend an employment contract after the employee announces or requests a voluntary separation, except upon a Board determination, in open session, that an adjustment in compensation is required to retain the employee and is in the best interest of the District.
- 6.3. This policy applies to the Santa Clara Valley Water District Board of Directors and the following procedures shall be followed when any member of the Board of Directors reasonably believes that another member of the Board has engaged in misconduct or has failed to act in the best interests of the District. The procedures shall not be effective in any case in which a non-board member seeks redress for alleged misconduct by a Board member. While the Board has discretion in deciding the actions it may choose to take in response to a complaint, this policy provides definitions and procedures related to three types of actions: admonition, sanction and censure.

6.3.1. Admonition

Admonition is the least severe form of action. An admonition may typically be directed to all members of the Board, reminding them that a particular type of behavior is not in the best interests of the District, and that, if it occurs or is found to have occurred, could make the member subject to sanction or censure. An admonition may be issued in response to a particular alleged action or actions, although it would not necessarily have to be triggered by a

Governance Policies of the Board

complaint of misconduct. An admonition may be issued by the Board prior to any findings of fact regarding any complaint, and because it is a warning or reminder, would not necessarily require an investigation or separate public hearing to determine whether a complaint is true.

6.3.2. Sanction

Sanction is the next most severe form of action. Sanction should be directed to a particular member of the Board based on a particular action (or set of actions) that is determined to be misconduct but is considered by the Board not to be sufficiently serious to require censure. A sanction is distinguished from censure in that it does not constitute punishment. A written sanction may be based upon the Board's review and consideration of a written complaint. The member accused of such misconduct will have an opportunity to provide a written response to the complaint. A sanction may be issued by the Board, and because it is not punishment or discipline, it would not necessarily require an investigation or separate public hearing.

6.3.3. Censure

Censure is the most severe form of action in this policy. Censure is a formal statement of the Board officially reprimanding one of its members. It is a punitive action, which serves as a penalty imposed for misconduct, but it carries no fine or suspension of the rights of the member as an elected official. Censure should be used for cases in which the Board determines that the misconduct is a serious offense. In order to protect the overriding principle of freedom of speech, the Board shall not impose censure on any of its members for the exercise of his or her First Amendment rights, no matter how distasteful the expression was to the Board or the District. However, nothing herein shall be construed to prohibit the Board from collectively condemning and expressing their strong disapprobation of such remarks.

6.3.4. Referral to District Attorney

At any point during any of the processes hereinafter described, the Board may refer the matter, as appropriate, to the Santa Clara County District Attorney for investigation. Prior to or following such referral, the Board may proceed with any of the actions described in this policy.

6.4. Available Procedures for addressing Misconduct

There are four separate methods for the Board to address Board member misconduct under this Policy: (1) written complaint; (2) request for admonition; (3) request for sanction; and (4) request for censure. Written complaints that specifically seek admonition, sanction, or censure as a specific remedy shall be treated as a request for that remedy (admonition, sanction, or censure), and the provisions of sections GP-6.5 and GP-6.6 shall not apply.

Governance Policies of the Board

6.5. Written Complaints

In the event a Board member reasonably believes another Board member has failed to act in the best interests of the District resulting in misconduct, a written complaint shall be submitted to the Chief People Officer. Upon receipt, the Chief People Officer, Human Resources Division shall transmit the complaint to the District Counsel for review. The District Counsel shall review complaints to determine whether there is a sufficient basis for further action.

6.5.1. If a complaint fails to articulate a sufficient basis for further consideration, the complainant and the accused Board member will be so advised by the District Counsel, and the matter shall be deemed concluded.

6.5.2. If a complaint adequately articulates a sufficient basis for further action, the District Counsel shall present the complaint to the Board Ethics and Conduct Ad Hoc Committee (the "Committee"), which shall be comprised of the Chair and two members of the Board. In the event the subject of a complaint is the Chair or any member of the Committee, the Board shall select another Board member to serve on the Committee in that member's stead. The District Counsel may recommend to the Committee that:

6.5.2.1. Fact finding as to the complaint should be conducted; or

6.5.2.2. Informal resolution of the complaint should occur; or

6.5.2.3. An independent investigation of the complaint should occur.

6.6. Prior to any determination by the Committee to proceed with an investigation, the accused Board member must be given a reasonable opportunity to meet with the Committee or to provide a written response to the complaint. In deciding whether or not to open an investigation, the Committee should consider:

6.6.1. Whether an investigation may compromise investigations regarding the same alleged misconduct, whether the misconduct may result in criminal charges, and whether the right of the accused Board member to a fair jury trial may be compromised by proceeding with an investigation.

6.6.2. Whether persons involved in the allegations may choose to exercise their constitutional right against self-incrimination, which may limit the investigation's ability to present a full and impartial picture of alleged events.

Governance Policies of the Board

- 6.6.3. Whether measures can be taken to protect the rights of the member accused of misconduct, the member making such allegations, and those who have information regarding the allegations.

6.7. Investigations

- 6.7.1. If the Committee determines that an investigation is warranted, upon notification of the Board, District Counsel may be directed to conduct the investigation. District Counsel may select and manage an independent investigator to assist in conducting the investigation.
- 6.7.2. In the course of the investigation, District Counsel shall determine the process by which statements are taken. District Counsel may allow witnesses to choose to provide a signed declaration under penalty of perjury attesting to their knowledge of the facts surrounding the complaint.
- 6.7.3. At the conclusion of the investigation, the results of the investigation shall be presented in writing to the Committee and CEO. If the Committee is satisfied with the completeness of the investigation, it shall provide the Board with its findings and any recommendations. Following such findings and recommendations, any individual Board member may file a request for admonition, sanction, or censure.
- 6.7.4. If the Committee determines that an investigation is not warranted, the complainant and the Board shall be notified. Following such notification, any Board member may file a request for admonition, sanction, or censure.
- 6.7.5. Should any Board member file a request for admonition, sanction, or censure following investigation, the Committee shall submit to the Board a recommendation as set forth in sections GP-6.8.2, GP-6.9.2, or GP-6.10.2, below, and the matter shall thereafter be considered by the Board at its next public meeting subject to the restrictions of section GP-6.10.5, below.

6.8. Request for Admonition

- 6.8.1. Any Board member may make a written request for an admonition which must be submitted to the Committee. The request must contain specific language descriptive of the alleged misconduct and the reason(s) admonition is appropriate. A copy of the request for admonition shall be provided to the Board member accused of the misconduct.
- 6.8.2. The Committee shall review the request and submit it to the Board with a recommendation. The Committee's recommendation shall provide:

Governance Policies of the Board

6.8.2.1. Admonition is warranted; or

6.8.2.2. Admonition is not warranted; or

6.8.2.3. No further action is required.

6.8.3. A recommendation by a majority of the Committee shall be based on the Committee's review of the written record.

6.8.4. An admonition can be approved by a majority of the Board.

6.9. Request for Sanction

6.9.1. Any Board member may make a written request for sanction which must be submitted to the Committee. The request must contain specific language descriptive of the alleged misconduct and the reason(s) sanction is appropriate. A copy of the request for sanction shall be provided to the Board member accused of the misconduct by personal service within five (5) business days from the date the Committee receives the request. The time for service shall be tolled if the Board member is unavailable for service.

6.9.2. The Committee shall review the request and determine if an investigation is warranted. Following the investigation, or if no investigation was undertaken, following review of the request, the Committee shall submit the request to the Board with a recommendation. The Committee's recommendation shall provide:

6.10.2.1. Admonition, rather than sanction is warranted; or

6.10.2.2. Sanction is warranted; or

6.10.2.3. No further action is warranted.

6.9.3. A recommendation by a majority of the Committee shall be based on the Committee's review of the written record.

6.9.4. The Committee's recommendation shall be subject to a majority vote of the Board.

6.10. Request for Censure

6.10.1. Any Board member may make a written request for a censure which must be submitted to the Committee. The request must contain specific language descriptive of the alleged misconduct and the reason(s) censure is appropriate. A copy of the request for censure shall be served

Governance Policies of the Board

on the Board member accused of the misconduct by personal service within five (5) business days from the date the Committee receives the written request. The time for service shall be tolled if the Board member is unavailable for service.

- 6.10.2. The Committee shall review the request and submit the request to the Board with a recommendation. The Committee's recommendation shall provide:
 - 6.10.2.1. Further investigation of the request for censure is required; or
 - 6.10.2.2. Admonition or sanction is warranted; or
 - 6.10.2.3. The request for censure should be set for a separate Board public hearing; or
 - 6.10.2.4. No further action is required.
- 6.10.3. A recommendation by a majority of the Committee shall be based on the Committee's review of the written record.
- 6.10.4. If the Board determines that further investigation is required, the Board shall direct the Committee to lead the investigation which may be assisted by the CEO and District Counsel. The following guidelines apply to such an investigation:
 - 6.10.4.1. The Committee may be assisted by a separate independent investigator.
 - 6.10.4.2. Upon completion of the investigation, the Committee should determine if taking all the facts and evidence into consideration, there are reasonable grounds to believe or not believe that the misconduct occurred.
 - 6.10.4.3. The Committee shall issue to the Board a final a report and recommendation as approved by a majority of the Committee. The Committee's final report shall be made available to the public.
- 6.10.5. If a separate Board public hearing is required, it must be scheduled far enough in advance to provide the Board member subject to the charges adequate time to prepare a defense, and that Board member shall be given the opportunity to make an opening and closing statement and to question his or her accusers. The Board member subject to the charges may be represented and may have the representative speak or question on his/her behalf. The Chair or Vice Chair, if the Chair is the subject of the charges, shall preside at the public hearing. The rules of evidence shall not apply to the hearing of the matter, which is not a formal adversarial proceeding. If the District Counsel has assisted Board members in the

Governance Policies of the Board

investigation, independent legal counsel shall provide legal advice to the Board during the hearing of the matter.

6.10.6. A decision to censure requires the adoption of a resolution making findings with respect to the specific charges, based on substantial evidence and approved by a two-thirds vote of Board.

6.11. Complaints from non-Board members

This policy applies to the Santa Clara Valley Water District Board of Directors and the following procedure shall be followed when a non-Board member files a written complaint stating his/her reasonable belief that a member of the Board has acted or failed to act in the best interests of the District resulting in misconduct. While the Board has discretion in deciding the actions it may choose to take in response to such a complaint, this policy provides definitions and procedures related to three types of actions: admonition, sanction and censure as defined in sections GP-6.3.1, GP-6.3.2., and GP-6.3.3, of this policy.

6.12. At any point during any of the processes hereinafter described, the Board may refer the matter as appropriate to the Santa Clara County District Attorney for investigation. Following such referral, the Board may proceed with any of the actions described in this policy.

6.13. This policy applies to the Santa Clara Valley Water District Board of Directors and the following procedures shall be followed when a non-Board member reasonably believes that a member of the Board has acted or failed to act in the best interests of the District resulting in misconduct. A written complaint signed by the complainant shall be filed with the Chief People Officer, Human Resources Division. Upon receipt, the Chief People Officer shall transmit the complaint to the Chief Executive Officer (CEO) and the District Counsel for review. The CEO and District Counsel shall review the complaint to determine whether there is a sufficient basis for further action.

6.13.1. If a complaint fails to articulate a sufficient basis for further consideration, the complainant and the accused Board member will be so advised and the matter shall be deemed concluded.

6.13.2. If a complaint adequately articulates a sufficient basis for further action, the CEO and District Counsel shall present the complaint to the Chair of the Board. In the event the subject of the complaint is the Chair, the Vice Chair shall be presented with the complaint. The CEO and District Counsel may recommend to the Chair or Vice Chair that:

6.13.2.1. Fact finding as to the complaint should be conducted; or

6.13.2.2. Informal resolution of the complaint should occur; or

6.13.2.3. An independent investigation of the complaint should occur.

Governance Policies of the Board

- 6.14. Prior to the determination by the Chair or Vice Chair to proceed with an investigation, the accused Board member must be given a reasonable opportunity to meet with the Chair or Vice Chair or to provide a written response to the complaint. In deciding whether or not to open an investigation, the Chair or Vice Chair should consider:
- 6.14.1. Whether an investigation may compromise investigations regarding the same alleged misconduct and if the misconduct may result in criminal charges, whether the right of the accused Board member to a fair jury trial may be compromised by proceeding with an investigation.
 - 6.14.2. If persons involved in the allegation may choose to exercise their constitutional right against self-incrimination, which may limit the investigation's ability to present a full and impartial picture of the alleged events.
 - 6.14.3. Measures to protect the rights of the member accused of misconduct, the non-Board member making such allegations, and those who have information regarding the allegations.
- 6.15. Investigations
- 6.15.1. If the Chair or Vice Chair determines that an investigation is warranted, upon notification of the Board, District Counsel may be directed to conduct an investigation, and District Counsel may select and manage an independent investigator to assist in conducting such investigation.

Alternatively, at the discretion of the Chair or Vice Chair, the Board's Ethics and Conduct Ad Hoc Committee (as described in Section 6.5.2 of the Board's Governance Policies) shall select an independent investigator to conduct the investigation.
 - 6.15.2. In the course of the investigation, District Counsel shall determine the process by which statements are taken. A witness may choose to provide a signed declaration under penalty of perjury attesting to his/her knowledge of the facts surrounding the complaint. Within ninety (90) days of the date an investigation begins, District Counsel shall inform the Board of the investigation's progress. Investigations should be completed within six (6) months from the date the investigation begins; however, in the event the investigation cannot be completed within the six (6) month time period, District Counsel shall so notify the Board.
 - 6.15.3. At the conclusion of the investigation, the results of the investigation shall be presented in writing to the Chair or Vice Chair. If the Chair or Vice Chair is satisfied with the completeness of the investigation, the Chair or Vice Chair shall provide the Board with findings and any recommendations. Following such findings and recommendation, any individual Board member may file a request for admonition, sanction, or censure.

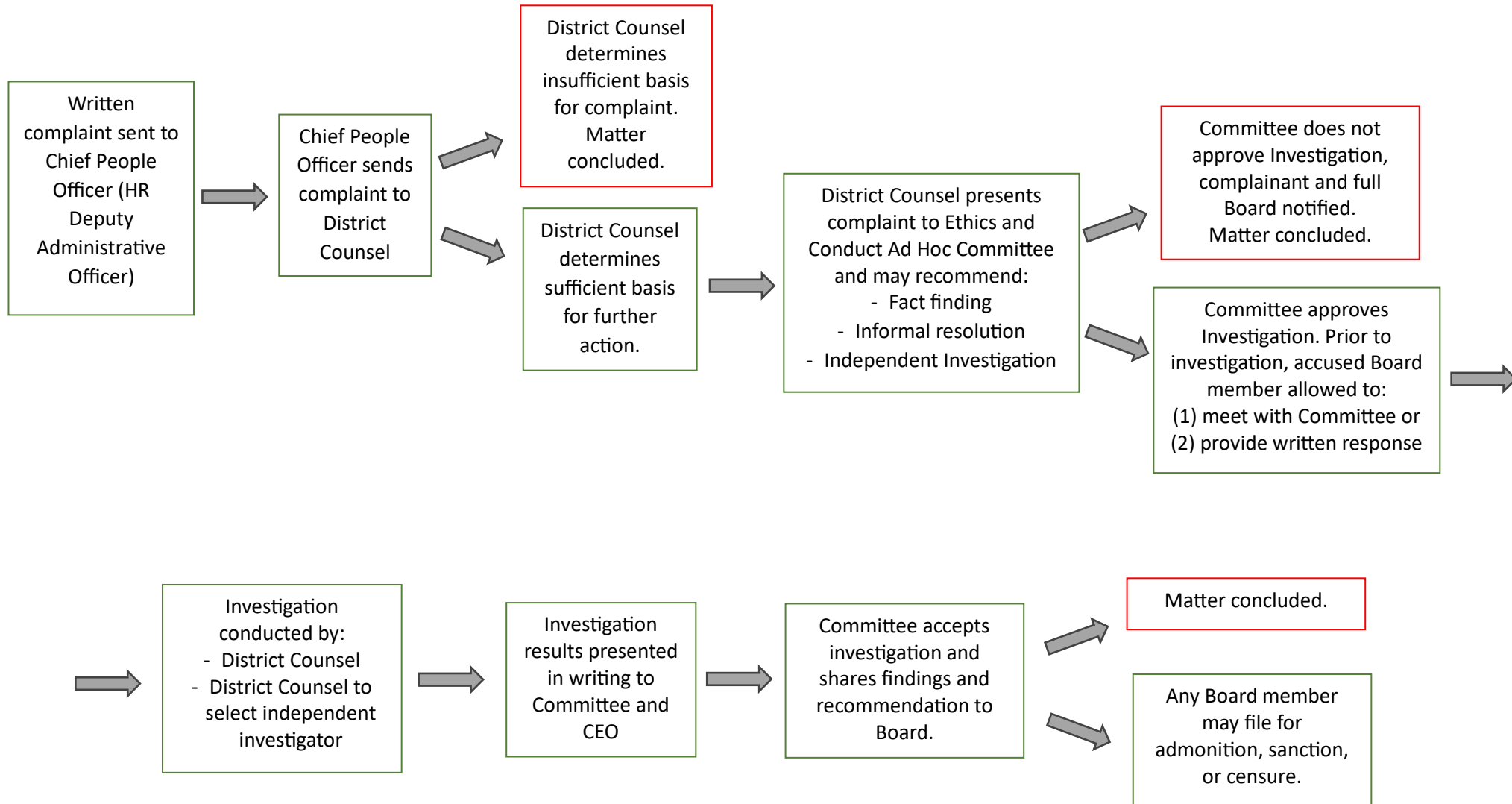
Governance Policies of the Board

- 6.15.4. If the Chair or Vice Chair determines that an investigation is not warranted, the complainant and the Board shall be notified. Following such notification, any Board member may file a request for admonition, sanction, or censure as set forth in sections GP-6.8, GP-6.9, or GP-6.10 of this policy, save and except that whenever the term “Committee” appears therein, the term “Chair” or “Vice Chair” shall be applicable.
- 6.15.5. Should any Board member file a request for admonition, sanction, or censure following the Chair or Vice Chair’s findings and recommendations or determination that an investigation is not warranted as set forth in sections GP-6.15.1 through GP-6.15.4 above, the matter shall thereafter be considered by the Board at its next public meeting subject to the restrictions of section GP-6.10.5, above.

THIS PAGE INTENTIONALLY LEFT BLANK

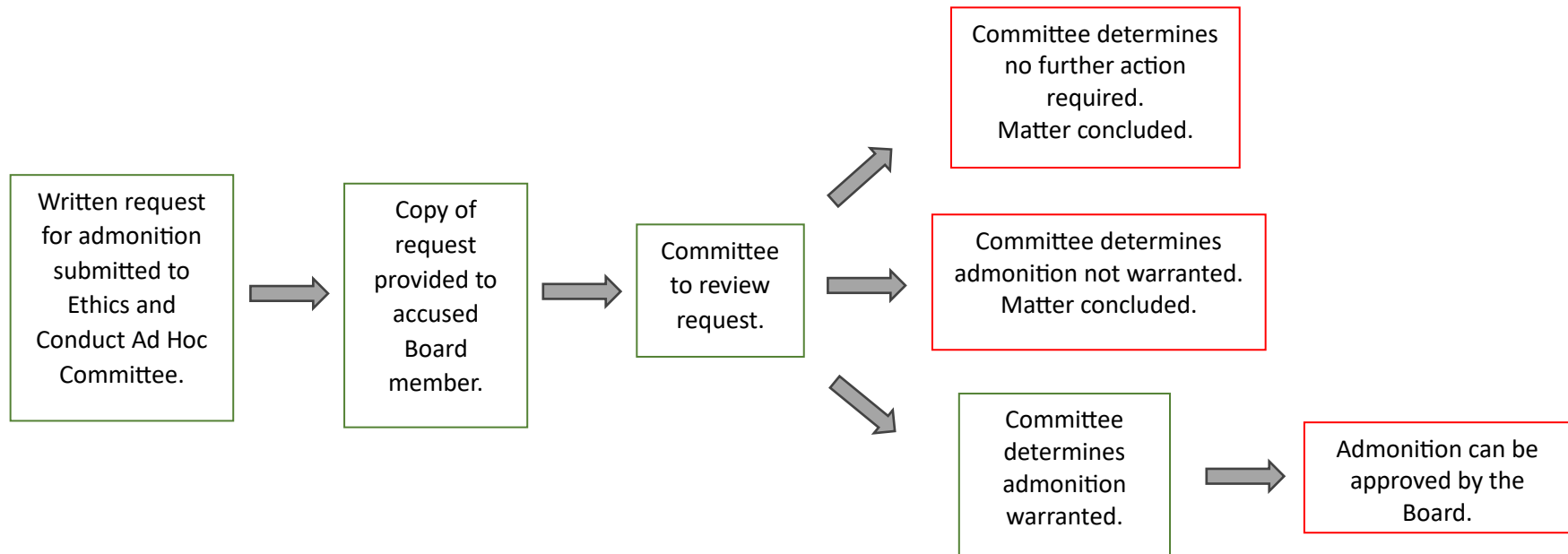
Valley Water GP-6 FLOWCHARTS

Written Complaints by Board Members



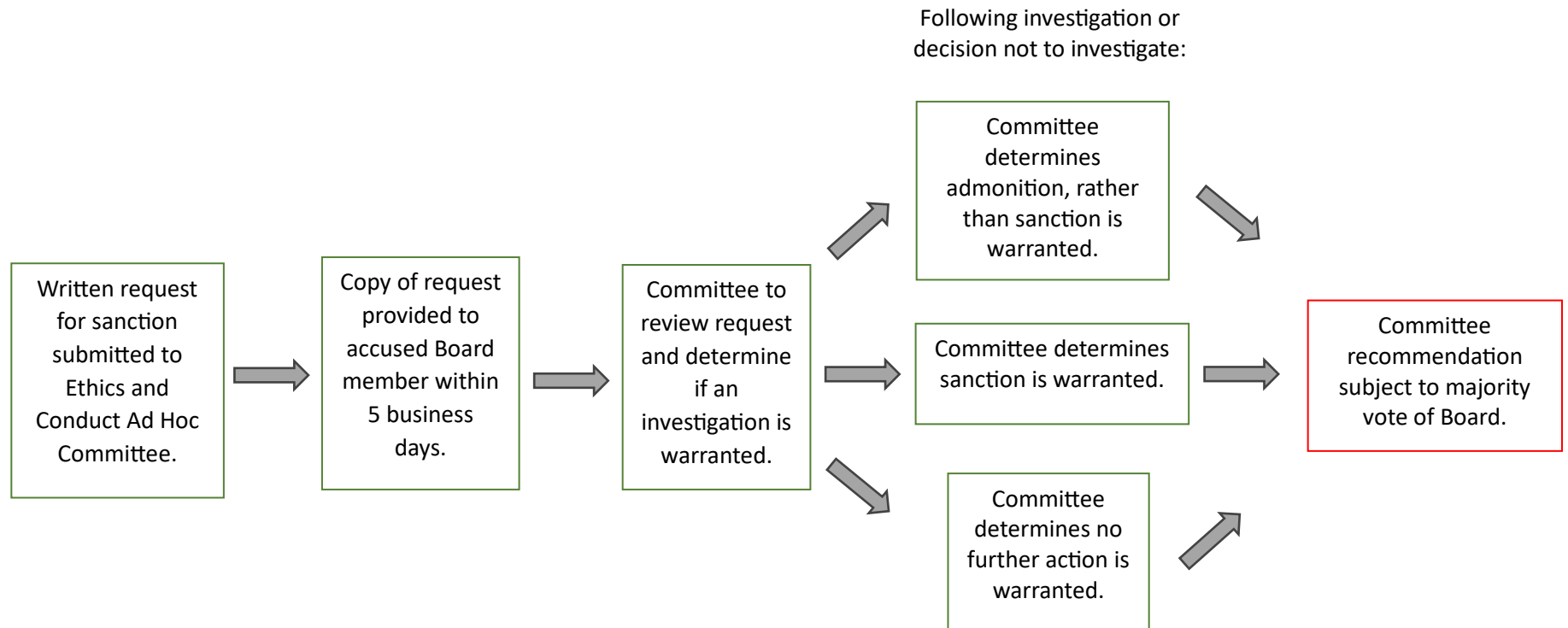
Valley Water GP-6 FLOWCHARTS

Board Member Request for Admonition



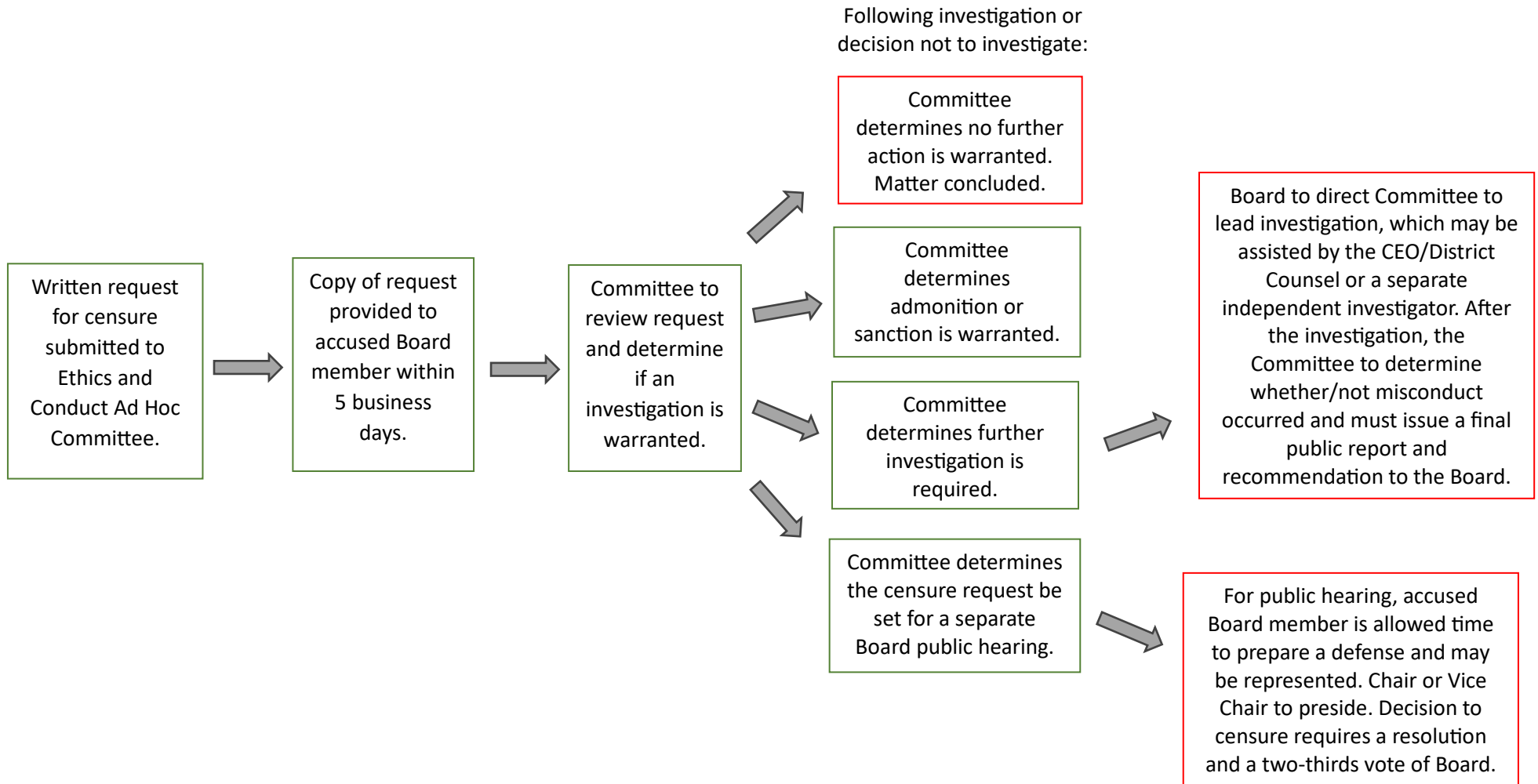
Valley Water GP-6 FLOWCHARTS

Board Member Request for Sanction



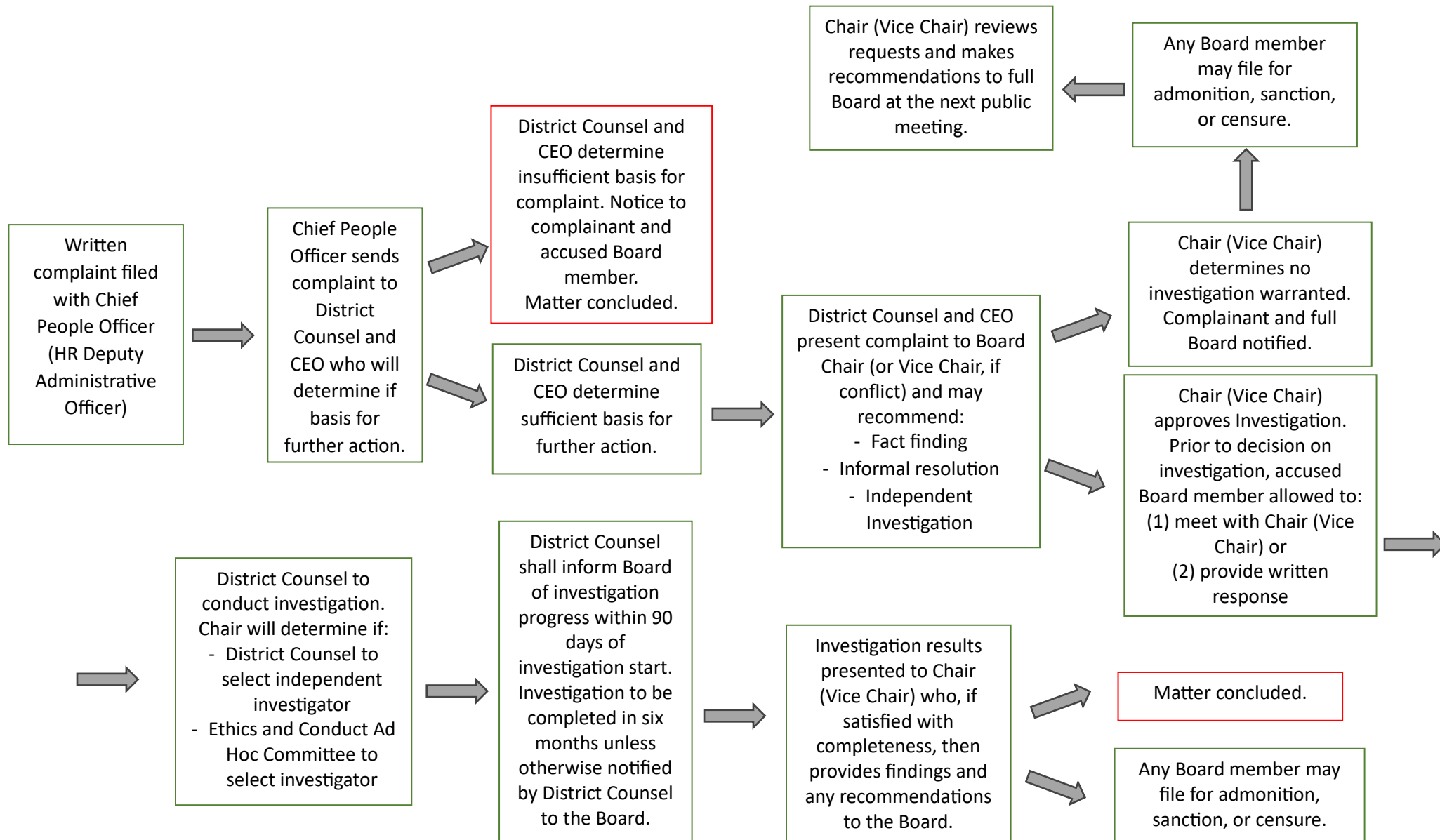
Valley Water GP-6 FLOWCHARTS

Board Member Request for Censure



Valley Water GP-6 FLOWCHARTS

Complaints from Non-Board Members



Valley Water GP-6 FLOWCHARTS

Category 1: Actions initiated by Board members

Board members can address Board member misconduct by:

- (1) Written complaint
- (2) Request for admonition
- (3) Request for sanction
- (4) Request for censure

GP 6.5	Written Complaints by Board Members
GP 6.5	Written complaint submitted to Chief People Officer (HR Deputy Administrative Officer)
	Chief People Officer transmits complaint to District Counsel for Review
	District Counsel to determine whether there is a sufficient basis for further action
6.5.1	If complaint fails to articulate a sufficient basis for further consideration, District Counsel advises both the complainant and the accused Board Member – matter deemed concluded
6.5.2	<p>If complaint adequately articulates a basis for further action, District Counsel to present the complaint to the Board Ethics and Conduct Ad Hoc Committee and may recommend:</p> <ul style="list-style-type: none"> Fact finding as to the complaint (6.5.2.1) Informal Resolution of the complaint (6.5.2.2) An independent investigation (6.5.2.3)
6.6	<p>Before Committee can determine to proceed with an investigation:</p> <ul style="list-style-type: none"> Accused Board member must be given a reasonable opportunity to (1) meet with the Committee or (2) provide a written response to the complaint
	<p>Committee approves investigation (GP 6.7.1)</p> <ul style="list-style-type: none"> Following notification of the Board, the District Counsel may be directed to conduct the investigation (6.7.1) District Counsel may select and manage an independent investigator to assist in conducting investigation (6.7.1) District Counsel shall determine the process by which statements are taken (may allow declarations in lieu of testimony) (6.7.2)
6.7.3	<p>Conclusion of Investigation:</p> <ul style="list-style-type: none"> Results presented in writing to the Committee and CEO If the Committee is satisfied with completeness of investigation, it shall provide the Board with its findings and recommendations. (No role for CEO in determination of completeness) Following presentation of Committee's findings and recommendations, any Board member may file a request for admonition, sanction, or censure

Valley Water GP-6 FLOWCHARTS

	<p>Committee does not approve investigation (6.7.4):</p> <ul style="list-style-type: none"> • Complainant and full Board to be notified. • Following notification, any Board member may file a request for admonition, sanction, or censure.
	<p>Board member request for admonition, sanction, or censure following investigation (6.7.5):</p> <ul style="list-style-type: none"> • Committee shall submit to the Board a recommendation as to the request per 6.8.2 (admonition), 6.9.2 (censure), or 6.10.2 (sanction) • Matter to be considered by full Board at next public meeting (subject to need to give Board member subject to the charges sufficient time in the event of censure (6.10.5) • Process is silent as to Committee role in the event a request for admonition, sanction, or censure following written complaint and Committee decision not to investigate.

GP 6.8	Board member request for Admonition
6.8.1	Board member written request for admonition submitted to Ethics and Conduct Ad Hoc Committee
6.8.1	Copy of request to be provided to Board member accused of misconduct
6.8.2	<p>Committee to review request and submit it to the full Board with a recommendation based upon its review of the written record:</p> <ul style="list-style-type: none"> • Admonition warranted • Admonition not warranted • No further action is required
6.8.4	Admonition can be approved by a majority of the Board

GP 6.9	Board member request for Sanction
6.9.1	Board member written request for sanction submitted to Ethics and Conduct Ad Hoc Committee
6.9.1	Copy of request must be provided to the Board member accused of misconduct by personal service within 5 business days from the date the Committee receives the request
6.9.2	Committee to review the request and determine if investigation is warranted.
	<p>Following investigation or decision not to investigate, Committee shall submit the request to the Board with a recommendation based upon its review of the written record:</p> <ul style="list-style-type: none"> • Admonition, rather than sanction is warranted • Sanction is warranted

Valley Water GP-6 FLOWCHARTS

	<ul style="list-style-type: none"> No further action is warranted
6.9.4	Committee's recommendation subject to a majority vote of the Board

GP 6.10	Board member request for Censure
6.10.1	Board member written request for censure submitted to Ethics and Conduct Ad Hoc Committee
6.10.1	Copy of request must be provided to the Board member accused of misconduct by personal service within 5 business days from the date the Committee receives the request
6.10.2	Committee to review the request and determine if investigation is warranted.
6.10.2	<p>Following investigation (or decision not to investigate), Committee shall submit the request to the Board with a recommendation based upon its review of the written record:</p> <ul style="list-style-type: none"> Further investigation of the request for censure is required; or Admonition or sanction is warranted; or The request for censure should be set for a separate Board public hearing; or No further action is warranted
6.10.4	<p>Board determination that further investigation is required:</p> <ul style="list-style-type: none"> Board shall direct Committee to lead the investigation which may be assisted by the CEO and District Counsel Investigation <ul style="list-style-type: none"> Committee may be assisted by a separate independent investigator Upon completion of investigation, Committee should determine if there are reasonable grounds to believe or not believe that misconduct occurred. Committee to issue final (public) report and recommendation to Board
	<p>If Board sets the request for censure for public hearing:</p> <ul style="list-style-type: none"> Scheduled so as to give accused Board member adequate time to prepare a defense Accused Board member may be represented Chair or Vice Chair (if Chair is subject of the charges) to preside at hearing Decision to censure requires resolution and a 2/3 vote of the Board.

Valley Water GP-6 FLOWCHARTS

Category 2 – Complaints from non-Board members

6.11	Written complaint by non-Board member stating his/her reasonable belief that a member of the Board has acted or failed to act in best interests of Valley Water.
6.11	Written complaint filed with Chief People Officer
6.13	Chief People Officer transmits written complaint to District Counsel and CEO for review
6.13	CEO and District Counsel shall review the complaint to determine whether there is a sufficient basis for further action (no guidance in event of disagreement between CEO and District Counsel)
6.13.1	<p>Insufficient Complaint (Complaint fails to articulate a sufficient basis for further consideration)</p> <ul style="list-style-type: none"> • Notice to complainant and accused Board member – matter deemed concluded.
6.13.2	<p>Sufficient Complaint (Complaint adequately articulates a basis for further action):</p> <ul style="list-style-type: none"> • CEO and District Counsel shall present complaint to the Chair of the Board (Vice Chair if conflict) • CEO and District Counsel may recommend to Chair: <ul style="list-style-type: none"> ○ Conduct fact-finding; or ○ Informal resolution of the complaint; or ○ An independent investigation of the complaint should occur
6.14.1	<p>The Chair alone decides whether to investigate.</p> <p>Prior to decision on whether to investigate, the accused Board member must have an opportunity to:</p> <ul style="list-style-type: none"> • Meet with the Chair; or • Provide a written response to the complaint
6.15	Investigation
6.15.1	Following notification of Board, the Chair may direct the District Counsel to conduct an investigation.
6.15.1	<p>Selection of Investigator</p> <p>The Chair has discretion to have the Investigator selected by the District Counsel or selected by the Ethics and Conduct Ad Hoc Committee.</p> <p>(Potential selection of the investigator is the only role for the Ethics and Conduct Ad Hoc Committee in matters of third-party complaints.)</p>
6.15.2	District Counsel shall inform Board of the investigation's progress within ninety days of investigation's start.
6.15.2	Investigation to be completed in six months or Board to be notified by District Counsel within six-month time period if it cannot be completed within that time frame.
6.15.3	Conclusion of investigation

Valley Water GP-6 FLOWCHARTS

	<ul style="list-style-type: none">• Results presented in writing to Chair (Vice-Chair)• If Chair (Vice Chair) satisfied with completeness of investigation, he or she must provide the Board with findings and any recommendations.• Following Chair's findings and recommendations, any Board member may file a request for admonition, sanction, or censure
6.15.4	<p>No Investigation</p> <ul style="list-style-type: none">• Chair (Vice-Chair) determines investigation is not warranted• Complainant and Board notified of decision.• Following Board notification, any Board member may file a request for admonition, sanction, or censure• The Chair (Vice-Chair), and not the Ethics and Conduct Ad Hoc Committee, would review the requests and make recommendations to the full Board (6.15.4)• The Chair's recommendation on the request would be heard at the next public meeting (subject to need to give Board member subject to the charges sufficient time in the event of censure (6.15.5, 6.10.5)

City of San José, California

COUNCIL POLICY

TITLE COUNCIL CONDUCT POLICY	PAGE 1 of 4	POLICY NUMBER 0-28
EFFECTIVE DATE November 8, 1994	REVISED DATE November 30, 2004	
APPROVED BY COUNCIL ACTION		11/08/94 Item 9(C)

PURPOSE

This Policy applies only to the Mayor and City Council members, and amends and supersedes the original City Council Policy 0-28, the Censure Policy.

GUIDING PRINCIPLES

It is the Policy of the City Council that all of its members shall abide by federal and state law, City ordinances and City policies, including the Code of Ethics. Violation of such law or policy tends to injure the good name of the City and to undermine the effectiveness of the City Council as a whole.

Depending on the circumstances of alleged violations of law or policy, the Council may initiate an investigation of the allegations prior to the filing of a request for any of the actions described in this policy.

Nothing in this policy shall preclude individual Councilmembers from making public statements regarding such alleged conduct.

Considerations

In deciding whether or not to open an investigation, Council should consider:

- whether an investigation may compromise investigations regarding the same alleged actions, and, if the actions may result in criminal charges, whether the right of the accused Councilmember to a fair jury trial may be compromised by proceeding with an investigation;
- if persons involved in the allegations may choose to exercise their constitutional right against self-incrimination, which may limit the investigation's ability to present a full picture of alleged events;
- how to ensure that it ensures protection of the rights of those accused of violations of law or policy, those making such accusations, and those who have information regarding the accusations.

At any point during any of the processes described in this policy, the Council may refer the matter, as appropriate, to the Santa Clara County District Attorney or to the San José Elections Commission for investigation. Following such a referral, the Council may proceed with any actions it chooses to undertake under the provisions of this policy.

While the Council has broad discretion in deciding actions it may choose to take in response to violations of law or policy, this policy provides definitions and procedures related to three types of action: admonition, sanction, and censure.

DEFINITIONS

Admonition

This is the least severe form of action. An admonition may typically be directed to all members of the City Council, reminding them that a particular type of behavior is in violation of law or City policy, and that, if it occurs

TITLE COUNCIL CONDUCT POLICY	PAGE 2 of 4	POLICY NUMBER 0-28
-------------------------------------	-----------------------	------------------------------

or is found to have occurred, could make a member subject to sanction or censure. An admonition may be issued in response to a particular alleged action or actions, although it would not necessarily have to be triggered by such allegations. An admonition may be issued by the City Council prior to any findings of fact regarding allegations, and because it is a warning or reminder, would not necessarily require an investigation or separate hearings to determine whether the allegation is true

Sanction

This is the next most severe form of action. Sanction should be directed to a particular member of the City Council based on a particular action (or set of actions) that is determined to be in violation of law or City policy, but is considered by the Council to be not sufficiently serious to require censure. A sanction is distinguished from censure in that it is not a punishment. A sanction may be issued based upon Council's review and consideration of a written allegation of a policy violation. The member accused of such violation will have an opportunity to provide a written response to the allegation. A sanction may be issued by the City Council and because it is not punishment or discipline, would not necessarily require an investigation or separate hearings.

Censure

Censure is the most severe form of action contemplated in this policy. Censure is a formal statement of the City Council officially reprimanding one of its members. It is a punitive action, which serves as a penalty imposed for wrongdoing, but it carries no fine or suspension of the rights of the member as an elected official. Censure should be used for cases in which the Council determines that the violation of law or policy is a serious offense. In order to protect the overriding principle of freedom of speech, the City Council shall not impose censure on any of its members for the exercise of his or her First Amendment rights, no matter how distasteful the expression was to the Council and the City. However, nothing herein shall be construed to prohibit the City Council from collectively condemning and expressing their strong disapprobation of such remarks.

PROCEDURES

Investigation

1. Any member of the City Council may submit, in writing, an allegation concerning a violation of law or policy to the Rules Committee.
2. The Rules Committee shall determine whether to forward a recommendation to conduct an investigation to the full Council for consideration as part of the Rules Committee report agenda item at the appropriate subsequent Council meeting. Part of the determination should include allowing the Councilmember who is the subject of the allegation the opportunity to address the allegation in writing or by appearing at the Rules Committee meeting at which the allegation is discussed.
3. If the Council determines, by majority vote, that:
 - a. An investigation is warranted, it may designate a standing or special committee or one of its members, including the Mayor, to conduct the investigation. The Council may select an independent investigator to assist in conducting the investigation. The independent investigator would be managed by the committee or individual designated by Council to conduct the investigation.
 - b. An investigation is not warranted, an individual Councilmember is not precluded from submitting a request for admonition, sanction, or censure in accordance with the provisions of this policy.
4. In the course of the investigation, the individual or committee designated to manage it must determine the process by which statements are taken. A witness may choose to provide a signed declaration under penalty of perjury attesting to his or her knowledge of the facts surrounding the allegations. If a witness is unwilling to submit such a declaration, the Council may issue a subpoena to compel the witness' testimony, consistent with its subpoena power granted under the City Charter.

TITLE	COUNCIL CONDUCT POLICY	PAGE	POLICY NUMBER
		3 of 4	0-28

5. At the conclusion of the investigation, the results shall be presented in writing to the full Council. Based on the results, any individual Council member may file a request for admonition, sanction, or censure.

Admonition

1. A request for an admonition must be submitted to the Rules Committee in writing by a member of the Council. The request should contain the specific language of the proposed admonition.

2. The Rules Committee shall determine whether to forward the proposed admonition to the full Council for consideration as part of the Rules Committee report agenda item at the appropriate subsequent Council meeting.

3. An admonition can be approved by a majority vote of the Council.

Sanction

1. A request for sanction must be submitted to the Rules Committee in writing by a member of the Council. The request should contain specific allegations of conduct in violation of federal or state law, City ordinances, and City policies, including the Code of Ethics.

2. A copy of the request for sanction shall be provided to the Council Member accused of the conduct by personal service at least twenty-four (24) hours prior to the Rules Committee meeting at which it will be considered.

3. The Rules Committee shall determine that either:

- a. The proposed sanction should be forwarded to the City Council for consideration as part of the Rules Committee report agenda item at the appropriate subsequent Council meeting; or
- b. An admonition, rather than sanction, should be recommended to the City Council for consideration; or
- c. No action is required.

4. This determination is subject to confirmation by the City Council as part of the Rules Committee report at the next Council meeting.

5. A sanction is based on the Council's review of the written record and of the information provided as part of the public hearing of the issue as part of the Council meeting. A sanction action must be approved by a majority vote of the Council.

Censure

1. A request for a censure hearing must be submitted to the Rules Committee in writing by a member of the Council. The request must contain the specific allegations of conduct in violation of federal or state law, City ordinances, and City policies, including the Code of Ethics, upon which the proposed censure is based.

2. A copy of the request for censure and the charges shall be served on the Council Member accused of the conduct by personal service at least twenty-four (24) hours prior to the Rules Committee meeting at which it will be considered.

3. The Rules Committee shall determine that either:

- a. Further investigation of the charges is required; or
- b. The matter is to be set for a separate public hearing; or
- c. The recommended level of action is admonition or sanction, rather than censure; or
- d. No action is required.

4. This determination is subject to confirmation by the City Council as part of the Rules Committee report at the next Council meeting.

TITLE COUNCIL CONDUCT POLICY	PAGE 4 of 4	POLICY NUMBER 0-28
-------------------------------------	-----------------------	------------------------------

5. Depending on the determination of the Rules Committee and the confirmation of the City Council;

- a. If further investigation is required, it shall be done by an ad hoc committee appointed by the Mayor. If the Mayor is the subject of the charges, the committee shall be appointed by the Vice Mayor.

The following guidelines apply to ad hoc committee investigations:

- i) The committee may be staffed by administrative and legal staff.
 - ii) If authorized by City Council, the committee may subpoena witnesses and documents.
 - iii) In making a determination, the committee should determine if taking all the facts and evidence into consideration, there are reasonable grounds to believe or not believe that the conduct, violation, or offense occurred.
 - iv) The committee shall issue a final report and recommendations to the City Council. The final report shall be made available to the public.
- b. If a separate public hearing is set, it must be set far enough in advance to give the member of Council subject to the charges adequate time to prepare a defense, and that member shall be given the opportunity to make an opening and closing statement and to question his or her accusers. The member subject to the charges may be represented and may have the representative speak or question on his or her behalf. The Mayor, or Vice Mayor if the Mayor is the subject of the charges, would preside at the hearing. The rules of evidence shall not apply to the hearing, which is not a formal adversarial proceeding. The City Attorney or designee shall provide legal advice to the City Council during the hearing.

6. A decision to censure requires the adoption of a Resolution making findings with regard to the specific charges, based on substantial evidence, and approved by a two-thirds vote of the Council.



ADMONITION AND CENSURE POLICY

PURPOSE

This policy applies only to the Mayor and City Council members for improper conduct that may result in admonition or censure.

POLICY

It is the policy of the City Council that all of its members shall abide by federal and state law, City ordinances, and City policies, including the Code of Ethics and Values. Violations of such law or policy tends to injure the good name of the City and to undermine the effectiveness of the City Council as a whole.

Depending on the circumstances of alleged violations of law or policy, the Council may initiate an investigation of the allegations prior to the filing of a request for any of the actions described in this policy.

Nothing in this policy shall preclude individual Council Members from making public statements regarding such alleged conduct.

At any point during any of the processes described in this policy, the Council may refer the matter, as appropriate, to the Santa Clara County District Attorney for investigation. Following such a referral, the Council may proceed with any actions it chooses to undertake under the provisions of this policy. While the Council has broad discretion in deciding actions it may choose to take in response to violations of law or policy, this policy provides definitions and procedures related to two types of action: admonition and censure.

Admonition

An admonition may typically be directed to all members of the City Council, reminding them that a particular type of behavior is in violation of law or City policy, and that, if it occurs or is found to have occurred, could make a member subject to censure. An admonition may be issued in response to a particular alleged action or actions, although it would not necessarily have to be triggered by such allegations. An admonition may be issued by the City Council prior to any findings of fact regarding allegations, and because it is a warning or reminder, would not necessarily require an investigation or separate hearings to determine whether the allegation is true. An admonition may also be treated as taking action to criticize a council member's conduct. The right to criticize is protected by the First Amendment, and may be done individually, or as a whole by motion.

Censure

Censure is an official reprimand or condemnation made by City Council in response to specified conduct by one of its own member. Censure is disciplinary in nature, and requires the formal adoption of a resolution setting forth the council member's alleged violations of law and/or

ADMONITION AND CENSURE POLICY (cont.)

policies. Censure may require an investigation, and must protect the due process rights of the council member. Censure carries no fine or suspension of the rights of the council member as an elected official but a censure is a punitive action that serves as a punishment for wrongdoing.

PROCEDURE

Informal Admonition

An individual Council Member can make an admonition at any Council meeting during the Public Presentations or Reports of Members and Special Committees portion of the meeting.

Censure

The Council may request a formal censure action be placed on a Council agenda. The City Clerk shall provide notice of the possible censure to the Councilmember who is the subject of the action. The notice shall contain the specific charges on which the proposed censure is based and the date and time that the matter will be heard. Upon hearing the testimony, the Council may take action by resolution setting forth its findings and stating the terms of the censure.

Reference: *City Council-approved policy dated 5/15/2018*

2024 JAN 10 PM 4:11

FILED
OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90066 C.M.S.

INTRODUCED BY COUNCIL PRESIDENT NIKKI FORTUNATO BAS,
COUNCILMEMBER REBECCA KAPLAN, COUNCILMEMBER JANANI
RAMACHANDRAN, AND COUNCILMEMBER TREVA REID

RESOLUTION AMENDING AND RESTATING THE COUNCIL'S RULES OF PROCEDURE IN THEIR ENTIRETY IN ORDER TO INCREASE PUBLIC ACCESS AND PARTICIPATION BY, AMONG OTHER THINGS: 1) CHANGING THE TIMES FOR COMMENCING AND ENDING CITY COUNCIL MEETINGS; 2) AMENDING PUBLIC COMMENT PROCEDURES AND TIME LIMITS 3) AMENDING THE RULES FOR MAINTAINING ORDER DURING MEETINGS; AND 4) MAKING NON-SUBSTANTIVE, TECHNICAL EDITS

WHEREAS, the Council wishes to make amendments as well as non-substantive technical edits to its Rules of Procedure, and set forth in their entirety the Rules of Procedure as amended by this resolution; and

WHEREAS, the Council of the City of Oakland hereby declares that the business of the City is to be conducted in an orderly and efficient manner to facilitate sound City Council and public deliberation and decision making; and

WHEREAS, the following Rules of Procedure seek to provide for: (1) reasonable time for public input and comment on agenda items at the Committee and City Council meetings; and (2) an agenda that is managed more efficiently and effectively and for more predictable discussion times for debate regarding agenda items in order to avoid long waits by the public as the Council conducts its business in order to provide opportunity for all members of the public to engage in the deliberation of the Council's most important business; and

WHEREAS, in furtherance of these goals and in accordance with the Council's Code of Conduct (Rule 31), Councilmembers are expected to learn and study the background and purposes of important items of business before voting, including reviewing agendas and agenda materials, and reading eComments, sufficiently in advance of meetings to allow for consultation and coordination with other Councilmembers (as permitted by the Brown Act), City staff, City Attorney, and/or members of the public as permitted by law; and

WHEREAS, in recognition of these goals, the City Council desires to establish Rules of Procedure for the Conduct of City Council Meetings and a Code of Conduct; and

WHEREAS, the City will expand community engagement and education about how to participate in our Committee and Council meetings and share public comment; and

WHEREAS, the City will work to maximize the number of Council items reviewed by the relevant subject matter Committee prior to Council consideration in an effort to encourage robust Council and public discussion of items at Committee, which in turn will streamline the discussion at City Council meetings and expand the time for public participation on non-consent items. In March 2024, the Council will consider shifting to a Consent Calendar without public comment because items will have been discussed and debated by Committees; such Consent Calendars are utilized by other jurisdictions including San Francisco; and

WHEREAS, City Charter section 210 mandates that the Council provide by resolution for the order of business and the rules of procedure for the conduct of Council meetings; and

WHEREAS, the Brown Act (Government Code section 54950, et seq.) authorizes the Council to prescribe reasonable rules and regulations for public speakers; now therefore be it

RESOLVED: That, in accordance with Section 208 of the Charter of the City of Oakland, the time and place of Regular City Council meetings is hereby determined to be the following: the Council shall meet in regular session on the first and third Tuesdays of the month, commencing at 3:30 p.m. in the Chambers of City Hall, One Frank Ogawa Plaza, 3rd Floor, Oakland, California; and be it

FURTHER RESOLVED: That Regular and Special City Council meetings shall conclude no later than 9:30 p.m., except that the Council may extend the time for the meeting in one-hour increments by an affirmative vote of five (5) Councilmembers up to 11:30 p.m., and by and affirmative vote of six (6) councilmembers beyond 11:30 p.m.; and be it

FURTHER RESOLVED: That because these Rules are intended to encourage public participation and use City resources efficiently during Council and committee meetings, the Council fully uplifts and supports efforts by presiding officers and the City Administrator to maintain order in the chamber and to enforce these Rules, up to and including causing the Oakland Police Department to remove any person who, despite being warned, decides to deny, delay, or interrupt another person's rightful turn to speak at a meeting; and be it

FURTHER RESOLVED: That, in accordance with Section 210 of the Charter, the following are established as the Rules of Procedure for the conduct of Council meetings:

Rule 1. Roberts Rules of Order Applies Except as Modified by these Rules

The business of the Council and its Standing Committees shall be conducted, so far as it is practicable, in accordance with parliamentary rules as contained in Roberts Rules of Order Revised, except as modified by these rules and in accordance with the Brown Act (Government Code section 54950, et seq.), the City's Sunshine Ordinance (Oakland Municipal Code Chapter 2.20), and the City Charter. The City Attorney, or such other person as may be designated by the presiding officer upon approval of the Council, shall serve as the official parliamentarian for meetings of the Council.

Rule 29. Tie-Breaking Votes by Mayor

In the event that the Councilmembers are evenly divided in their vote on an item (by motion, resolution or ordinance) the item will automatically be continued to its next Regular Meeting solely for the purpose of allowing the Mayor to cast a vote; provided that if the Mayor so chooses, the Mayor may cast a vote at the meeting at which the tie vote occurs. In accordance with Charter Section 305(i), solely for the purposes of determining whether the Mayor is eligible to cast a tie-breaking vote, abstentions and absences shall count as a “No” vote, except that where a Councilmember is absent or abstains because they were required by law to recuse themselves, such as due to a legally-recognized conflict of interests, then such a legally-required recusal shall not count as a “No” vote. The City Clerk shall provide the Mayor with all supporting documentation, reports and legislation relating to the item and a copy of the videotape of the discussion, if available. Council and public discussion is permitted on the item to be voted on by the Mayor; however, Councilmembers cannot change their vote unless the item has been properly noticed for reconsideration. The Mayor must appear at the Council meeting in order to cast a tie breaking vote.

Rule 30. Resolution or Ordinance Required to Approve Contracts

Notwithstanding City Charter section 210 which permits the City Council to take action by ordinance or resolution or motion, the Council shall approve and authorize contracts by resolution unless an ordinance is required.

Rule 31. Council Code of Conduct

Each member of the City Council has a duty to:

1. Respect and adhere to the American ideals of government, the rule of law, the principles of public administration and high ethical conduct in the performance of public duties.
2. Represent and work for the common good of the City and not for any private interest.
3. Refrain from accepting gifts or favors or promises for future benefits which might compromise or tend to impair independence of judgment or action.
4. Provide fair and equal treatment for all persons and matters coming before the Council.
5. Learn and study the background and purposes of important items of business before voting, including reviewing agendas and agenda materials, and reading eComments, sufficiently in advance of meetings to allow for consultation and coordination with other Councilmembers, staff, legal counsel, and/or members of the public as permitted by law.
6. Faithfully perform all duties of office.

7. Refrain from disclosing any information received confidentially concerning the business of the City or received during any closed session of the Council held pursuant to state law.
8. Decline any employment incompatible with public duty.
9. Refrain from abusive conduct, personal charges or verbal attacks upon the character, motives, ethics or morals of other Councilmembers, staff or public, or other personal comments not germane to the issues before the Council.
10. Listen courteously and attentively to all public discussions at Council meetings and avoid interrupting other speakers, including other Councilmembers, except as may be permitted by established Rules of Order.
11. Faithfully attend all sessions of the Council unless unable to do so because of disability or some other compelling reason; and, as soon as possible, inform the Council President or Committee Chair when they are unable to attend a scheduled meeting, or need to arrive late or leave early.
12. Maintain the highest standard of public conduct by refusing to condone breaches of public trust or improper attempts to influence legislation, and by being willing to censure any member who negligently, willfully or intentionally violates the rules of conduct contained in this Rule 31
13. Abide by federal and state law, the City Charter, City legislation and City Council policies.

Rule 32.

Censure of Councilmembers

- A. **Background and Purpose.** The City of Oakland and the City Council have a strong commitment to the Oakland Charter, local, state and federal laws, and Council policies and procedures. The City Council has the power to censure one of its members for violations of these laws, policies and procedures. Rule 31(12) states that the City Council may censure any member "who willfully violates the rules of conduct contained in this Code of Ethics." (see also, Sunshine Ordinance, Oakland Municipal Code section 2.20.170 (censure for release of confidential information).) Moreover, censure is an inherent power of a legislative body that follows Robert's Rules of Order. (*Roberts*, p. 627-28, Section 61.) In order to be able to censure a Councilmember, the City Council must adopt a fair policy and procedure for the process.

This procedure is intended to provide the process by which the City Council, acting as a whole, can censure any of its members who violate state or federal laws, City ordinances or policies.

- B. **Censure Policy.** It is the Policy of the City Council that all its members shall abide by federal and state law, the City Charter, City legislation and City Council policies. Violation of such law or policy can subject the City to liability, affect the City's budget, resources, plans and timelines, injure the good name of the City and undermine the effectiveness of the City Council as a whole. Such conduct is deemed to be subject to City Council Censure.

Censure is a formal resolution of the City Council officially reprimanding one of its members. Censure serves to formally put a censured councilmember on notice of the Council's disapprobation of conduct that has violated laws or policies but carries no fine or suspension of the rights of the member as an elected official. Censure is an appropriate punitive measure when the violation of law or policy is deemed by the City Council to be a serious offense.

In order to protect the overriding principle of freedom of speech, the City Council shall not impose "censure" on any of its members for the exercise of the member's First Amendment rights no matter how distasteful the expression was to the Council, officials, employees or public. However, nothing herein shall be construed to prohibit the City Council from collectively expressing their strong disapproval of such remarks.

The City Council shall not impose "censure" on any of its members for the violation of any law while criminal charges are pending. However, when the criminal proceedings are final, the City Council need not be bound by the conclusion of the Court and may hold a "censure" hearing.

C. Procedure

1. A request to schedule a "censure" hearing may be submitted to the Rules and Legislation Committee in writing or made by a scheduling motion during a Council meeting by a member of the Council.
 - a. The scheduling request must contain a brief description of the specific charges on which the proposed censure is based in the title of the item.
 - b. A censure resolution setting forth specific charges and grounds for censure must be submitted to the City Clerk with the scheduling request at least forty-eight (48) hours prior to the Rules and Legislation Committee meeting at which it will be considered for scheduling.
 - c. The City Clerk shall serve copies of the scheduling request and the censure resolution on the accused councilmember at least twenty-four (24) hours prior to the Rules and Legislation Committee meeting at which it will be considered for scheduling. The City Clerk shall deliver the scheduling request and censure resolution to the council office of the accused member, subject to execution of a proof of service. Service shall be accomplished by electronic mail or in person, as determined by the City Clerk.
2. The Rules and Legislation Committee shall:
 - a. Schedule the matter for public hearing; or
 - b. Refer the matter to the City Administrator for further investigation by an independent investigator, in consultation with the City Attorney, prior to scheduling the matter; or
 - c. Not schedule the matter for public hearing.

3. Censure matters set for public hearing must be scheduled at least ten (10) calendar days in advance of the hearing date to give the accused member adequate time to prepare a defense.
4. The councilmember seeking censure of another councilmember is responsible for preparing and submitting to the City Clerk a censure resolution and report supporting censure in time for publication with the 10-day agenda packet for the meeting at which the matter will be heard. The City Clerk shall, at least 10 calendar days before the hearing, deliver copies of the resolution, report and other agenda materials to the council office of the accused member, subject to execution of a proof of service.
5. The accused member is responsible for preparing and submitting to the City Clerk for the agenda packet, reports, documents or other information opposing censure in time for the three (3) day supplemental agenda.
6. At the hearing, the member of the Council subject to the censure proceeding shall have the opportunity to rebut the allegations in the censure resolution and to question any known accusers if they agree to be questioned. Notwithstanding the foregoing, identities of persons who provided statements or information in confidence shall remain confidential. This includes, but is not limited to, persons who provided statements or information through a whistleblower program of the federal or state government or City of Oakland. The member subject to the charges may be represented and may have the representative speak or question on their behalf.
7. A decision to censure must be made by resolution and based on conduct found to have been negligent, willful or intentional. A decision to censure requires five (5) votes of the Council adopting a resolution: 1) finding there is substantial evidence in the record to support the specific charges alleged, 2) finding that the conduct supporting the censure was negligent, willful or intentional, and 3) approving censure.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **DEC 19 2023**

AYES - ~~WILLIAMS~~, GALLO, JENKINS, KALB, KAPLAN, ~~RAMACHANDRAN~~, ~~REID~~, AND
PRESIDENT FORTUNATO BAS -5

NOES -
ABSENT -
ABSTENTION -

3 Excused - File, Ramachandran, Reid

ATTEST:



ASHA REED

City Clerk and Clerk of the Council of the
City of Oakland, California

3300619v15

RULES OF THE LOS ANGELES CITY COUNCIL

**ADOPTED ON DECEMBER 19, 1986
AS AMENDED
(January 2019)**



Holly Wolcott
City Clerk

TABLE OF CONTENTS

<u>Chapter</u>	<u>Page</u>
Preamble	iii
I Election and Appointment of Officers	1
II Public Notice, Attendance and Comment	2
III Presiding Officer	6
IV Council Meeting Days and Time, Order of Business, and Quorum	7
V Council Discussion and Time Limits	9
VI Resolutions, Contracts, Reports, and Ordinances	10
VII Appointment and Removal of City Commissioners and Officers	12
VIII Voting	13
IX Disposition of Items	14
X Special Meetings	16
XI Committees and Committee Meetings	17
XII Rules	21
XIII Assigned Duties	22
XIV Censure Procedures for the Los Angeles City Council	23
XV Miscellaneous Provisions	25
Appendix - Verbal Motions	28
Index	29

RULES
OF THE
LOS ANGELES CITY COUNCIL

These procedural Rules are adopted, pursuant to authority set forth in Charter Section 242, to assist the City Council in the orderly conduct of City business consistent with law.

CHAPTER XIV

CENSURE PROCEDURES FOR THE LOS ANGELES CITY COUNCIL

87. Disapproval

The Council may adopt a resolution of disapproval in the same way as provided for the adoption of any resolution, provided that the Councilmember who is the subject of the resolution is permitted to speak in his or her defense prior to action on the motion for adoption of the resolution. However, the fact that the Councilmember who is the subject of a disapproval resolution does not choose to respond to the resolution or does not attend the meeting at which the resolution is to be adopted shall not prevent the Council from adopting the resolution, provided the Councilmember had actual notice of the inclusion of the resolution on the agenda and had a reasonable opportunity to attend the meeting.

88. Censure

A request for censure of a member of the Council may be submitted to the City Clerk by any member of the Council. The request shall contain the specific charges on which the proposed censure is based. The request for censure shall be considered by a five member ad hoc Committee of the Council established by the President of the Council or, if the President is the subject of the censure, then established by the President Pro Tempore. The ad hoc Committee shall not include the member making the request or the member who is the subject of the request. The City Clerk shall deliver a copy of the request for censure and the charges to each member of the Council at least 72 hours prior to the first meeting of the ad hoc Committee at which the request will be first considered. The Committee shall permit testimony from both the member making the request and the member subject to the request and shall determine whether: (a) further investigation of the charges is required in order to determine if a censure hearing is warranted; or (b) the matter is to be set for censure hearing; or (c) no further action should be taken with respect to the request. The Committee shall present its recommendations to the Council for its consideration and action as provided below.

If the ad hoc Committee determines no further action should be taken with respect to the request, the Committee shall report that to the Council at its earliest opportunity. If the Committee determines that further investigation is required, the Committee shall conduct an investigation, arrive at its recommendation, and report its conclusions, findings and a summary of its proceedings to the Council at its earliest opportunity. If the ad hoc Committee does not report its recommendations and findings to the Council within 30 days of the formation of the Committee and receipt of the request for censure, the matter shall automatically be sent to the Council for its consideration.

Upon receipt of the report of the ad hoc Committee, or at the expiration of the time for the ad hoc Committee to report, Council shall place the matter on its agenda to determine whether or not a censure hearing is warranted. If the Council decides to set the matter for a censure hearing, it shall schedule it no sooner than two weeks after its determination to hear the matter. It may not schedule the matter during any previously scheduled excused absence of the subject Councilmember. Written notice of the hearing shall be delivered in person to the member of the Council subject to the censure hearing or to the member's City office as least ten (10) days in advance of the scheduled hearing.

At the censure hearing, the member of the Council who is the subject of the request for censure shall be given the opportunity to make an opening and a closing statement, to call witnesses on his or her behalf and to question his or her accusers. The member subject to the charges may be represented by a person or persons of his or her choice whether or not an attorney at law and may have that representative speak or question witnesses on his or her behalf. The questioning or cross-questioning of witness may be reasonably limited by the person chairing the hearing.

Testimony shall be taken only from witnesses having direct knowledge of facts or circumstances relevant to the specific charges under consideration. However, the rules of evidence and judicial procedure applicable in courts of law shall not be application to this hearing, and the procedures shall be generally informal.

Western Municipal Water District (Riverside County)

2.15.180 Censure policy.

A. Policy Statement – Minimum Behavior Requirements.

1. In order to promote the public's trust in board policies and to ensure the most effective and efficient delivery of district services, members of the board shall abide by the district's ethics statement of policy, conflict of interest code, and other applicable policies, procedures, laws and regulations. Such requirements include provisions relating to conflict of interest, the handling of legal matters, ethics training, and enforcement.

2. The taxpayers and customers served by the district are entitled to elected board members who are transparent, fair, ethical, and accountable. Board members shall reflect the following behaviors and qualities at all times:

a. Complying with both the letter and the spirit of all federal, state, Fair Political Practices Commission (FPPC), and district laws, regulations, rules, resolutions, ordinances, and policies affecting operations of the district and performance of their duties as members of the board;

b. Exercising independent, impartial, and fair judgment and actions;

c. Using the public office to which they were elected for the public good, not for personal gain; and

d. Conducting public deliberations and processes openly, unless legally confidential, in an atmosphere of mutual respect, civility, and transparency.

3. This policy documents the district's minimum requirements of behavior for elected and appointed officials of the district. The district's elected officials are required to be independent, impartial, and responsible to the people and to conduct themselves in a manner above reproach. Elected officials are expected to set an example, which always demonstrates respect, confidence, and trust between themselves and the community they serve. This policy establishes specific procedures on enforcement for any board member behavior, action or violation of district policies, which is outside of these minimum requirements of behavior.

B. Sanctions and Procedures for Violations of Minimum Behavior Requirements.

1. Board members who fail to observe the minimum behavior requirements referenced above may be reprimanded or formally censured, lose seniority or committee assignments (both within the district or with inter-government agencies), have official travel restricted, or be ordered to attend district board meetings, if the board member is absent without justification. Infractions of these behavior requirements could lead to other sanctions as deemed appropriate by the board, including, but not limited to, referral to the FPPC or to the Riverside County district attorney, including, if applicable, the public integrity unit and/or civil grand jury if the conduct is egregious or allegedly criminal in nature. Board members should point out to the offending board member any perceived infraction as it occurs. No board member shall be reprimanded, sanctioned, or censured for the exercise of his or her First Amendment rights. However, nothing herein shall be construed to prohibit the board from individually or collectively condemning or expressing disapproval of behavior in violation of these rules.

2. The president shall have the following authority and responsibilities. In the event the president is the subject of any request for action, the vice president shall have the authority and responsibilities set forth herein. In that case, the references in this policy to the president shall instead apply to the vice president.

a. It is the responsibility of the president to initiate formal action if a board member's behavior may warrant reprimand, sanction, or censure.

b. If no action is taken by the president, any member of the board may submit a written request to the president that such action be placed on a future agenda for consideration.

c. A written request may also be submitted by a member of the public to the general manager. The general manager will then forward the request to the president. If the president determines that the public request meets the criteria set forth in this policy, then formal action will be initiated. If the president determines that the public request does not meet the criteria for formal action, then the general manager shall provide written notice to the public complainant of that determination.

d. It is the responsibility of board members to self-report to the president any pending or completed enforcement actions by any enforcement agency, which could result, or has resulted, in disciplinary action under federal, state or local laws or regulations. The president will then initiate formal action under this policy.

3. Reprimand is the least severe form of action for a violation of these rules and may be issued by majority vote of the board (reprimand). Any motion made to issue a reprimand shall include a statement of the reasons that the maker of the motion

believes a reprimand should be issued. If the motion is seconded, then the board will vote on the motion. Reprimand is not considered a formal sanction or censure. Any motion that is adopted will be documented in the board minutes to memorialize that a reprimand was issued. The failure of a motion to pass will also be documented in the board minutes to memorialize that no reprimand was issued.

4. Formal censure, loss of seniority, committee assignments, travel restrictions, or other sanctions deemed appropriate by the board (collectively, censure/sanction) may be initiated by the president or upon a written request submitted to the president by any board member. The written request must set forth specific allegations of violations of state or federal law, FPPC regulations and/or penalty assessments, or district ordinances or policies, including this policy, upon which the proposed censure/sanction is based.

a. The request for censure/sanction shall be placed on the agenda for consideration by the board at the next regularly scheduled board meeting. The president shall preside over the proceedings. The rules of evidence shall not apply, but the subject board member shall be allowed to respond to the allegations. A decision to censure or impose other sanctions with respect to the specific charges, based on substantial evidence, requires a majority vote of the board. A formal censure/sanction of a board member will be documented in the form of a board resolution. In the event a censure/sanction fails to obtain a majority vote of the board, then such failure of the vote will be documented in the board minutes to memorialize that no censure/sanction was imposed.

b. At the time a censure/sanction request is first considered by the board, the president may elect to establish an advisory committee to review the censure/sanction request prior to consideration by the full board. The advisory committee will serve in an investigative and advisory capacity to the full board. The following procedures apply if an advisory committee structure is used. The Brown Act requires that any discussion regarding the potential discipline of a board member must be conducted in open session at a duly noticed meeting.

i. The president will appoint two board members to the advisory committee who are not the subject of the censure/sanction request. The general manager and general counsel will serve as support to the advisory committee for purposes of information gathering and legal interpretation, but will not be deemed to be members of the advisory committee.

ii. The advisory committee will review all materials related to the censure/sanction request, including, but not limited to, the request document,

any supporting documentation, and any response from the subject board member.

iii. The advisory committee will investigate and prepare a report for the full board that will contain a recommendation on whether to proceed with consideration of a censure/sanction and, if so, whether a censure/sanction is recommended. If the two committee members cannot reach an agreement on a recommendation, then the committee members will each provide their own reports to the full board.

iv. The advisory committee will submit its report(s) at a subsequent regularly scheduled board meeting at which time the procedures for consideration by the full board will be implemented as set forth in subsection (B)(4)(a) of this section.

C. Procedure to Reverse Board Actions. If a censured or sanctioned member of the board takes the corrective actions necessary to fully resolve all violations of state or federal law, FPPC regulations and/or penalty assessments, or district ordinances or policies that led to loss of committee assignments (both within the district or with inter-government agencies) and restricted official travel, the president shall place on the agenda, for consideration by the board at the next regularly scheduled board meeting, a resolution to restore full privileges to that member of the board. If no action is taken by the president, any member of the board may request that such action be placed on a future agenda for consideration.

D. Implementation.

1. As an expression of the standards of conduct and decorum for board members expected by the district, this policy is intended to be self-enforcing. It therefore becomes more effective when members are thoroughly familiar with it and embrace its provisions. For this reason, this policy shall be included in the applicable location in the Western Municipal Water District Municipal Code. In addition, this policy will be given to newly elected and appointed board members.

2. This policy shall be subject to review and revision from time to time in the discretion of the board. It is the intent of the board that this policy be reviewed at least annually on or before the time for the rotation of board officers. The failure to review this policy on such a regular basis shall not have any impact on the effectiveness of this policy and enforcement by the board. (Ord. 390 § 3 (Exh. A), 2019)

Ventura County - DRAFT

COUNCILMEMBER ETHICS AND CONDUCT

Statement of Purpose

The residents of the City are entitled to responsible, fair, honest, and ethical City government. Councilmembers should conduct their official and private affairs so as not to give a reasonable basis for the impression that any such official can be improperly influenced in the performance of their public duties. It is also important that Councilmembers maintain an environment where all those involved in the governing process feel welcomed to participate because they will be treated ethically and respectfully. For these reasons, Councilmembers should adhere to these Protocols, including this ethics and conduct policy, and the City's Core Ethical Principles of Respect, Equitable Treatment, Impartiality, Honesty, Responsibility, and Trustworthiness. Violations of these guidelines, and, in particular, this ethics and conduct policy, are considered serious offenses and will generally result in the Council taking higher-level actions against an offending councilmember, including censure, as detailed below.

Responsibilities of Public Office

1. **Act in the Public Interest.** Councilmembers must work for the common good of the residents of the City and not for any private or personal interest. They will assure fair and equal treatment of all persons, claims, and transactions coming before the City Council.
2. **Comply with the Law.** Councilmembers must comply with the laws of the nation, the State of California, and the City in the performance of their duties.
3. **Conduct of the Councilmembers.** The professional and personal conduct of Councilmembers must be above reproach and avoid even the appearance of impropriety. Councilmembers must refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other Councilmembers, Council Advisory Boards, Commissions, and Committees, the public, and staff. Respect for each other, the institution, the staff, and the public, is critical to maintaining an environment where free and open discussion leads to better decision-making for the City. As such, the City Council and each of its members will act respectfully at all times.
4. **Gifts and Favors.** Councilmembers must not accept any gifts or favors, which might compromise their independence of judgment or action or give the appearance of being compromised.

5. **Use of Public Resource.** Councilmembers must not use public resources unavailable to the public in general, such as City staff time, equipment, supplies, or facilities, for private gain or personal purpose.
6. **Conflict of Interest.** To assure their independence and impartiality on behalf of the common good, Councilmembers must not use their official positions on the Council to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest.
7. **Campaign Practices.** Councilmembers must act with utmost integrity and engage in fair and honest campaign practices. The personal conduct of Councilmembers must be professional and responsible and avoid even the appearance of impropriety.

Council's Relation with City Staff

Councilmembers must respect the Council-Manager form of government. The City Manager implements Council's vision, policies, and goals through the City staff and is responsible for directing the day-to-day operations of the City. Councilmembers value partnering and collaborating with the City Manager and the City organization to achieve the community's vision. The Council-Manager relationship is affected by the expectations, styles, and personalities of the Council and Manager who are in place at the time. Despite the value of partnership and collaboration, these policies are intended to establish boundaries and expectations based upon the role of the City Manager as set forth by the City Code and the Council-Manager form of government structure. As such, they transcend individual personalities and styles that might affect their implementation.

To enhance their working relationship with staff, Councilmembers should be mindful of the support and resources needed to accomplish City goals. When communicating and working with staff, Councilmembers should follow the guidelines below.

1. Councilmembers must treat staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Councilmembers must practice civility and decorum in all interactions with City staff.
2. Councilmembers must be professional in all situations and circumstances, conducting themselves in a consistent, confident, competent, and productive manner.
3. The City Council is committed to prohibiting all forms of harassment and discrimination in the workplace. Councilmembers must treat all persons fairly, free of discrimination and of personal and sexual harassment, per the City of San

Buenaventura Policy Prohibiting Harassment, Discrimination, and Retaliation (APP No. 12.34.). In addition, Councilmembers must not engage in retaliation against those who complain of harassment or discrimination. A copy of the City's Policy Prohibiting Harassment, Discrimination, and Retaliation (APP No. 12.34.) is attached as Attachment ____ to these Protocols and is available through Human Resources.

4. Following the Council-Manager form of government, the Councilmembers should direct routine questions of City staff to the City Manager, City Attorney, department head, or designee (i.e. staff assigned to support a subcommittee, project, or specific task). Councilmembers should not set up meetings with department staff directly but work through the City Manager, City Attorney, department head, or designee. When in doubt about appropriate staff contact, Councilmembers should ask the City Manager.
5. The Council must understand that the City Manager and staff are responsible for implementing City and/or City Council action. The Council should not direct program administrative functions and implementation; rather it should provide policy guidance to the City Manager.
6. Councilmembers should attempt to communicate questions, corrections, and/or clarifications about reports requiring official action to staff prior to Council meetings. Early feedback will enable staff to address such questions before the meeting, resulting in a more efficient meeting discussion.
7. Councilmembers should not direct the City Manager or City staff to initiate any action, change a course of action, or prepare any report without the approval of the Council. The City Manager's responsibility is to advise on resources available and required for a particular course of action as it relates to Council direction.
8. Councilmembers should not attend department staff meetings unless invited or requested by the City Manager.
9. Councilmembers should direct any concerns related to the behavior or work of a City employee to the City Manager. Councilmembers should not reprimand employees directly nor should they communicate their concerns publicly.
10. Councilmembers should not solicit political campaign support from City staff. Although City staff may, as private citizens with constitutional rights, support political candidates, such activities must take place away from the workplace.

11. Councilmembers are prohibited from using their official position to influence a staff or governmental decision in which they have a financial interest, as per the FPPC Regulation 18702.3, as noted in Section ___ of these Protocols.

Complaints and Policy Violations

1. Complaints Against Councilmembers

A complaint naming a Councilmember regarding a violation of these Protocols or other City policies may be filed with the Mayor, the City Manager, the City Attorney, or Human Resources. If a complaint was not filed directly with the City Attorney, it will be promptly forwarded to them. Within thirty days of receipt of the complaint, the City Attorney will bring the complaint to Council (except for the named Councilmember). The named Councilmember will have the opportunity to respond to the complaint orally or in writing as part of the Council's review of the complaint. After reviewing the complaint and considering the response of the named Councilmember, if any, if the Council determines a policy violation occurred, it may direct the Mayor to make an Admonishment (as defined in Section 2.a. below). Or, when deemed warranted, the Council may direct the City Attorney to initiate an investigation by a neutral investigator that is authorized under the law to conduct investigations. The City Attorney will review the findings of the investigation and, within thirty days of receipt of the investigator's final findings, review them with Council (except for the named Councilmember). Unless otherwise relevant and allowed under open meeting laws, Council's discussion will generally be limited to the complaint, the investigation (if any), and whether any policy violations have occurred.

2. Potential Council Actions

If, after reviewing a complaint or findings of an investigation, the Council determines that a policy violation occurred, it may undertake one or more of the following actions:

a. Admonishment: This is the least severe form of action. An admonishment is a reminder directed to all Councilmembers that a particular type of behavior is in violation of City policy and that, if it occurs or is found to have occurred, could make a Councilmember subject to a higher level of action. An admonition may be issued by the Council prior to any investigation into a complaint, and, because it is a warning or reminder, does not require a separate hearing to determine whether the complaint is true.

b. Warning to Named Councilmember: This is the next most severe form of action. This warning to a particular Councilmember should be used for cases in which the Council determines, based on review of the findings of an investigation, a policy violation occurred, but the violation is considered not sufficiently serious to warrant censure. The matter will be properly agendaized, and the Council will make a motion and vote during a public meeting whether to issue the warning. The named Councilmember(s) will be provided appropriate notice and, prior to the vote on the motion, an opportunity to provide a written or verbal response to the complaint(s). A warning to the named Councilmember is distinguished from censure in that it is not a punishment.

c. Censure: Censure is the most severe form of action. Censure is a formal statement of the Council officially reprimanding one of its members and may be combined

with other actions, including but not limited to, loss of committee assignments, suspension of City-sponsored attendance at conferences, meetings, workshops, seminars and similar gatherings, or removal of other privileges deemed appropriate by Council. Censure should be used for cases in which the Council determines, based on review of the findings of an investigation, the policy violation is a serious offense.

A decision to censure requires Council to adopt a Resolution and make findings regarding policy violations at a public meeting. Prior to the adoption of the Resolution, the named Councilmember will be provided sufficient notice and the opportunity to provide a written or verbal response to the complaint. After the named Councilmember provides a written or verbal response to the complaint, if any, the majority of the Council may vote not to adopt the Resolution but may decide to issue a lower action against the named Councilmember.

To protect the overriding principle of freedom of speech, the Council will not impose censure on any of its members for the exercise of their First Amendment rights, no matter how distasteful the expression was to the Council and the City. However, nothing herein may be construed to prohibit the Council from collectively condemning and expressing their strong disapproval of such remarks.

3. Due Process

In all instances, the Council shall ensure that all due process requirements are met. The City Attorney may recommend variations to procedures to ensure due process.

4. De-escalation/Informal Resolution

In addition to the actions above, the Council is encouraged to take steps to de-escalate the behavior that could lead to a complaint before a complaint is filed and consider addressing the complaint informally, if appropriate, in an effort to bring the named Councilmember into compliance with this Code.

5. Violations of Law

Any violations of applicable laws as referred to in these Protocols, which include, but are not limited to, violations of the United States and California Constitutions, United States and California codes, regulations, interpretive administrative findings and relevant case law, may be reported to the appropriate governing agencies.



Santa Clara Valley Water District

File No.: 24-0493

Agenda Date: 5/15/2024

Item No.: 4.2.

COMMITTEE AGENDA MEMORANDUM Board Policy and Monitoring Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Develop a Draft Fiscal Year 2024-2025 (FY25) Board Work Plan and Submit for Board Review and Approval.

RECOMMENDATION:

- A. Review the Draft Fiscal Year 2024-2025 (FY25) Board Work Plan, incorporating input from the Board at the April 29, 2024 Special Board Meeting;
- B. Review any additional input on the FY25 Board Work Plan received at the May 14, 2024 Board Meeting, if any; and
- C. Submit a FY25 Board Work Plan for Board review and approval.

SUMMARY:

On April 29, 2024, the Board held a Special Board Meeting to develop goals and strategies around areas needing the Board's focus, engagement and monitoring in Fiscal Year 2024-2025 (FY25). During the Special Board Meeting, the Board participated in a facilitated discussion on Valley Water's strengths, weaknesses, opportunities, and threats (SWOT), received a presentation from staff on the Capital Improvement Program process, and reviewed and discussed staff's recommended changes to the Board Work Plan for FY25 (Attachment 2).

During the Special Board Meeting, the Board directed the Board Policy and Monitoring Committee (BPMC) to review the information collected and develop a draft FY25 Board Work Plan for Board review and approval. Staff captured suggestions from the Board and incorporated the Board's recommended changes into an updated Draft FY25 Board Work Plan for BPMC review (Attachment 1). Changes to the Draft FY25 Board Work Plan resulting from the discussion with the Board at its April 29, 2024 meeting are noted in the attachment with red text and highlighted in yellow. Based on the discussion and feedback provided from the Board at the April 29, 2024 Special Board Meeting, staff assumes that, other than the areas where the Board has provided feedback and changes were made, all other staff recommended changes suggested in Attachment 2 have been accepted by the Board.

Additionally, Directors were given the opportunity to provide additional input to the FY25 Board Work Plan by providing comments, in writing, to be included as a supplemental board agenda item at the May 14, 2024 Board meeting.

ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:

The review and of the Board's FY25 Work Plan is not subject to environmental justice analysis.

ATTACHMENTS:

Attachment 1: Draft FY25 Board Work Plan

Attachment 2: Staff Recommendations to the FY25 Board Work Plan

UNCLASSIFIED MANAGER:

Theresa Chinte, 408-630-2714

FY2024-2025 BOARD WORK PLAN

BOARD RECOMMENDATIONS

FY25 STAFF RECOMMENDATION

Section: INTEGRATED WATER RESOURCES MANAGEMENT

GOAL: Efficiently manage water resources across business areas.

Objective 1:	Protect and maintain existing assets and infrastructure and advance new projects.
Challenge / Opportunity:	The maintenance of Valley Water's infrastructure is crucial to ensuring we continue to provide safe, clean water and critical flood protection for our communities. Timely maintenance is the most cost-effective investment, whereas deferred maintenance disproportionately increases costs and may result in unplanned outages and failures. In addition, there is a list of assets that are reaching the end of their design life and will require significant recapitalization.
FY25 Tactics:	<ul style="list-style-type: none"> • Complete Wildfire Resiliency Plan and develop a Fuel Management Policy to guide the incorporation of wildfire planning efforts in an integrated and programmatic way. • Advance infrastructure renewal projects identified in strategic planning efforts by initiating new Capital or Small Capital Projects, or by conducting work as part of ongoing operations projects. • Expediently execute adopted Capital program and projects.
Monitoring:	Board Policy and Monitoring Committee Capital Improvement Program Committee
Related Staff Plans:	Watershed Management Plans (One Water) Water Supply Master Plan Safe, Clean Water and Natural Flood Protection Program Water Treatment Plant Master Plan Implementation Project Distribution System Master Plan Implementation Project SCADA Master Plan Implementation Project Watersheds and Water Utility Five-Year Operations and Maintenance and Asset Renewal Plans District-wide Asset Management Plan Watershed Asset Management Plan San Felipe Division Reach 1 FY24 Asset Condition Report Capital Improvement Program FY 2024-28 Five-Year Plan
Objective 2:	Improve internal capability to negotiate and acquire regulatory permits.
Challenge / Opportunity:	Valley Water continues to face increased project costs and extended timelines due to sometimes conflicting regulatory mandates from external agencies. Valley Water continues to pursue legislative and administrative solutions to resolve regulatory and permitting issues at the federal and state levels. Efforts should focus on staff capability and expertise, and the ability to negotiate effectively and build positive relationships with key regulatory agencies.
FY25 Tactics:	<ul style="list-style-type: none"> • Continue to pursue efforts at the state and federal level to expedite permit review. • Keep local, state, and federal legislators up to date on critical projects in case escalation is necessary. • Continue to foster relationships at all levels within regulatory agencies and maintain an open dialogue with environmental and other stakeholders. • Seek regulatory and environmental stakeholder support during the planning phase of CIP projects and during watershed management planning process (One Water). • Continue to work with the San Francisco Bay Regional Water Quality Control Board

	(RWQCB) under the terms of our Memorandum of Understanding (MOU), as well as the State Water Resources Control Board as applicable, to ensure that they protect water supply and water quality interests consistent with their authority.
Monitoring:	Board Policy and Monitoring Committee Capital Improvement Program Committee Stream Planning and Operations Committee Water Supply and Demand Management Committee
Related Staff Plans:	Watershed Management Plans (One Water) Capital Project Planning Studies (e.g. Ogier Ponds, San Tomas Calabazas Creek-Marsh Reconnection, Guadalupe Tasman – I-880, Shoreline Planning Studies)
Objective 3:	Educate the community, elected officials and external stakeholders on our management of water resources in Santa Clara County.
Challenge / Opportunity:	A reliable supply of clean water is necessary for the social, economic, and environmental wellbeing of Santa Clara County. Valley Water must effectively communicate with the public on our management of water resources around several key issues including: the cost of water, the public perception of costs of different types of water, how to effectively implement our water supply strategies into the future, as well as our flood protection and environmental stewardship efforts.
FY25 Tactics:	<ul style="list-style-type: none"> • Continue to apply strategies for effective community/stakeholder engagement and education. • Continue to develop and refine metrics to understand and improve the return on investment (ROI) of outreach strategies. • Continue increasing efforts to educate the public about the mix of different types of water in Valley Water's portfolio, as well as our flood protection and environmental stewardship efforts. • Engage directly with local government jurisdictions through strategic meetings. • Continue engagement with cities on flood plain management, Community Rating System (CRS) program, and emergency action plans. • Directly involve the Valley Water Board of Directors, local area partners, retailers, and the public with the development of the Water Supply Master Plan 2050 and Watershed Management Plans (One Water). Share the plans widely at the phase of a project where project alternatives are considered, key issues such as the cost of water, reliability of our infrastructure, and strategies for implementing different improvement projects with varying levels of service will be explained through public meetings. • Ensure robust outreach and stakeholder engagement on the CIP.
Monitoring:	Board of Directors Capital Improvement Program Committee Recycled Water Committee
Related Staff Plans:	Water Supply Master Plan Watershed Management Plans (One Water) Countywide Water Reuse Master Plan Water Treatment Plant Master Plan Distribution System Master Plan

FY25 STAFF RECOMMENDATION**Section: WATER SUPPLY****GOAL: Provide a reliable, safe, and affordable water supply for current and future generations in all communities served.**

Objective 1:	Pursue new, diversified and cost-effective water supply and storage opportunities.
Challenge / Opportunity:	Half of Santa Clara County's water supply is imported from outside the county. During years when water is plentiful, Valley Water may not be able to take advantage of these supplies due to limitations in existing storage and transmission infrastructure as well as regulatory constraints. Having a diverse portfolio of storage options helps Valley Water be resilient. Therefore, Valley Water is evaluating whether diversifying its storage portfolio could help maximize our use of storage and stored water recovery under future conditions. Water storage in reservoirs also provides environmental, recreational, and incidental flood risk reduction benefits. Challenges include influencing project development to ensure important benefits are realized, determining the appropriate level of participation for Valley Water in collaborative water storage projects and prioritizing projects within funding constraints. In addition, Valley Water is evaluating water supply projects, such as direct potable reuse, regional/state projects, and water conservation.
FY25 Tactics:	<ul style="list-style-type: none">• Explore opportunities to develop new surface and groundwater storage projects that help Valley Water meet future water supply needs and provide resiliency to climate change.• Continue with the Water Supply Master Plan 2050 development to provide information on participation levels, water supply benefits and costs of various portfolios to support water supply project and partnership decisions, as well as cost of water shortage.• Determine level of Identify and secure appropriate participation levels for projects and make decisions about partnerships informed by the Water Supply Master Plan and water affordability analyses.• Pursue additional funding and partnership opportunities for the Pacheco Reservoir Expansion Project.• Evaluate feasibility of Pacheco at 60% design and in the 2050 Water Supply Master Plan.• Evaluate Valley Water's continued participation in water storage projects at project-specific milestones and during the Water Supply Master Plan process, and bi-annual budget development.
Monitoring:	Water Supply and Demand Management Committee Recycled Water Committee
Related Staff Plans:	Water Supply Master Plan Annual Monitoring and Assessment Program (MAP) Updates
Objective 2:	Secure existing water supplies and water supply infrastructure
Challenge / Opportunity:	The Water Supply Master Plan's "Ensure Sustainability" strategy includes securing existing water supplies and infrastructure. Valley Water's local and imported water supplies are vulnerable to climate change impacts, droughts, earthquakes, and regulatory requirements that may restrict the amount of available water.
FY25 Tactics:	<ul style="list-style-type: none">• Participate in and influence decisions regarding the Delta Conveyance Project.• Participate in regional water supply resilience efforts.

	<ul style="list-style-type: none"> • Build and maintain effective partnerships to increase resiliency. • Complete and implement infrastructure master plans and asset management plans. • Partner with the California Department of Water Resources (DWR) to ensure reliability of the South Bay Aqueduct.
Monitoring:	Water Supply and Demand Management Committee (Groundwater) CIP Committee (infrastructure projects)
Related Staff Plans:	Water Supply Master Plan Groundwater Management Plan Infrastructure and Asset Management Plans
Objective 3:	Lead Purified Water Efforts with committed partners.
Challenge / Opportunity:	Recycled and purified water is a drought resilient, locally controlled water supply important to long-term sustainability. Purified water is recycled water that has been treated further using reverse osmosis and other advanced treatment to make it fit for drinking. Valley Water is pursuing indirect potable reuse which would use this purified water to replenish our groundwater. Implementation challenges include securing wastewater supply contractual agreements with wastewater agencies, available land, stringent regulatory requirements, and implementation costs.
FY25 Tactics:	<ul style="list-style-type: none"> • Develop a Direct Potable Reuse Project in San José, including development of needed agreements, with a lease agreement and RFP issued for demonstration facility design services by end of FY25. • Implement the Countywide Water Reuse Master Plan. • Develop a Comprehensive Water Reuse Agreement for South County to advance water reuse and its production, distribution, and wholesaling in South County. • Continue to pursue recycled water grant funding. • Continue to expand communications strategies to increase public awareness and acceptance of the Purified Water Program. • Increase outreach to key stakeholders such as elected officials, chambers of commerce, environmental groups, and community organizations to increase support for the expansion of purified water for potable reuse.
Monitoring:	Recycled Water Committee
Related Staff Plans:	Water Supply Master Plan Countywide Water Reuse Master Plan
Objective 4:	Complete the Anderson Dam Seismic Retrofit Project.
Challenge / Opportunity:	As our largest reservoir, Anderson serves not only as a critical water supply facility, but also supports Valley Water's mission of flood protection and environmental stewardship. Given the reservoir's critical importance to ensuring safe, clean water for our communities and to protect public safety, it is imperative that the Anderson Dam Seismic Retrofit Project (ADSRP) move forward expeditiously. This includes the reconstruction of the Dam and completion of the interim risk reduction measures resulting from the February 20, 2020 directive from the Federal Energy Regulatory Commission (FERC).
FY25 Tactics:	<ul style="list-style-type: none"> • Maintain the Anderson Reservoir level in compliance with the FERC mandate. • Continue the construction on the Anderson Dam Tunnel Project (ADTP). • Complete the 90% design documents of the ADSRP and explore ways to expedite the ADSRP. • Continue to work with appropriate regulatory agencies to advance the ADSRP. • Pursue necessary permits for ADSRP construction.

	<ul style="list-style-type: none"> Continue to educate and engage the public, key stakeholders, decision makers, and elected officials of the project progress and construction timeline. Coordinate ADSRP operations with the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE). Compile lessons learned during the design, permitting and construction of the ADSRP to inform future capital project delivery.
Monitoring:	Capital Improvement Program Committee. Stream Planning and Operations Committee
Related Staff Plans:	Safe, Clean Water and Natural Flood Protection Program Fish Habitat Restoration Plan Coyote Feasibility Study Water Supply Master Plan Capital Improvement Program Ogier Ponds Feasibility Study
Objective 5:	Make water conservation a California way of life in Santa Clara County.
Challenge / Opportunity:	Droughts are a recurring feature of California's climate and may intensify with climate change. Water conservation is an essential component in providing a reliable water supply and Valley Water has set an aggressive water conservation goal for annual water savings of 99,000 acre-feet (AF) by 2030 and 109,000 AF by 2040. As Valley Water faces challenges from climate change and drought, water conservation will continue to be amongst the most cost-effective tools for efficiently meeting current and future demands while mitigating droughts. By implementing the guiding principles in the Board's resolution calling for conservation as a way of life on June 13, 2023, Valley Water will continue encouraging water conservation as a life-long habit and seek to keep drought-level participation and engagement in conservation programs.
FY25 Tactics:	<ul style="list-style-type: none"> Continue achieving water savings from the public and minimize water use rebound through continued water waste restriction enforcement, year-round educational outreach, media campaigns and effective water conservation campaigns to encourage conservation as a way of life. Continue communication and educational outreach to promote Valley Water's water conservation programs. Increase collaboration with our retailer partners to promote Valley Water's water conservation programs. Implement new water conservation programs and engagement strategies identified within the Water Conservation Strategic Plan. Engage and support private-sector stakeholders, local, state, and federal agencies that promote water conservation, including local businesses and corporations so they may partake in conservation efforts and programs. Ensure water conservation programs are available to all sectors of the community and support disadvantaged community members as well as renters, seniors, and U.S. veterans. Adopt new water conservation goals for inclusion in the Water Supply Master Plan 2050. Develop and implement a Drought Response Plan with support and input from our retailer partners and the broader community. Expand outreach and engagement to local businesses and corporations so they can be more actively involved in water conservation efforts. Continue to pursue the "no regrets" package as part of the Water Supply Master Plan, which addresses advanced metering infrastructure, Graywater Rebate Program expansion, leak repair incentives, Model Water Efficient New Development

	Ordinance, and stormwater capture (agricultural land recharge, stormwater recharge, rain barrel rebates, and rain garden rebates). <ul style="list-style-type: none"> Continue advocacy with cities with a target for FY25 that three of the cities or 20% of jurisdictions in Santa Clara County adopt a Model Water Efficient New Development Ordinance (MWENDO), either in whole or in part, to support cities' interests in expanding water efficiency measures for new developments.
Monitoring:	Water Supply and Demand Management Committee
Related Staff Plans:	Water Conservation Strategic Plan Stormwater Resource Plans Water Supply Master Plan Safe, Clean Water and Natural Flood Protection Program

FY25 STAFF RECOMMENDATION	
Section: NATURAL FLOOD PROTECTION	
GOAL: Provide natural flood protection to reduce risk and improve health and safety.	
Objective 1:	Protect people and property from flooding equitably in all regions of the County, prioritizing disadvantaged communities, by applying a comprehensive, integrated watershed management approach that balances environmental quality, environmental justice impacts, sustainability, and cost.
Challenge / Opportunity:	Valley Water is challenged to sustain ecosystem health while managing local water resources for flood protection and water supply. By using an integrated approach to planning and design, there is an opportunity to create flood protection projects with multiple benefits, while ensuring disadvantaged communities, as well as schools, senior centers, and group homes for youth and individuals with disabilities, etc., are equitably represented.
FY25 Tactics:	<ul style="list-style-type: none"> Strengthen partnerships with the county and local municipalities to improve collaboration and coordination on flood protection projects and areas that are subject to flooding. Complete Flood Vulnerability Assessments for the Lower Peninsula and West Valley Watersheds to identify areas that flood on a regular basis (One Water). Ensure active participation by county and local municipal governments in the watershed planning process. Continue construction of Reaches 1-3 of the Shoreline Phase I Project and pursue funding alternatives for Reaches 4-5 to provide 100-year coastal flood risk management, ecosystem restoration, recreational opportunities, and resiliency for sea level rise. Finalize Natural Resources Conservation Service (NRCS) funding agreement and begin construction for Phase 2B. Explore federal funding and grant opportunities to advance the Palo Alto Flood Basin Project into construction, a repair project to ensure a functional flood basin with wetland habitat. Advance the Sunnyvale East/West Channels Project into construction to provide 100-year storm water flood protection. Work with USACE to design Upper Guadalupe River Project to provide 100-year flood protection. Continue to partner with the San Francisquito Joint Powers Authority (JPA) on the San Francisquito Creek upstream 101 Project.

	<ul style="list-style-type: none"> Determine what policy role Valley Water should play with the San Francisquito Creek JPA, including determining what entity should be responsible for ongoing operations and maintenance. Continue design and construction of the Coyote Creek Flood Mitigation and Flood Protection Projects
Monitoring:	Capital Improvement Program Committee Board Policy and Planning Committee Safe Clean Water and Natural Flood Protection Program Independent Monitoring Committee
Related Staff Plans:	Watersheds Management Plans (One Water) Safe, Clean Water and Natural Flood Protection Program

FY25 STAFF RECOMMENDATION	
Section: ENVIRONMENTAL STEWARDSHIP GOAL: Sustain ecosystem health while managing local water resources for flood protection and water supply.	
Objective 1:	Plan and design projects with multiple benefits, including protecting ecosystem functions, enhancing habitat, and improving connectivity, equitably in all regions of the County.
Challenge / Opportunity:	Valley Water's projects and programs require integrated planning to ensure capital improvements, operations, and maintenance activities are balanced with environmental stewardship goals. Valley Water strives to protect and restore habitats to support native species throughout Santa Clara County.
FY25 Tactics:	<ul style="list-style-type: none"> Continue to develop watershed management plans, including appropriate metrics to monitor Valley Water's impacts on and benefit to the environment. Complete Greenhouse Gas Reduction Plan as part of the Climate Change Action Plan implementation. Complete planning phase for the San Tomas Calabazas Creek Marsh Reconnection Project, and 30% Design for the Ogier Ponds Separation from Coyote Creek and Moffett Fish Ladder projects. Make significant progress on the grant-funded planning study for the San Tomas Aquino Calabazas Creek Realignment Project (which includes Pond A4). Initiate access improvements and beneficial reuse of sediment at Pond A4. Continue to develop and build on partnerships with environmental organizations and tribal communities when developing projects.
Monitoring:	Board Policy and Planning Committee Capital Improvement Committee Stream Planning and Operations Committee
Related Staff Plans:	Watershed Management Plans (One Water) Greenhouse Gas Reduction Plans Climate Change Action Plan
Objective 2:	Protect creeks, bay, and other aquatic ecosystems from threats of pollution and degradation.
Challenge / Opportunity:	Valley Water continues to coordinate with local cities and agencies to improve the health of our local waterways, including pollution prevention and addressing threats to water quality. Opportunities exist to further collaborate with the County, cities, and social services agencies on encampment management efforts and to develop long-term solutions for unhoused individuals to keep our creeks clean.

FY25 Tactics:	<ul style="list-style-type: none"> Continue efforts to protect the ecosystem and water quality of our water bodies and the integrity of our infrastructure. Such efforts include preventing stormwater pollution, increased implementation of green stormwater infrastructure, addressing mercury pollution, encampment clean ups, and other efforts under Safe Clean Water B and F priorities. Continue partnership with City of San José to continue trash rafts removals. Continue partnerships and investments on a regional scale such as the South Bay Salt Pond Restoration and Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). Initiate Clean Camps Clean Creeks and portable toilet facility programs. Finalize Memorandum of Agreement (MOA) with City of San José to holistically manage encampments on waterways throughout the City, including within the City's stormwater Municipal Regional Permit (MRP) discharge sites. Continue opportunities for volunteers to support cleanup efforts and events. Support legislative efforts to eliminate or reduce waste entering waterways. Pursue MOAs with local municipalities and the County to holistically manage encampments on waterways.
Monitoring:	Environmental Creek Cleanup Committee
Related Staff Plans:	One Water Plan Santa Clara Valley Urban Runoff Pollution Prevention Program Stormwater Resource Plan Safe, Clean Water and Natural Flood Protection Program
Objective 3:	Complete and implement the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE) agreement.
Challenge / Opportunity:	For over 25 years, Valley Water has been working to resolve compliance challenges and disagreements surrounding fish, wildlife, water quality, and other beneficial uses in Coyote Creek, Guadalupe River, and Stevens Creek watershed areas. Challenges to fully implementing the FAHCE agreement include obtaining federal and state permits from multiple regulatory agencies, refining and processing water rights change petitions, the technical complexity of the fisheries impacts analysis, coordination with other ongoing related projects, and managing stakeholder expectations.
FY25 Tactics:	<ul style="list-style-type: none"> Finalize 10 water right change petitions for securing water right orders. Continue to implement the FAHCE Plus pilot flow program in Guadalupe and Stevens Creek. Continue to implement feasibility studies, monitoring activities, and planning for various fish passage and habitat improvements as identified in existing stakeholder agreement. Continue fisheries monitoring program. Continue to support an adaptive management program that encompasses all three creeks. Continue coordination with the ADSRP project. Complete 30% Design of the Moffett Fish Ladder Improvement Project, a Phase 1 measure. Initiate planning for Fremont Fish Ladder or one additional fish passage barrier project.
Monitoring:	Stream Planning and Operations Committee
Related Staff Plans:	Fish Habitat Restoration Plan for Coyote Creek, Guadalupe River, and Stevens Creek Watersheds

	<p>Seismic Retrofit Programs for Dam Safety</p> <p>Aquatic habitat restoration plans/feasibility studies/site-specific improvements affecting all three watersheds (e.g., Countywide Large Woody Debris Program)</p> <p>Collaborative agreements for in-stream habitat improvements (e.g., Singleton Fish Barrier Removal with City of San José, Ogier Pond Feasibility Study in collaboration with the County)</p> <p>Watershed Management Plans (One Water)</p> <p>Ogier Ponds Planning Study Report</p>
--	--

FY25 STAFF RECOMMENDATIONS

Section: ADDRESSING ENCAMPMENTS OF UNSHELTERED PEOPLE

GOAL: Humanely assist in the permanent relocation of unsheltered people on Valley Water lands along waterways and at water supply and flood risk reduction facilities in order to address the human health, public safety, operational, and environmental challenges posed by encampments.

Objective 1:	Collaborate with agencies and other service providers to address the challenges posed by encampments and their impacts to waterways, water supply and flood risk reduction facilities, including supporting the provision of outreach, counseling, transitional or affordable housing, or other services by these agencies and service providers.
Challenge / Opportunity:	The number of unsheltered individuals living in Santa Clara County has increased by 34 percent in the last six years, rising from 7,394 in 2017 to 9,903 in 2023, according to the Homeless Point-in-Time Count and Survey. In 2023, 75% of the unhoused population in the county were unsheltered, and Valley Water estimates that over 911 have taken refuge on Valley Water's property or land easements. The waterways in Santa Clara County are flashy, meaning seemingly small creeks quickly can turn into raging torrents, surprising unsheltered people often hidden in riparian vegetation and potentially resulting in drownings or serious injury. These riparian areas include threatened and endangered species, sensitive constructed and natural habitats, and public infrastructure that is critical to water supply, groundwater recharge, and flood risk reduction activities.
FY25 Tactics:	<ul style="list-style-type: none"> • Coordinate with the County, cities, and other service providers in a regional approach to safely relocate unsheltered individuals living along waterways and at water supply and flood risk reduction facilities. • Pursue MOAs with local municipalities and the County to holistically manage encampments on waterways. • Pursue the creation of a joint committee with members of our Board and City of San Jose Councilmembers to address unhoused issues. • Implement the Clean Camps Clean Creeks Program. • Continue to manage the Portable Toilet Facility Program. • Enhance Valley Water's participation in countywide collaboration efforts to address challenges associated with homelessness. • Continue to provide outreach services to unsheltered individuals living within waterways and at water supply and flood risk reduction facilities countywide through Valley Water's agreement with Santa Clara County. • Extend the agreement with City of San José to provide comprehensive services to unsheltered individuals living within the high-risk flood zones of the Coyote Creek project footprint. • Collaborate with City of San José on its Storm Water permit requirements and Coyote Creek Flood Protection Project encampment relocation. • Continue to geospatially locate encampments located on Valley Water lands along

	<p>waterways and at water supply and flood risk reduction facilities to measure effectiveness of collaborative efforts.</p> <ul style="list-style-type: none"> Continue to seek state and federal grants and other support with the intent to work with local cities or the County to construct low-barrier navigation centers, supportive housing, transitional housing, affordable housing, or other facilities to assist unsheltered people. Pursue facilitating a countywide summit to address encampments of unhoused individuals this fiscal year. Explore supporting the development of housing alternatives, such as emergency or transitional housing, as well as the feasibility of exchanging Valley Water properties for potential development.
Monitoring:	Environmental Creek Cleanup Committee
Related Staff Plans:	
Objective 2:	Collaborate with the County and municipal partners to secure the safety of unsheltered people living on Valley Water lands along waterways and at water supply and flood risk reduction facilities, as well as secure the safety of residential neighbors and Valley Water staff.
Challenge / Opportunity:	<p>There are a number of growing safety concerns and challenges for the large number of unsheltered individuals and families living in encampments along waterways and water resource facilities with many of these located in high-risk flood areas and vulnerable to the perils of rushing stormwaters in creeks, which can result in serious injury or fatalities. There are additional challenges, concerns and risks for Valley Water staff who work to manage encampment generated trash and debris as well as community members who reside in the proximity of existing encampments. Valley Water staff managing cleanup operations and maintenance of and around encampments are frequently exposed to weapons, biowaste, and dangerous animals (oftentimes off-leash dogs), and at times aggressive and intimidating behavior from unhoused individuals. Staff require support from jurisdictional police departments (PD) to provide a safe environment when carrying out cleanup and maintenance operations, which increases operational costs for added security and places limitations on the operation schedule contingent on PD availability, potentially causing delays in important services (such as facility inspections, vegetation management, flood protection, and biological surveys). Lastly, residential neighbors have a similar level of exposure to some of these dangers, including wildfire hazards that can occur from campfires, solar panels and use of propane tanks in vegetated areas.</p>
FY25 Tactics:	<ul style="list-style-type: none"> Coordinate with the County and municipal partners, in a regional approach to identify lands to provide transitional or affordable housing or other services, allowing for unsheltered individuals and families to be safely relocated from flood risk areas, and reducing challenges for Valley Water staff performing operations and maintenance along waterways and at water supply and flood risk reduction facilities. Continue working with the County, municipal partners and police departments to support Valley Water staff safety, as well as the public safety of unsheltered individuals and residential neighbors, when conducting encampment cleanup operations and maintenance activities. Continue to perform weed abatement and fuel reduction work around encampments to reduce wildfire risks. Continue to provide outreach services to unsheltered individuals living within waterways and at water supply and flood risk reduction facilities countywide through the agreement with Santa Clara County. Extend the agreement with City of San José to provide comprehensive services to

	<p>unsheltered individuals living within the high-risk flood zones of the Coyote Creek project footprint.</p> <ul style="list-style-type: none"> • Pursue MOAs with local municipalities and the County to holistically manage encampments on waterways. • Pursue the creation of a joint committee with members of our Board and City of San Jose Councilmembers to address unhoused issues. • Pursue facilitating a countywide summit to address encampments of unhoused individuals this fiscal year.
Monitoring:	Environmental Creek Cleanup Committee
Related Staff Plans:	

FY25 STAFF RECOMMENDATION	
Section: CLIMATE CHANGE GOAL: Mitigate carbon emissions and adapt Valley Water operations to climate change impacts	
Objective 1:	Address future impacts of climate change to Valley Water’s mission and operations.
Challenge / Opportunity:	Valley Water’s ability to fulfill its mission will be challenged in the future by warmer temperatures, changing precipitation patterns, reduced snowpack, and rising sea levels. Valley Water has been working on greenhouse reduction efforts since 2008 and many adaptation actions over the past decade; however, with adoption of the Climate Change Action Plan there is an opportunity for greater impact.
FY25 Tactics:	<ul style="list-style-type: none"> • Finalize Greenhouse Gas (GHG) Reduction Plan and CEQA checklist to update GHG inventory methodology to include all Valley Water activities and identify specific and measurable actions to reduce emissions and streamline CEQA for future capital projects. • Continue to monitor progress on adaptation actions as identified in the Climate Change Action Plan and support high priority projects such as the South San Francisco Bay Shoreline. • Ensure incorporation of environmental justice (EJ) considerations into planning and processes to support mitigation of carbon emissions and climate change impacts. • Explore opportunities for carbon sequestration in all our programs and projects.
Monitoring:	Board Policy and Monitoring Committee
Related Staff Plans:	Climate Change Action Plan Greenhouse Gas Reduction Plan

FY25 STAFF RECOMMENDATION	
Section: BUSINESS MANAGEMENT GOAL: Promote effective management of water supply, flood protection, and environmental stewardship through responsive and socially responsible business services.	

Objective 1:	Incorporate racial equity, diversity and inclusion throughout Valley Water as a core value.
Challenge / Opportunity:	Valley Water is committed to creating and maintaining a diverse, inclusive, and equitable work environment that is devoid of discrimination and harassment and provides equal opportunity employment and advancement. Valley Water aims to implement the same values in the community through its water supply, flood protection, and environmental stewardship projects and has an opportunity to serve as a leader for racial equity, diversity, and inclusion throughout the state.
FY25 Tactics:	<ul style="list-style-type: none"> Continue to monitor implementation of Diversity, Equity and Inclusion strategic initiatives that institute best practices to address internal and external disparities and builds an organizational culture that is consistent with the Board's Resolution addressing racial equity, diversity, and inclusion. Remain committed to environmental justice and the fair treatment and meaningful engagement of all people regardless of race, color, sex, gender, gender identity, gender expression, sexual orientation, disability status (mental and physical), medical condition, genetic information, ancestry, national origin, immigration status, age, marital status, tribe, culture, income, religion, military status, or English language proficiency, with respect to the planning, projects, policies, services, and operations of Valley Water. Continue to collaborate with external stakeholders that are engaged in developing diversity, equity, and inclusion initiatives and actively participate in and provide leadership for diversity, equity, and inclusion efforts throughout the state. Continue to advance and foster mutually beneficial partnerships with regional tribal communities.
Monitoring:	Board Planning and Monitoring Committee
Related Staff Plans:	
Objective 2:	Maintain budgeted staffing levels and expertise, prioritize the safety of our staff, and build and sustain an inclusive and equitable working environment for all staff and partners while ensuring fair employment.
Challenge / Opportunity:	The Board recognizes that Valley Water's workforce is the critical component to providing clean, safe drinking water, effective flood protection, and environmental stewardship. The Board therefore remains committed to supporting the recruitment of capable employees with knowledge and subject matter expertise, investing in staff training to meet changing skills and capacity needs, developing the necessary policies and guidance that strengthen employee safety, and establishing Valley Water as an employer of choice.
FY25 Tactics:	<ul style="list-style-type: none"> Implement an automated forecasting tool to develop and finalize a long-term staffing strategy that aligns with future capital and operational needs. Continue to implement initiatives that will expand hiring outreach to individuals that are disabled or have health conditions/impairments, military veterans, and formerly incarcerated individuals, with an emphasis on hiring from the local region. Continue to implement next generation and career pathways program to provide internal and external development for professional growth. Advance the development of a skilled trades apprenticeship program. Maximize the safety of staff working in creeks, encampments, and Valley Water facilities, and continue to promote health & safety guidance to protect staff from public health emergencies and environmental impacts.
Monitoring:	Board Policy & Monitoring Committee

Related Staff Plans:	
Objective 3:	Provide affordable and cost-effective level of services.
Challenge / Opportunity:	The Board understands its responsibility to regularly evaluate and monitor Valley Water's financial status to ensure the level of services provided are reasonable and cost effective. As such, driving continual improvement efforts are key to delivering affordable and effective services while controlling expectations regarding what Valley Water can achieve and what it can afford to do. In addition, the affordability of water continues to be a major issue faced by communities across the nation, particularly disadvantaged communities. The Board has an opportunity to raise issues around water affordability at local and statewide levels and advocate for changes that benefit disadvantaged communities.
FY25 Tactics:	<ul style="list-style-type: none"> • Complete 3-4 Board-initiated or management-initiated performance audits, or other performance improvement efforts, benchmarking studies, or best practice implementations. • Establish Valley Water as a statewide leader in conversations around water affordability. • Continue to seek and obtain grants and funding from federal, state and other sources.
Monitoring:	Board Audit Committee
Related Staff Plans:	Operating and Capital Budget Board and Management Audit Reports

THIS PAGE INTENTIONALLY LEFT BLANK

FY2024-2025 BOARD WORK PLAN – STAFF RECOMMENDATIONS

CURRENT FY24 LANGUAGE		FY25 STAFF RECOMMENDATION	
Section: INTEGRATED WATER RESOURCES MANAGEMENT GOAL: Efficiently manage water resources across business areas.		Section: INTEGRATED WATER RESOURCES MANAGEMENT GOAL: Efficiently manage water resources across business areas.	
Objective 1:	Protect and maintain existing assets and infrastructure and advance new projects.	Objective 1:	Protect and maintain existing assets and infrastructure and advance new projects.
Challenge / Opportunity:	The maintenance of Valley Water’s infrastructure is crucial to ensuring we continue to provide safe, clean water and critical flood protection for our communities. Timely maintenance is the most cost-effective investment, whereas deferred maintenance disproportionately increases costs and may result in unplanned outages and failures. In addition, there is a list of assets that are reaching the end of their design life and will require significant recapitalization.	Challenge / Opportunity:	The maintenance of Valley Water’s infrastructure is crucial to ensuring we continue to provide safe, clean water and critical flood protection for our communities. Timely maintenance is the most cost-effective investment, whereas deferred maintenance disproportionately increases costs and may result in unplanned outages and failures. In addition, there is a list of assets that are reaching the end of their design life and will require significant recapitalization.
FY24 Tactics:	<ul style="list-style-type: none"> Develop a Fuel Management Policy to guide the incorporation of wildfire planning efforts in an integrated and programmatic way. Continue a robust preventive maintenance program including monitoring asset condition and risk. Strategically plan for larger infrastructure renewal projects through Safe Clean Water Project F8 – Sustainable Creek Infrastructure for Continued Public Safety; Water Treatment Plant, Distribution System, and SCADA Master Plan Implementation Projects; Watersheds and Water Utility Operations and Maintenance and Asset Renewal Plans; and other Asset Management Plans. Advance infrastructure renewal projects identified in strategic planning efforts by initiating new Capital or Small Capital Projects, or by conducting work as part of ongoing operations projects. Expediently execute adopted Capital program and projects. 	FY25 Tactics:	<ul style="list-style-type: none"> Complete Wildfire Resiliency Plan and develop a Fuel Management Policy to guide the incorporation of wildfire planning efforts in an integrated and programmatic way. Continue a robust preventive maintenance program including monitoring asset condition and risk. Strategically plan for larger infrastructure renewal projects through Safe Clean Water Project F8 – Sustainable Creek Infrastructure for Continued Public Safety; Water Treatment Plant, Distribution System, and SCADA Master Plan Implementation Projects; Watersheds and Water Utility Operations and Maintenance and Asset Renewal Plans; and other Asset Management Plans. Advance infrastructure renewal projects identified in strategic planning efforts by initiating new Capital or Small Capital Projects, or by conducting work as part of ongoing operations projects. Expediently execute adopted Capital program and projects.
Monitoring:	Board Policy and Planning Committee Capital Improvement Program Committee	Monitoring:	Board Policy and Monitoring Committee Capital Improvement Program Committee
Related Staff Plans:	Safe, Clean Water and Natural Flood Protection Program Water Treatment Plant Master Plan Implementation Project Distribution System Master Plan Implementation Project SCADA Master Plan Implementation Project Watersheds and Water Utility Five-Year Operations and Maintenance and Asset Renewal Plans District-wide Asset Management Plan Watershed Asset Management Plan San Felipe Division Reach 1 FY24 Asset Condition Report Capital Improvement Program FY 2024-28 Five-Year Plan	Related Staff Plans:	Watershed Management Plans (One Water) Water Supply Master Plan Safe, Clean Water and Natural Flood Protection Program Water Treatment Plant Master Plan Implementation Project Distribution System Master Plan Implementation Project SCADA Master Plan Implementation Project Watersheds and Water Utility Five-Year Operations and Maintenance and Asset Renewal Plans District-wide Asset Management Plan Watershed Asset Management Plan San Felipe Division Reach 1 FY24 Asset Condition Report Capital Improvement Program FY 2024-28 Five-Year Plan
Objective 2:	Improve internal capability to negotiate and acquire regulatory permits.	Objective 2:	Improve internal capability to negotiate and acquire regulatory permits.
Challenge / Opportunity:	Valley Water continues to face increased project costs and extended timelines due to sometimes conflicting regulatory mandates from external agencies. Valley Water continues to pursue legislative and administrative solutions to resolve regulatory and permitting issues at the federal and state levels. Efforts should focus on staff capability and expertise, and the ability to negotiate effectively and build positive relationships with key regulatory agencies.	Challenge / Opportunity:	Valley Water continues to face increased project costs and extended timelines due to sometimes conflicting regulatory mandates from external agencies. Valley Water continues to pursue legislative and administrative solutions to resolve regulatory and permitting issues at the federal and state levels. Efforts should focus on staff capability and expertise, and the ability to negotiate effectively and build positive relationships with key regulatory agencies.

FY24 Tactics:	<ul style="list-style-type: none"> Continue to pursue efforts at the state and federal level to expedite permit review. Keep local, state, and federal legislators up to date on critical projects in case escalation is necessary. Continue to foster relationships at all levels within regulatory agencies and maintain an open dialogue with environmental and other stakeholders. Continue to work with the Regional Water Quality Control Board (RWQCB) and the State Water Quality Control Board (SWQCB) under the terms of our Memorandum of Understanding (MOU) to ensure that they protect water supply interests consistent with their authority. 	FY25 Tactics:	<ul style="list-style-type: none"> Continue to pursue efforts at the state and federal level to expedite permit review. Keep local, state, and federal legislators up to date on critical projects in case escalation is necessary. Continue to foster relationships at all levels within regulatory agencies and maintain an open dialogue with environmental and other stakeholders. Seek regulatory and environmental stakeholder support during the planning phase of CIP projects and during watershed management planning process (One Water). Continue to work with the San Francisco Bay Regional Water Quality Control Board (RWQCB) and the State Water Resources Control Board (SWRCB) under the terms of our Memorandum of Understanding (MOU), as well as the State Water Resources Control Board as applicable, to ensure that they protect water supply and water quality interests consistent with their authority.
Monitoring:	Board Policy and Planning Committee Capital Improvement Program Committee Stream Planning and Operations Committee	Monitoring:	Board Policy and Monitoring Committee Capital Improvement Program Committee Stream Planning and Operations Committee Water Supply and Demand Management Committee
Related Staff Plans:	One Water Plan	Related Staff Plans:	Watershed Management Plans (One Water) Capital Project Planning Studies (e.g. Ogier Ponds, San Tomas Calabazas Creek-Marsh Reconnection, Guadalupe Tasman – I-880, Shoreline Planning Studies)
Objective 3:	Educate the community, elected officials and external stakeholders on our management of water resources in Santa Clara County.	Objective 3:	Educate the community, elected officials and external stakeholders on our management of water resources in Santa Clara County.
Challenge / Opportunity:	A reliable supply of clean water is necessary for the social, economic, and environmental wellbeing of Santa Clara County. Valley Water must effectively communicate with the public on our management of water resources around several key issues including: the cost of water, the public perception of costs of different types of water, how to effectively implement our water supply strategies into the future, as well as our flood protection and environmental stewardship efforts.	Challenge / Opportunity:	A reliable supply of clean water is necessary for the social, economic, and environmental wellbeing of Santa Clara County. Valley Water must effectively communicate with the public on our management of water resources around several key issues including: the cost of water, the public perception of costs of different types of water, how to effectively implement our water supply strategies into the future, as well as our flood protection and environmental stewardship efforts.
FY24 Tactics:	<ul style="list-style-type: none"> Continue to apply strategies for effective community/stakeholder engagement and education. Continue to develop and refine metrics to understand and improve the return on investment (ROI) of outreach strategies. Continue increasing efforts to educate the public about the mix of different types of water in Valley Water's portfolio, as well as our flood protection and environmental stewardship efforts. Engage directly with local government jurisdictions through strategic meetings. Continue engagement with cities on flood plain management, Community Rating System (CRS) program, and emergency action plans. Directly involve the Valley Water Board of Directors, local area partners, retailers, and the public with all water supply Master Plan development processes. Share the plan widely at the phase of a project where project alternatives are considered, key issues such as the cost of water, quality of water, reliability of our infrastructure, and strategies for implementing different improvement projects with varying levels of service will be explained through public meetings. 	FY25 Tactics:	<ul style="list-style-type: none"> Continue to apply strategies for effective community/stakeholder engagement and education. Continue to develop and refine metrics to understand and improve the return on investment (ROI) of outreach strategies. Continue increasing efforts to educate the public about the mix of different types of water in Valley Water's portfolio, as well as our flood protection and environmental stewardship efforts. Engage directly with local government jurisdictions through strategic meetings. Continue engagement with cities on flood plain management, Community Rating System (CRS) program, and emergency action plans. Directly involve the Valley Water Board of Directors, local area partners, retailers, and the public with the development of the Water Supply Master Plan 2050 and Watershed Management Plans (One Water). Share the plans widely at the phase of a project where project alternatives are considered, key issues such as the cost of water, quality of water, reliability of our infrastructure, and strategies for implementing different improvement projects with varying levels of service will be explained through public meetings. Ensure robust outreach and stakeholder engagement on the CIP.
Monitoring:	Board of Directors Capital Improvement Program Committee Recycled Water Committee	Monitoring:	Board of Directors Capital Improvement Program Committee Recycled Water Committee
Related Staff Plans:	Water Supply Master Plan Countywide Water Reuse Master Plan Water Treatment Plant Master Plan	Related Staff Plans:	Water Supply Master Plan Watershed Management Plans (One Water) Countywide Water Reuse Master Plan

	Distribution System Master Plan		Water Treatment Plant Master Plan Distribution System Master Plan
--	---------------------------------	--	--

CURRENT FY24 LANGUAGE		FY25 STAFF RECOMMENDATION	
Section: WATER SUPPLY GOAL: Provide a reliable, safe, and affordable water supply for current and future generations in all communities served.		Section: WATER SUPPLY GOAL: Provide a reliable, safe, and affordable water supply for current and future generations in all communities served.	
Objective 1:	Pursue new and diversified water supply and storage opportunities.	Objective 1:	Pursue new and diversified water supply and storage opportunities.
Challenge / Opportunity:	<p>Half of Santa Clara County’s water supply is imported from outside the county. During years when there is a lot of water, Valley Water may not be able to take advantage of these supplies due to limitations in existing storage and transmission infrastructure as well as regulatory constraints. Having a diverse portfolio of storage options helps Valley Water be resilient. Therefore, Valley Water is evaluating whether diversifying its storage portfolio could help maximize our use of storage and stored water recovery under future conditions. Water storage in reservoirs also provides environmental, recreational, and incidental flood risk reduction benefits. Challenges include determining the appropriate level of participation for Valley Water in collaborative water storage projects and prioritizing projects within funding constraints. In addition, as part of the Water Supply Master Plan, Valley Water continues to pursue the “no regrets” package, which addresses advanced metering infrastructure, Graywater Rebate Program expansion, leak repair incentives, New Development Model Ordinance, and stormwater capture (agricultural land recharge, stormwater recharge in San Jose and Saratoga, rain barrel rebates, and rain garden rebates).</p>	Challenge / Opportunity:	<p>Half of Santa Clara County’s water supply is imported from outside the county. During years when there is a lot of water is plentiful, Valley Water may not be able to take advantage of these supplies due to limitations in existing storage and transmission infrastructure as well as regulatory constraints. Having a diverse portfolio of storage options helps Valley Water be resilient. Therefore, Valley Water is evaluating whether diversifying its storage portfolio could help maximize our use of storage and stored water recovery under future conditions. Water storage in reservoirs also provides environmental, recreational, and incidental flood risk reduction benefits. Challenges include influencing project development to ensure important benefits are realized, determining the appropriate level of participation for Valley Water in collaborative water storage projects and prioritizing projects within funding constraints. In addition, Valley Water is evaluating water supply projects, such as direct potable reuse, regional/state projects, and water conservation. In addition, as part of the Water Supply Master Plan, Valley Water continues to pursue the “no regrets” package, which addresses advanced metering infrastructure, Graywater Rebate Program expansion, leak repair incentives, New Development Model Ordinance, and stormwater capture (agricultural land recharge, stormwater recharge in San Jose and Saratoga, rain barrel rebates, and rain garden rebates). (No Regrets package language moved to Objective 5 – conservation goal)</p>
FY24 Tactics:	<ul style="list-style-type: none"> Explore opportunities to develop new surface and groundwater storage projects that help Valley Water meet future water supply needs and be resilient to climate change. Update the Water Supply Master Plan to provide information on participation levels, water supply benefits and costs of various portfolios to support water supply project and partnership decisions, including the “no regrets” package. Determine level of participation for projects and decisions about partnerships in accordance with the Water Supply Master Plan and water affordability. Pursue additional funding and partnership opportunities for the Pacheco Reservoir Expansion Project. Evaluate Valley Water’s continued participation in water storage projects during the MAP review process, bi-annual budget development, and other project-specific milestones. Explore, evaluate and make progress on additional stormwater capture feasibility as part of the “no regrets” package. 	FY25 Tactics:	<ul style="list-style-type: none"> Explore opportunities to develop new surface and groundwater storage projects that help Valley Water meet future water supply needs and provide resiliency be resilient to climate change. Update the Water Supply Master Plan to provide information on participation levels, water supply benefits and costs of various portfolios to support water supply project and partnership decisions, including the “no regrets” package. Continue with the Water Supply Master Plan 2050 development to provide information on participation levels, water supply benefits and costs of various portfolios to support water supply project and partnership decisions. Determine level of participation for projects and decisions about partnerships informed by in accordance with the Water Supply Master Plan and water affordability analyses. Pursue additional funding and partnership opportunities for the Pacheco Reservoir Expansion Project. Evaluate feasibility of Pacheco at 60% design. Evaluate Valley Water’s continued participation in water storage projects at project-specific milestones and during the Water Supply Master Plan process, during the MAP review process, and bi-annual budget development, and other project-specific milestones. Explore, evaluate and make progress on additional stormwater capture feasibility as part of the “no regrets” package.

Monitoring:	Water Storage Exploratory Committee Recycled Water Committee Water Conservation and Demand Management Committee	Monitoring:	Water Supply and Demand Management Committee Recycled Water Committee
Related Staff Plans:	Water Supply Master Plan Annual Monitoring and Assessment Program (MAP) Updates Stormwater Resource Plans	Related Staff Plans:	Water Supply Master Plan Annual Monitoring and Assessment Program (MAP) Updates
Objective 2:	Secure existing water supplies and water supply infrastructure	Objective 2:	Secure existing water supplies and water supply infrastructure
Challenge / Opportunity:	The Water Supply Master Plan's "Ensure Sustainability" strategy includes securing existing water supplies and infrastructure. Valley Water's local and imported water supplies are vulnerable to climate change impacts, droughts, earthquakes, and regulatory requirements that may restrict the amount of available water.	Challenge / Opportunity:	The Water Supply Master Plan's "Ensure Sustainability" strategy includes securing existing water supplies and infrastructure. Valley Water's local and imported water supplies are vulnerable to climate change impacts, droughts, earthquakes, and regulatory requirements that may restrict the amount of available water.
FY24 Tactics:	<ul style="list-style-type: none"> Participate in and influence decisions regarding the Delta Conveyance Project. Participate in regional water supply resilience efforts. Build and maintain effective partnerships to increase resiliency. Complete and implement infrastructure master plans and asset management plans. Partner with the California Department of Water Resources (DWR) to ensure reliability of the South Bay Aqueduct. 	FY25 Tactics:	<ul style="list-style-type: none"> Participate in and influence decisions regarding the Delta Conveyance Project. Participate in regional water supply resilience efforts. Build and maintain effective partnerships to increase resiliency. Complete and implement infrastructure master plans and asset management plans. Partner with the California Department of Water Resources (DWR) to ensure reliability of the South Bay Aqueduct.
Monitoring:	Water Conservation and Demand Management Committee (Groundwater) CIP Committee (infrastructure projects)	Monitoring:	Water Supply and Demand Management Committee (Groundwater) CIP Committee (infrastructure projects)
Related Staff Plans:	Water Supply Master Plan Groundwater Management Plan Infrastructure and Asset Management Plans	Related Staff Plans:	Water Supply Master Plan Groundwater Management Plan Infrastructure and Asset Management Plans
Objective 3:	Lead Purified Water Efforts with committed partners.	Objective 3:	Lead Purified Water Efforts with committed partners.
Challenge / Opportunity:	Recycled and purified water is a drought resilient, locally controlled water supply important to long-term sustainability. Purified water is recycled water that has been treated further using reverse osmosis and other advanced treatment to make it fit for drinking. Valley Water is pursuing indirect potable reuse which would use this purified water to replenish our groundwater. Implementation challenges include securing wastewater supply contractual agreements with wastewater agencies, available land, stringent regulatory requirements, and implementation costs.	Challenge / Opportunity:	Recycled and purified water is a drought resilient, locally controlled water supply important to long-term sustainability. Purified water is recycled water that has been treated further using reverse osmosis and other advanced treatment to make it fit for drinking. Valley Water is pursuing indirect potable reuse which would use this purified water to replenish our groundwater. Implementation challenges include securing wastewater supply contractual agreements with wastewater agencies, available land, stringent regulatory requirements, and implementation costs.
FY24 Tactics:	<ul style="list-style-type: none"> Implement the first phase of the Purified Water Program, including release of a Request for Proposal (RFP) and enter into a contract for an Indirect Potable Reuse project that is implemented via a Public Private Partnership. Implement the Countywide Water Reuse Master Plan. Develop a Comprehensive Water Reuse Agreement for South County to advance water reuse and its production, distribution, and wholesaling in South County. Continue to actively be involved with the Direct Potable Reuse (DPR) guidance and ensure Valley Water is positioned to implement a DPR project in the future. Implement the Letter of Intent executed with the Cities of San José and Santa Clara to expand collaboration on the Silicon Valley Advanced Water Purification Center to develop a second potable reuse project. Continue to pursue recycled water grant funding. Continue to expand communications strategies to increase public awareness and acceptance of the Purified Water Program. Increase outreach to key stakeholders such as elected officials, chambers of commerce, environmental groups, and community organizations to increase support 	FY25 Tactics:	<ul style="list-style-type: none"> Implement the first phase of the Purified Water Program, including release of a Request for Proposal (RFP) and enter into a contract for an Indirect Potable Reuse project that is implemented via a Public Private Partnership. Develop a Direct Potable Reuse Project in San José, including development of needed agreements, with a lease agreement and RFP issued for demonstration facility design services by end of FY25. Implement the Countywide Water Reuse Master Plan. Develop a Comprehensive Water Reuse Agreement for South County to advance water reuse and its production, distribution, and wholesaling in South County. Continue to actively be involved with the Direct Potable Reuse (DPR) guidance and ensure Valley Water is positioned to implement a DPR project in the future. Implement the Letter of Intent executed with the Cities of San José and Santa Clara to expand collaboration on the Silicon Valley Advanced Water Purification Center to develop a second potable reuse project. Continue to pursue recycled water grant funding. Continue to expand communications strategies to increase public awareness and

	for the expansion of purified water for potable reuse.		acceptance of the Purified Water Program. <ul style="list-style-type: none"> • Increase outreach to key stakeholders such as elected officials, chambers of commerce, environmental groups, and community organizations to increase support for the expansion of purified water for potable reuse.
Monitoring:	Recycled Water Committee	Monitoring:	Recycled Water Committee
Related Staff Plans:	Water Supply Master Plan Countywide Water Reuse Master Plan	Related Staff Plans:	Water Supply Master Plan Countywide Water Reuse Master Plan
Objective 4:	Complete the Anderson Dam Seismic Retrofit Project.	Objective 4:	Complete the Anderson Dam Seismic Retrofit Project.
Challenge / Opportunity:	As our largest reservoir, Anderson serves not only as a critical water supply facility, but also supports Valley Water’s mission of flood protection and environmental stewardship. Given the reservoir’s critical importance to ensuring safe, clean water for our communities and to protect public safety, it is imperative that the Anderson Dam Seismic Retrofit Project (ADSRP) move forward expeditiously. This includes the reconstruction of the Dam and completion of the interim risk reduction measures resulting from the February 20, 2020 directive from the Federal Energy Regulatory Commission (FERC).	Challenge / Opportunity:	As our largest reservoir, Anderson serves not only as a critical water supply facility, but also supports Valley Water’s mission of flood protection and environmental stewardship. Given the reservoir’s critical importance to ensuring safe, clean water for our communities and to protect public safety, it is imperative that the Anderson Dam Seismic Retrofit Project (ADSRP) move forward expeditiously. This includes the reconstruction of the Dam and completion of the interim risk reduction measures resulting from the February 20, 2020 directive from the Federal Energy Regulatory Commission (FERC).
FY24 Tactics:	<ul style="list-style-type: none"> • Maintain the Anderson Reservoir level in compliance with the FERC mandate. • Continue the construction on the Anderson Dam Tunnel Project (ADTP). • Continue the design of the ADSRP. • Continue to work with appropriate regulatory agencies to advance the ADSRP. • Release the Draft Environmental Impact Report for the ADSRP. • Pursue necessary permits for ADSRP construction. • Continue to educate and engage the public, key stakeholders, decision makers, and elected officials of the project progress and construction timeline. • Coordinate ADSRP operations with the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE). • Compile lessons learned during the design, permitting and construction of the ADSRP to inform future capital project delivery. 	FY25 Tactics:	<ul style="list-style-type: none"> • Maintain the Anderson Reservoir level in compliance with the FERC mandate. • Continue the construction on the Anderson Dam Tunnel Project (ADTP). • Continue Complete the 90% design documents of the ADSRP. • Continue to work with appropriate regulatory agencies to advance the ADSRP. • Release the Draft Environmental Impact Report for the ADSRP. • Pursue necessary permits for ADSRP construction. • Continue to educate and engage the public, key stakeholders, decision makers, and elected officials of the project progress and construction timeline. • Coordinate ADSRP operations with the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE). • Compile lessons learned during the design, permitting and construction of the ADSRP to inform future capital project delivery.
Monitoring:	Capital Improvement Program Committee. Stream Planning and Operations Committee	Monitoring:	Capital Improvement Program Committee. Stream Planning and Operations Committee
Related Staff Plans:	Safe, Clean Water and Natural Flood Protection Program Fish Habitat Restoration Plan Coyote Feasibility Study Water Supply Master Plan Capital Improvement Program Ogier Ponds Feasibility Study	Related Staff Plans:	Safe, Clean Water and Natural Flood Protection Program Fish Habitat Restoration Plan Coyote Feasibility Study Water Supply Master Plan Capital Improvement Program Ogier Ponds Feasibility Study
Objective 5:	Make water conservation a California way of life in Santa Clara County.	Objective 5:	Make water conservation a California way of life in Santa Clara County.
Challenge / Opportunity:	Droughts are a recurring feature of California’s climate and may intensify with climate change. Water conservation is an essential component in providing a reliable water supply and Valley Water has set an aggressive water conservation goal for annual water savings of 99,000 acre-feet (AF) by 2030 and 109,000 AF by 2040. As Valley Water faces challenges from climate change and drought, water conservation will continue to be amongst the most cost-effective tools for efficiently meeting current and future demands while mitigating droughts.	Challenge / Opportunity:	Droughts are a recurring feature of California’s climate and may intensify with climate change. Water conservation is an essential component in providing a reliable water supply and Valley Water has set an aggressive water conservation goal for annual water savings of 99,000 acre-feet (AF) by 2030 and 109,000 AF by 2040. As Valley Water faces challenges from climate change and drought, water conservation will continue to be amongst the most cost-effective tools for efficiently meeting current and future demands while mitigating droughts.

FY24 Tactics:	<ul style="list-style-type: none"> Build on the recent drought's momentum and continue achieving water savings from the public and encouraging conservation as a way of life through year-round educational outreach, effective water conservation programs, and media campaigns. Continue enforcement program of water waste restrictions as needed. Continue communication and educational outreach to promote Valley Water's water conservation programs. Increase collaboration with our retailer partners to promote Valley Water's water conservation programs. Implement new water conservation programs and engagement strategies identified within the Water Conservation Strategic Plan. Engage and support private-sector stakeholders, local, state, and federal agencies that promote water conservation. Develop and implement a Drought Response Plan with support and input from our retailer partners and the broader community to guide short-term behavioral changes during water shortages. Ensure water conservation programs support disadvantaged community members. Engage in opportunities and make efforts to obtain water use data from Valley Water retailers. Expand outreach and engagement to local businesses and corporations so they can be more actively involved in water conservation efforts. 	FY25 Tactics:	<ul style="list-style-type: none"> Build on the recent drought's momentum and Continue achieving water savings from the public and encouraging conservation as a way of life through year-round educational outreach, effective water conservation programs, and media campaigns. Continue enforcement program of water waste restrictions as needed. Continue communication and educational outreach to promote Valley Water's water conservation programs. Increase collaboration with our retailer partners to promote Valley Water's water conservation programs. Implement new water conservation programs and engagement strategies identified within the Water Conservation Strategic Plan. Engage and support private-sector stakeholders, local, state, and federal agencies that promote water conservation. Develop and implement a Drought Response Plan with support and input from our retailer partners and the broader community to guide short-term behavioral changes during water shortages. Ensure water conservation programs support disadvantaged community members. Engage in opportunities and make efforts to obtain water use data from Valley Water retailers. Expand outreach and engagement to local businesses and corporations so they can be more actively involved in water conservation efforts. Continue to pursue the "no regrets" package as part of the Water Supply Master Plan, which addresses advanced metering infrastructure, Graywater Rebate Program expansion, leak repair incentives, New Development Model Ordinance, and stormwater capture (agricultural land recharge, stormwater recharge, rain barrel rebates, and rain garden rebates).
Monitoring:	Water Conservation and Demand Management Committee	Monitoring:	Water Supply and Demand Management Committee
Related Staff Plans:	Water Conservation Strategic Plan Water Supply Master Plan Safe, Clean Water and Natural Flood Protection Program	Related Staff Plans:	Water Conservation Strategic Plan Stormwater Resource Plans Water Supply Master Plan Safe, Clean Water and Natural Flood Protection Program

CURRENT FY24 LANGUAGE		FY25 STAFF RECOMMENDATION	
Section: NATURAL FLOOD PROTECTION GOAL: Provide natural flood protection to reduce risk and improve health and safety.		Section: NATURAL FLOOD PROTECTION GOAL: Provide natural flood protection to reduce risk and improve health and safety.	
Objective 1:	Protect people and property from flooding by applying a comprehensive, integrated watershed management approach that balances environmental quality, sustainability, and cost.	Objective 1:	Protect people and property from flooding equitably in all regions of the County, prioritizing disadvantaged communities, by applying a comprehensive, integrated watershed management approach that balances environmental quality, environmental justice impacts, sustainability, and cost.
Challenge / Opportunity:	Valley Water is challenged to sustain ecosystem health while managing local water resources for flood protection and water supply. By using an integrated approach to planning and design, there is an opportunity to create flood protection projects with multiple benefits.	Challenge / Opportunity:	Valley Water is challenged to sustain ecosystem health while managing local water resources for flood protection and water supply. By using an integrated approach to planning and design, there is an opportunity to create flood protection projects with multiple benefits, including ensuring disadvantaged communities are equitably represented.
FY24 Tactics:	<ul style="list-style-type: none"> Strengthen partnerships with the county and local municipalities to improve collaboration and coordination on flood protection projects and areas that are subject to flooding. Complete One Water plans for the Guadalupe and Pajaro watersheds. 	FY25 Tactics:	<ul style="list-style-type: none"> Strengthen partnerships with the county and local municipalities to improve collaboration and coordination on flood protection projects and areas that are subject to flooding. Complete One Water plans for the Guadalupe and Pajaro watersheds.

	<ul style="list-style-type: none"> Complete construction of Reaches 1-3 of the Shoreline Phase I Project and pursue funding alternatives for Reaches 4-5 to provide 100-year coastal flood risk management, ecosystem restoration, recreational opportunities, and resiliency for sea level rise. Complete construction of Phase 2A of the Upper Llagas Flood Protection Project to provide flood protection and habitat enhancement; and finalize Natural Resources Conservation Service (NRCS) funding agreement and begin construction for Phase 2B. Explore federal funding and grant opportunities to advance the Palo Alto Flood Basin Project into construction, a repair project to ensure a functional flood basin with wetland habitat. Advance the Sunnyvale East/West Channels Project into construction to provide 100-year storm water flood protection. Work with USACE to design Upper Guadalupe River Project to provide 100-year flood protection. Continue to partner with the San Francisquito Joint Powers Authority (JPA) on the San Francisquito Creek upstream 101 Project. Continue design and construction of the Coyote Creek Flood Mitigation and Flood Protection Projects Begin to evaluate and prioritize addressing areas in the county known to flood on a regular basis. 		<ul style="list-style-type: none"> Complete Flood Vulnerability Assessments for the Lower Peninsula and West Valley Watersheds to identify areas that flood on a regular basis (One Water). Ensure active participation by county and local municipal governments in the watershed planning process. Complete Continue construction of Reaches 1-3 of the Shoreline Phase I Project and pursue funding alternatives for Reaches 4-5 to provide 100-year coastal flood risk management, ecosystem restoration, recreational opportunities, and resiliency for sea level rise. Complete construction of Phase 2A of the Upper Llagas Flood Protection Project to provide flood protection and habitat enhancement; and Finalize Natural Resources Conservation Service (NRCS) funding agreement and begin construction for Phase 2B. Explore federal funding and grant opportunities to advance the Palo Alto Flood Basin Project into construction, a repair project to ensure a functional flood basin with wetland habitat. Advance the Sunnyvale East/West Channels Project into construction to provide 100-year storm water flood protection. Work with USACE to design Upper Guadalupe River Project to provide 100-year flood protection. Continue to partner with the San Francisquito Joint Powers Authority (JPA) on the San Francisquito Creek upstream 101 Project. Determine what policy role Valley Water should play with the San Francisquito Creek JPA, including determining what entity should be responsible for ongoing operations and maintenance. Continue design and construction of the Coyote Creek Flood Mitigation and Flood Protection Projects Begin to evaluate and prioritize addressing areas in the county known to flood on a regular basis.
Monitoring:	Capital Improvement Program Committee Board Policy and Planning Committee Safe Clean Water and Natural Flood Protection Program Independent Monitoring Committee	Monitoring:	Capital Improvement Program Committee Board Policy and Planning Committee Safe Clean Water and Natural Flood Protection Program Independent Monitoring Committee
Related Staff Plans:	One Water Plan Safe, Clean Water and Natural Flood Protection Program	Related Staff Plans:	Watersheds Management Plans (One Water) Safe, Clean Water and Natural Flood Protection Program
Objective 2:	Provide flood protection equitably in all regions of the County, prioritizing disadvantaged communities.	Objective 2:	Provide flood protection equitably in all regions of the County, prioritizing disadvantaged communities. RECOMMEND COMBINING WITH OBJECTIVE #1
Challenge / Opportunity:	As Valley Water continues to advance flood protection projects, the Board has an opportunity to strengthen relationships and improve coordination with conservation and environmental justice groups, as well as other local jurisdictions, with a specific focus on ensuring the voices of disadvantaged communities are equitably represented.	Challenge / Opportunity:	As Valley Water continues to advance flood protection projects, the Board has an opportunity to strengthen relationships and improve coordination with conservation and environmental justice groups, as well as other local jurisdictions, with a specific focus on ensuring the voices of disadvantaged communities are equitably represented.
FY24 Tactics:	<ul style="list-style-type: none"> Advance One Water Integrated Water Resources Master Plan through diverse community-wide stakeholder engagement for the Guadalupe and Upper Pajaro watersheds. Continue progress on flood protection capital projects consistent with Valley Water's commitment to the Safe, Clean Water Program and equitability in all regions. Plan flood risk reduction projects to provide a minimum level of protection countywide. 	FY25 Tactics:	<ul style="list-style-type: none"> Advance One Water Integrated Water Resources Master Plan through diverse community-wide stakeholder engagement for the Guadalupe and Upper Pajaro watersheds. Continue progress on flood protection capital projects consistent with Valley Water's commitment to the Safe, Clean Water Program and equitability in all regions. Plan flood risk reduction projects to provide a minimum level of protection countywide.
Monitoring:	Capital Improvement Program Committee Board Policy and Planning Committee	Monitoring:	Capital Improvement Program Committee Board Policy and Planning Committee

Related Staff Plans:	One Water Plan Safe, Clean Water and Natural Flood Protection Program	Related Staff Plans:	One Water Plan Safe, Clean Water and Natural Flood Protection Program
-----------------------------	--	-----------------------------	--

CURRENT FY24 LANGUAGE		FY25 STAFF RECOMMENDATION	
Section: ENVIRONMENTAL STEWARDSHIP GOAL: Sustain ecosystem health while managing local water resources for flood protection and water supply.		Section: ENVIRONMENTAL STEWARDSHIP GOAL: Sustain ecosystem health while managing local water resources for flood protection and water supply.	
Objective 1:	Plan and design projects with multiple benefits, including protecting ecosystem functions, enhancing habitat, and improving connectivity, equitably in all regions of the County.	Objective 1:	Plan and design projects with multiple benefits, including protecting ecosystem functions, enhancing habitat, and improving connectivity, equitably in all regions of the County.
Challenge / Opportunity:	Valley Water's projects and programs require integrated planning to ensure capital improvements, operations, and maintenance activities are balanced with environmental stewardship goals. Valley Water strives to protect and restore habitats to support native species throughout Santa Clara County.	Challenge / Opportunity:	Valley Water's projects and programs require integrated planning to ensure capital improvements, operations, and maintenance activities are balanced with environmental stewardship goals. Valley Water strives to protect and restore habitats to support native species throughout Santa Clara County.
FY24 Tactics:	<ul style="list-style-type: none"> Continue to develop an integrated water resource plan for each watershed, including appropriate metrics to monitor Valley Water's impacts on and benefit to the environment. Complete Greenhouse Gas Reduction Plan as part of the Climate Change Action Plan implementation. Make significant progress on the grant-funded planning study for the San Tomas Aquino Calabazas Creek Realignment Project (which includes Pond A4). Complete construction of the Bolsa Creek Project by December 2023. Initiate access improvements and beneficial reuse of sediment at Pond A4. Continue to develop and build on partnerships with environmental organizations and tribal communities when developing projects. 	FY25 Tactics:	<ul style="list-style-type: none"> Continue to develop an integrated water resource plan for each watershed management plans, including appropriate metrics to monitor Valley Water's impacts on and benefit to the environment. Complete Greenhouse Gas Reduction Plan as part of the Climate Change Action Plan implementation. Complete planning phase for the San Tomas Calabazas Creek Marsh Reconnection Project, and 30% Design for the Ogier Ponds Separation from Coyote Creek and Moffett Fish Ladder projects. Make significant progress on the grant-funded planning study for the San Tomas Aquino Calabazas Creek Realignment Project (which includes Pond A4). Complete construction of the Bolsa Creek Project by December 2023. Initiate access improvements and beneficial reuse of sediment at Pond A4. Continue to develop and build on partnerships with environmental organizations and tribal communities when developing projects.
Monitoring:	Board Policy and Planning Committee Capital Improvement Committee	Monitoring:	Board Policy and Planning Committee Capital Improvement Committee Stream Planning and Operations Committee
Related Staff Plans:	One Water Plan Climate Change Action Plan	Related Staff Plans:	Watershed Management Plans (One Water) Greenhouse Gas Reduction Plans Climate Change Action Plan
Objective 2:	Protect creeks, bay, and other aquatic ecosystems from threats of pollution and degradation.	Objective 2:	Protect creeks, bay, and other aquatic ecosystems from threats of pollution and degradation.
Challenge / Opportunity:	Valley Water continues to coordinate with local cities and agencies to improve the health of our local waterways, including pollution prevention and addressing threats to water quality. Opportunities exist to further collaborate with the County, cities, and social services agencies on encampment management efforts and to develop long-term solutions for unhoused individuals to keep our creeks clean.	Challenge / Opportunity:	Valley Water continues to coordinate with local cities and agencies to improve the health of our local waterways, including pollution prevention and addressing threats to water quality. Opportunities exist to further collaborate with the County, cities, and social services agencies on encampment management efforts and to develop long-term solutions for unhoused individuals to keep our creeks clean.

FY24 Tactics:	<ul style="list-style-type: none"> Continue efforts to protect the ecosystem and water quality of our water bodies and the integrity of our infrastructure. Such efforts include preventing stormwater pollution, increased implementation of green stormwater infrastructure, addressing mercury pollution, encampment clean ups, and other efforts under Safe Clean Water B and F priorities. Continue partnership with City of San José to continue trash rafts removals. Continue partnerships and investments on a regional scale such as the South Bay Salt Pond Restoration and Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). Initiate Clean Camps Clean Creeks and portable toilet facility programs. Finalize Memorandum of Agreement (MOA) with City of San José to manage encampments within stormwater Municipal Regional Permit (MRP) discharge sites on Coyote Creek. Expand opportunities for volunteers to support cleanup efforts and events. Support legislative efforts to eliminate or reduce waste entering waterways. 	FY25 Tactics:	<ul style="list-style-type: none"> Continue efforts to protect the ecosystem and water quality of our water bodies and the integrity of our infrastructure. Such efforts include preventing stormwater pollution, increased implementation of green stormwater infrastructure, addressing mercury pollution, encampment clean ups, and other efforts under Safe Clean Water B and F priorities. Continue partnership with City of San José to continue trash rafts removals. Continue partnerships and investments on a regional scale such as the South Bay Salt Pond Restoration and Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). Initiate Clean Camps Clean Creeks and portable toilet facility programs. Finalize Memorandum of Agreement (MOA) with City of San José to holistically manage encampments on waterways throughout the City, including within the City's stormwater Municipal Regional Permit (MRP) discharge sites. within stormwater Municipal Regional Permit (MRP) discharge sites on Coyote Creek. Expand Continue opportunities for volunteers to support cleanup efforts and events. Support legislative efforts to eliminate or reduce waste entering waterways. Pursue MOAs with local municipalities and the County to holistically manage encampments on waterways.
Monitoring:	Environmental Creek Cleanup Committee	Monitoring:	Environmental Creek Cleanup Committee
Related Staff Plans:	One Water Plan Santa Clara Valley Urban Runoff Pollution Prevention Program Stormwater Resource Plan Safe, Clean Water and Natural Flood Protection Program	Related Staff Plans:	One Water Plan Santa Clara Valley Urban Runoff Pollution Prevention Program Stormwater Resource Plan Safe, Clean Water and Natural Flood Protection Program
Objective 3:	Complete and implement the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE) agreement.	Objective 3:	Complete and implement the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE) agreement.
Challenge / Opportunity:	For over 25 years, Valley Water has been working to resolve compliance challenges and disagreements surrounding fish, wildlife, water quality, and other beneficial uses in Coyote Creek, Guadalupe River, and Stevens Creek watershed areas. Challenges to implementing the FAHCE agreement include completing the environmental review process, obtaining federal and state permits from multiple regulatory agencies, refining and processing water rights change petitions, the technical complexity of the fisheries impacts analysis, coordination with other ongoing related projects, and managing stakeholder expectations.	Challenge / Opportunity:	For over 25 years, Valley Water has been working to resolve compliance challenges and disagreements surrounding fish, wildlife, water quality, and other beneficial uses in Coyote Creek, Guadalupe River, and Stevens Creek watershed areas. Challenges to fully implementing the FAHCE agreement include completing the environmental review process, obtaining federal and state permits from multiple regulatory agencies, refining and processing water rights change petitions, the technical complexity of the fisheries impacts analysis, coordination with other ongoing related projects, and managing stakeholder expectations.
FY24 Tactics:	<ul style="list-style-type: none"> Prioritize the implementation of the FAHCE agreement and related efforts as soon as possible. Finalize the June 2021 Guadalupe River and Stevens Creek Environmental Impact Report (EIR). Advance 10 water right change petitions for securing water right orders. Continue to implement the FAHCE Plus pilot flow program in Guadalupe and Stevens Creek. Continue to implement feasibility studies, monitoring activities, and planning for various fish passage and habitat improvements as identified in existing stakeholder agreement. Continue fisheries monitoring program. Continue to support an adaptive management program that encompasses all three creeks. Continue coordination with the ADSRP project. 	FY25 Tactics:	<ul style="list-style-type: none"> Prioritize the implementation of the FAHCE agreement and related efforts as soon as possible. Finalize the June 2021 Guadalupe River and Stevens Creek Environmental Impact Report (EIR). Advance Finalize 10 water right change petitions for securing water right orders. Continue to implement the FAHCE Plus pilot flow program in Guadalupe and Stevens Creek. Continue to implement feasibility studies, monitoring activities, and planning for various fish passage and habitat improvements as identified in existing stakeholder agreement. Continue fisheries monitoring program. Continue to support an adaptive management program that encompasses all three creeks. Continue coordination with the ADSRP project. Complete 30% Design of the Moffett Fish Ladder Improvement Project, a Phase 1 measure.

			<ul style="list-style-type: none"> Initiate planning for Fremont Fish Ladder or one additional fish passage barrier project.
Monitoring:	Stream Planning and Operations Committee	Monitoring:	Stream Planning and Operations Committee
Related Staff Plans:	Fish Habitat Restoration Plan for Coyote Creek, Guadalupe River, and Stevens Creek Watersheds Seismic Retrofit Programs for Dam Safety Aquatic habitat restoration plans/feasibility studies/site-specific improvements affecting all three watersheds (e.g., Countywide Large Woody Debris Program) Collaborative agreements for in-stream habitat improvements (e.g., Singleton Fish Barrier Removal with City of San José, Ogier Pond Feasibility Study in collaboration with the County) One Water Plan	Related Staff Plans:	Fish Habitat Restoration Plan for Coyote Creek, Guadalupe River, and Stevens Creek Watersheds Seismic Retrofit Programs for Dam Safety Aquatic habitat restoration plans/feasibility studies/site-specific improvements affecting all three watersheds (e.g., Countywide Large Woody Debris Program) Collaborative agreements for in-stream habitat improvements (e.g., Singleton Fish Barrier Removal with City of San José, Ogier Pond Feasibility Study in collaboration with the County) Watershed Management Plans (One Water) Ogier Ponds Planning Study Report

CURRENT FY24 LANGUAGE		FY25 STAFF RECOMMENDATIONS	
Section: ADDRESSING ENCAMPMENTS OF UNSHELTERED PEOPLE GOAL: Humanely assist in the permanent relocation of unsheltered people on Valley Water lands along waterways and at water supply and flood risk reduction facilities in order to address the human health, public safety, operational, and environmental challenges posed by encampments.		Section: ADDRESSING ENCAMPMENTS OF UNSHELTERED PEOPLE GOAL: Humanely assist in the permanent relocation of unsheltered people on Valley Water lands along waterways and at water supply and flood risk reduction facilities in order to address the human health, public safety, operational, and environmental challenges posed by encampments.	
Objective 1:	Collaborate with agencies and other service providers to address the challenges posed by encampments and their impacts to waterways, water supply and flood risk reduction facilities, including supporting the provision of outreach, counseling, transitional or affordable housing, or other services by these agencies and service providers.	Objective 1:	Collaborate with agencies and other service providers to address the challenges posed by encampments and their impacts to waterways, water supply and flood risk reduction facilities, including supporting the provision of outreach, counseling, transitional or affordable housing, or other services by these agencies and service providers.
Challenge / Opportunity:	The number of unsheltered individuals living in Santa Clara County has increased by 36 percent in the last five years, rising from 7,394 in 2017 to 10,028 in 2022, according to the Homeless Point-in-Time Count and Survey. In 2022, 77% of the unhoused population in the county were unsheltered, and Valley Water estimates that over 2,300 have taken refuge on Valley Water's property or land easements. The waterways in Santa Clara County are flashy, meaning seemingly small creeks quickly can turn into raging torrents, surprising unsheltered people often hidden in riparian vegetation and potentially resulting in drownings or serious injury. These riparian areas include threatened and endangered species, sensitive constructed and natural habitats, and public infrastructure that is critical to water supply, groundwater recharge, and flood risk reduction activities.	Challenge / Opportunity:	The number of unsheltered individuals living in Santa Clara County has increased by 36 34 percent in the last five six years, rising from 7,394 in 2017 to 10,028 9,903 in 2023 2022 , according to the Homeless Point-in-Time Count and Survey. In 2022 2023 , 77% 75% of the unhoused population in the county were unsheltered, and Valley Water estimates that over 2,300 911 have taken refuge on Valley Water's property or land easements. The waterways in Santa Clara County are flashy, meaning seemingly small creeks quickly can turn into raging torrents, surprising unsheltered people often hidden in riparian vegetation and potentially resulting in drownings or serious injury. These riparian areas include threatened and endangered species, sensitive constructed and natural habitats, and public infrastructure that is critical to water supply, groundwater recharge, and flood risk reduction activities.
FY24 Tactics:	<ul style="list-style-type: none"> Coordinate with the County, cities, and other service providers in a regional approach to safely relocate unsheltered individuals living along waterways and at water supply and flood risk reduction facilities. Initiate Clean Camps Clean Creeks and portable toilet facility programs. Enhance Valley Water's participation in countywide collaboration efforts to address challenges associated with homelessness. Implement MOA with Santa Clara County to provide outreach services to unsheltered individuals living within waterways and at water supply and flood risk reduction facilities countywide. Implement MOA with City of San José to provide comprehensive services to unsheltered individuals living within the high-risk flood zones of the Coyote Creek project footprint. Develop a framework from internal working group recommendations on both short- 	FY25 Tactics:	<ul style="list-style-type: none"> Coordinate with the County, cities, and other service providers in a regional approach to safely relocate unsheltered individuals living along waterways and at water supply and flood risk reduction facilities. Pursue MOAs with local municipalities and the County to holistically manage encampments on waterways. Pursue the creation of a joint committee with the City of San Jose to address unhoused issues. Initiate Implement the Clean Camps Clean Creeks Program. and portable toilet facility programs. Continue to manage the Portable Toilet Facility Program. Enhance Valley Water's participation in countywide collaboration efforts to address challenges associated with homelessness. Implement MOA with Santa Clara County to provide outreach services to unsheltered

	<p>and long-term strategies to address the challenges posed by encampments of unsheltered people living on Valley Water lands along waterways and at water supply and flood risk reduction facilities.</p> <ul style="list-style-type: none"> Work to develop a method to track encampments located on Valley Water lands along waterways and at water supply and flood risk reduction facilities to measure effectiveness of collaborative efforts. 		<p>individuals living within waterways and at water supply and flood risk reduction facilities countywide.</p> <ul style="list-style-type: none"> Continue to provide outreach services to unsheltered individuals living within waterways and at water supply and flood risk reduction facilities countywide through Valley Water's agreement with Santa Clara County. Implement MOA Extend the agreement with City of San José to provide comprehensive services to unsheltered individuals living within the high-risk flood zones of the Coyote Creek project footprint. Develop a framework from internal working group recommendations on both short- and long-term strategies to address the challenges posed by encampments of unsheltered people living on Valley Water lands along waterways and at water supply and flood risk reduction facilities. Collaborate with City of San José on its Storm Water permit requirements and Coyote Creek Flood Protection Project encampment relocation. Work to develop a method to track Continue to geospatially locate encampments located on Valley Water lands along waterways and at water supply and flood risk reduction facilities to measure effectiveness of collaborative efforts. Continue to seek state and federal grants and other support with the intent to work with local cities or the County to construct low-barrier navigation centers, supportive housing, transitional housing, affordable housing, or other facilities to assist unsheltered people.
Monitoring:	Environmental Creek Cleanup Committee	Monitoring:	Environmental Creek Cleanup Committee
Related Staff Plans:		Related Staff Plans:	
Objective 2:	Collaborate with the County and municipal partners to secure the safety of unsheltered people living on Valley Water lands along waterways and at water supply and flood risk reduction facilities, as well as secure the safety of residential neighbors and Valley Water staff.	Objective 2:	Collaborate with the County and municipal partners to secure the safety of unsheltered people living on Valley Water lands along waterways and at water supply and flood risk reduction facilities, as well as secure the safety of residential neighbors and Valley Water staff.
Challenge / Opportunity:	There are a number of growing safety concerns and challenges for the large number of unsheltered individuals and families living in encampments along waterways and water resource facilities with many of these located in high-risk flood areas and vulnerable to the perils of rushing stormwaters in creeks, which can result in serious injury or fatalities. There are additional challenges, concerns and risks for Valley Water staff who work to manage encampment generated trash and debris as well as community members who reside in the proximity of existing encampments. Valley Water staff managing cleanup operations and maintenance of and around encampments are frequently exposed to weapons, biowaste, and dangerous animals (oftentimes off-leash dogs), and at times aggressive and intimidating behavior from unhoused individuals. Staff require support from jurisdictional police departments (PD) to provide a safe environment when carrying out cleanup and maintenance operations, which increases operational costs for added security and places limitations on the operation schedule contingent on PD availability, potentially causing delays in important services (such as facility inspections, vegetation management, flood protection, and biological surveys). Lastly, residential neighbors have a similar level of exposure to some of these dangers, including wildfire hazards that can occur from campfires, solar panels and use of propane tanks in vegetated areas.	Challenge / Opportunity:	There are a number of growing safety concerns and challenges for the large number of unsheltered individuals and families living in encampments along waterways and water resource facilities with many of these located in high-risk flood areas and vulnerable to the perils of rushing stormwaters in creeks, which can result in serious injury or fatalities. There are additional challenges, concerns and risks for Valley Water staff who work to manage encampment generated trash and debris as well as community members who reside in the proximity of existing encampments. Valley Water staff managing cleanup operations and maintenance of and around encampments are frequently exposed to weapons, biowaste, and dangerous animals (oftentimes off-leash dogs), and at times aggressive and intimidating behavior from unhoused individuals. Staff require support from jurisdictional police departments (PD) to provide a safe environment when carrying out cleanup and maintenance operations, which increases operational costs for added security and places limitations on the operation schedule contingent on PD availability, potentially causing delays in important services (such as facility inspections, vegetation management, flood protection, and biological surveys). Lastly, residential neighbors have a similar level of exposure to some of these dangers, including wildfire hazards that can occur from campfires, solar panels and use of propane tanks in vegetated areas.
FY24 Tactics:	<ul style="list-style-type: none"> Coordinate with the County and municipal partners, in a regional approach to identify lands to provide transitional or affordable housing or other services, allowing for unsheltered individuals and families to be safely relocated from flood risk areas, and reducing challenges for Valley Water staff performing operations and maintenance along waterways and at water supply and flood risk reduction facilities. 	FY25 Tactics:	<ul style="list-style-type: none"> Coordinate with the County and municipal partners, in a regional approach to identify lands to provide transitional or affordable housing or other services, allowing for unsheltered individuals and families to be safely relocated from flood risk areas, and reducing challenges for Valley Water staff performing operations and maintenance along waterways and at water supply and flood risk reduction facilities.

	<ul style="list-style-type: none"> Continue working with the County, municipal partners and police departments to support Valley Water staff safety, as well as the public safety of unsheltered individuals and residential neighbors, when conducting encampment cleanup operations and maintenance activities. Continue to perform weed abatement and fuel reduction work around encampments to reduce wildfire risks. Implement agreements with the County and municipal partners to provide outreach or other necessary services to unsheltered individuals living along waterways and at water supply and flood risk reduction facilities countywide. 		<ul style="list-style-type: none"> Continue working with the County, municipal partners and police departments to support Valley Water staff safety, as well as the public safety of unsheltered individuals and residential neighbors, when conducting encampment cleanup operations and maintenance activities. Continue to perform weed abatement and fuel reduction work around encampments to reduce wildfire risks. Implement agreements with the County and municipal partners Continue to provide outreach or other necessary services to unsheltered individuals living along within waterways and at water supply and flood risk reduction facilities countywide through the agreement with Santa Clara County. Extend the agreement with City of San José to provide comprehensive services to unsheltered individuals living within the high-risk flood zones of the Coyote Creek project footprint. Pursue MOAs with local municipalities and the County to holistically manage encampments on waterways. Pursue the creation of a joint committee with the City of San Jose to address unhoused issues.
Monitoring:	Environmental Creek Cleanup Committee	Monitoring:	Environmental Creek Cleanup Committee
Related Staff Plans:		Related Staff Plans:	

CURRENT FY24 LANGUAGE		FY25 STAFF RECOMMENDATION	
Section: CLIMATE CHANGE GOAL: Mitigate carbon emissions and adapt Valley Water operations to climate change impacts		Section: CLIMATE CHANGE GOAL: Mitigate carbon emissions and adapt Valley Water operations to climate change impacts	
Objective 1:	Address future impacts of climate change to Valley Water’s mission and operations.	Objective 1:	Address future impacts of climate change to Valley Water’s mission and operations.
Challenge / Opportunity:	Valley Water’s ability to fulfill its mission will be challenged in the future by warmer temperatures, changing precipitation patterns, reduced snowpack, and rising sea levels. Valley Water has been working on greenhouse reduction efforts since 2008 and many adaptation actions over the past decade; however, with adoption of the Climate Change Action Plan there is an opportunity for greater impact.	Challenge / Opportunity:	Valley Water’s ability to fulfill its mission will be challenged in the future by warmer temperatures, changing precipitation patterns, reduced snowpack, and rising sea levels. Valley Water has been working on greenhouse reduction efforts since 2008 and many adaptation actions over the past decade; however, with adoption of the Climate Change Action Plan there is an opportunity for greater impact.
FY24 Tactics:	<ul style="list-style-type: none"> Complete Greenhouse Gas Reduction Plan: Identify specific and measurable actions to reduce emissions and approve long-term emissions reduction goals ensuring that all Valley Water activities are considered. Continue to monitor progress on adaptation actions as identified in the Climate Change Action Plan and support high priority projects such as the South San Francisco Bay Shoreline. Ensure incorporation of environmental justice (EJ) considerations into planning and processes to support mitigation of carbon emissions and climate change impacts. Explore opportunities for carbon sequestration in all our programs and projects. 	FY25 Tactics:	<ul style="list-style-type: none"> Complete Finalize Greenhouse Gas (GHG) Reduction Plan and CEQA checklist to update GHG inventory methodology to include all Valley Water activities and identify specific and measurable actions to reduce emissions and streamline CEQA for future capital projects. approve long-term emissions reduction goals ensuring that all Valley Water activities are considered. Continue to monitor progress on adaptation actions as identified in the Climate Change Action Plan and support high priority projects such as the South San Francisco Bay Shoreline. Ensure incorporation of environmental justice (EJ) considerations into planning and processes to support mitigation of carbon emissions and climate change impacts. Explore opportunities for carbon sequestration in all our programs and projects.
Monitoring:	Board Policy and Planning Committee	Monitoring:	Board Policy and Monitoring Committee

Related Staff Plans:	Climate Change Action Plan	Related Staff Plans:	Climate Change Action Plan Greenhouse Gas Reduction Plan
-----------------------------	----------------------------	-----------------------------	--

CURRENT FY24 LANGUAGE		FY25 STAFF RECOMMENDATION	
Section: BUSINESS MANAGEMENT GOAL: Promote effective management of water supply, flood protection, and environmental stewardship through responsive and socially responsible business services.		Section: BUSINESS MANAGEMENT GOAL: Promote effective management of water supply, flood protection, and environmental stewardship through responsive and socially responsible business services.	
Objective 1:	Incorporate racial equity, diversity and inclusion throughout Valley Water as a core value.	Objective 1:	Incorporate racial equity, diversity and inclusion throughout Valley Water as a core value.
Challenge / Opportunity:	Valley Water is committed to creating and maintaining a diverse, inclusive, and equitable work environment that is devoid of discrimination and harassment and provides equal opportunity employment and advancement. Valley Water aims to implement the same values in the community through its flood protection, water supply, and environmental stewardship projects and has an opportunity to serve as a leader for racial equity, diversity, and inclusion throughout the state.	Challenge / Opportunity:	Valley Water is committed to creating and maintaining a diverse, inclusive, and equitable work environment that is devoid of discrimination and harassment and provides equal opportunity employment and advancement. Valley Water aims to implement the same values in the community through its water supply, flood protection, and environmental stewardship projects and has an opportunity to serve as a leader for racial equity, diversity, and inclusion throughout the state.
FY24 Tactics:	<ul style="list-style-type: none"> Continue to monitor implementation of a Diversity, Equity and Inclusion Master Plan that institutes best practices to address internal and external disparities and builds an organizational culture that is consistent with the Board's Resolution addressing racial equity, diversity, and inclusion. Remain committed to environmental justice and the fair treatment and meaningful engagement of all people regardless of race, color, sex, gender, gender identity, gender expression, sexual orientation, disability status (mental and physical), medical condition, genetic information, ancestry, national origin, immigration status, age, marital status, tribe, culture, income, religion, military status, or English language proficiency, with respect to the planning, projects, policies, services, and operations of Valley Water. Continue to collaborate with external stakeholders that are engaged in developing diversity, equity, and inclusion initiatives and actively participate in and provide leadership for diversity, equity, and inclusion efforts throughout the state. Continue to advance and foster mutually beneficial partnerships with regional tribal communities. 	FY25 Tactics:	<ul style="list-style-type: none"> Continue to monitor implementation of a Diversity, Equity and Inclusion strategic initiatives Master Plan that institutes best practices to address internal and external disparities and builds an organizational culture that is consistent with the Board's Resolution addressing racial equity, diversity, and inclusion. Remain committed to environmental justice and the fair treatment and meaningful engagement of all people regardless of race, color, sex, gender, gender identity, gender expression, sexual orientation, disability status (mental and physical), medical condition, genetic information, ancestry, national origin, immigration status, age, marital status, tribe, culture, income, religion, military status, or English language proficiency, with respect to the planning, projects, policies, services, and operations of Valley Water. Continue to collaborate with external stakeholders that are engaged in developing diversity, equity, and inclusion initiatives and actively participate in and provide leadership for diversity, equity, and inclusion efforts throughout the state. Continue to advance and foster mutually beneficial partnerships with regional tribal communities.
Monitoring:	Diversity & Inclusion Ad Hoc Committee	Monitoring:	Board Planning and Monitoring Committee
Related Staff Plans:	Racial Equity, Diversity & Inclusion Master Plan	Related Staff Plans:	
Objective 2:	Maintain appropriate staffing levels and expertise while prioritizing the safety of our staff.	Objective 2:	Maintain budgeted staffing levels and expertise, while prioritizing prioritize the safety of our staff, and build and sustain an inclusive and equitable working environment for all staff and partners while ensuring fair employment.
Challenge / Opportunity:	The Board recognizes that Valley Water's workforce is the critical component to providing clean, safe drinking water, effective flood protection, and environmental stewardship. The Board therefore remains committed to supporting the recruitment of capable employees with knowledge and subject matter expertise, investing in staff training to meet changing skills and capacity needs, developing the necessary policies and guidance that strengthen employee safety, and establishing Valley Water as an employer of choice.	Challenge / Opportunity:	The Board recognizes that Valley Water's workforce is the critical component to providing clean, safe drinking water, effective flood protection, and environmental stewardship. The Board therefore remains committed to supporting the recruitment of capable employees with knowledge and subject matter expertise, investing in staff training to meet changing skills and capacity needs, developing the necessary policies and guidance that strengthen employee safety, and establishing Valley Water as an employer of choice.

FY24 Tactics:	<ul style="list-style-type: none"> Implement an automated forecasting tool to develop and finalize a long-term staffing strategy that aligns with future capital and operational needs. Continue to implement initiatives that will expand hiring outreach to individuals that are disabled or have health conditions/impairments, military veterans, and formerly incarcerated individuals, with an emphasis on hiring from the local region. Develop next generation and career pathways program to provide internal and external development for professional growth. Advance the development of a skilled trades apprenticeship program. Maximize the safety of staff working in creeks, encampments, and Valley Water facilities, and continue to promote health & safety guidance to protect staff from public health emergencies and environmental impacts. 	FY25 Tactics:	<ul style="list-style-type: none"> Implement an automated forecasting tool to develop and finalize a long-term staffing strategy that aligns with future capital and operational needs. Continue to implement initiatives that will expand hiring outreach to individuals that are disabled or have health conditions/impairments, military veterans, and formerly incarcerated individuals, with an emphasis on hiring from the local region. Continue to implement next generation and career pathways program to provide internal and external development for professional growth. Advance the development of a skilled trades apprenticeship program. Maximize the safety of staff working in creeks, encampments, and Valley Water facilities, and continue to promote health & safety guidance to protect staff from public health emergencies and environmental impacts.
Monitoring:	Environmental Creek Cleanup Committee Diversity & Inclusion Ad Hoc Committee Financial Sustainability Working Group	Monitoring:	Board Policy & Monitoring Committee
Related Staff Plans:		Related Staff Plans:	
Objective 3:	Provide affordable and cost-effective level of services.	Objective 3:	Provide affordable and cost-effective level of services.
Challenge / Opportunity:	The Board understands its responsibility to regularly evaluate and monitor Valley Water's financial status to ensure the level of services provided are reasonable and cost effective. As such, driving continual improvement efforts are key to delivering affordable and effective services while controlling expectations regarding what Valley Water can achieve and what it can afford to do. In addition, the affordability of water continues to be a major issue faced by communities across the nation, particularly disadvantaged communities. The Board has an opportunity to raise issues around water affordability at local and statewide levels and advocate for changes that benefit disadvantaged communities.	Challenge / Opportunity:	The Board understands its responsibility to regularly evaluate and monitor Valley Water's financial status to ensure the level of services provided are reasonable and cost effective. As such, driving continual improvement efforts are key to delivering affordable and effective services while controlling expectations regarding what Valley Water can achieve and what it can afford to do. In addition, the affordability of water continues to be a major issue faced by communities across the nation, particularly disadvantaged communities. The Board has an opportunity to raise issues around water affordability at local and statewide levels and advocate for changes that benefit disadvantaged communities.
FY24 Tactics:	<ul style="list-style-type: none"> Complete 3-4 Board-initiated or management-initiated performance audits, or other performance improvement efforts, benchmarking studies, or best practice implementations. Establish Valley Water as a statewide leader in conversations around water affordability. Implement Biennial Budget for FY24. Continue to seek and obtain grants and funding from federal, state and other sources. 	FY25 Tactics:	<ul style="list-style-type: none"> Complete 3-4 Board-initiated or management-initiated performance audits, or other performance improvement efforts, benchmarking studies, or best practice implementations. Establish Valley Water as a statewide leader in conversations around water affordability. Implement Biennial Budget for FY24. Continue to seek and obtain grants and funding from federal, state and other sources.
Monitoring:	Board Audit Committee Financial Sustainability Working Group	Monitoring:	Board Audit Committee
Related Staff Plans:	Operating and Capital Budget Board and Management Audit Reports	Related Staff Plans:	Operating and Capital Budget Board and Management Audit Reports



Santa Clara Valley Water District

File No.: 24-0485

Agenda Date: 5/15/2024

Item No.: 4.3.

COMMITTEE AGENDA MEMORANDUM Board Policy and Monitoring Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Discuss Potential BPMC Work Plan Agenda Items and the Committee's Next Meeting Date/Schedule.

RECOMMENDATION:

Discuss potential BPMC Work Plan agenda items and the Committee's next meeting date/schedule.

SUMMARY:

Under direction of the Clerk, Work Plans are used by Board Committees to increase Committee efficiency, provide increased public notice of intended Committee discussions, and enable improved follow-up by staff. Work Plans are dynamic documents managed by Committee Chairs and are subject to change.

ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:

The review and approval of the Committee's Work Plan and Committee's purpose is not subject to environmental justice analysis.

ATTACHMENTS:

Attachment 1: 2023 BPPC Work Plan

Attachment 2: 2023 DIAHC Work Plan

UNCLASSIFIED MANAGER:

Candice Kwok-Smith, 408-630-3193

THIS PAGE INTENTIONALLY LEFT BLANK

2023 Board Policy and Planning Committee Work Plan and Schedule

Subject	Task	1/11/23	2/6/23	3/6/23	4/3/23	4/28/23	6/5/23	6/30/23	8/10/23	9/7/23	11/6/2023	12/4/2023
Board Planning Process	A. Provide Support for Board Planning Activities											
	1. Discuss FY23-24 Board Budget Message & Board Work Plan						X					
	2. Planning for Board's FY23-24 Strategic Planning Workshop											
	B. Provide Support for Board Policy Review											
	1. Update on Expansion of the Water Resources Protection Manual	X										
	2. Fuel Management Policy and Wildfire Resilience Plan											
	3. One Water Watershed Plans										X	
	4. Update on Climate Change Action Plan Implementation Update.	X							X	X	X	
	5. Develop a Board Ethics and Code of Conduct Policy for Board Approval.			X		X	X	X	X			
	6. Review Board Governance Policies related to the Election of the Board Chairperson/Vice Chairperson and the Chairperson's role.			X			X					
	7. Unhoused Ends Policy						X		X	X		
Board Committees Principles and Structures	8. Review Governance Policies of the Board: Executive Limitations										X	
	9. Discuss Board Meeting Rules and Procedures.										X	
Board Committees Principles and Structures	C. Align Board Committees' Work Plans with Board Planning Calendar											
	1. Review Effectiveness of Board Advisory Committees (External) - Meet with BPPC prior to presenting Accomplishment Reports to Board.		X		X					X		
Other Assignments Requested by Board	D. Other Assignments as Requested by the Board											
	1. Analyze Santa Clara County Civil Grand Jury Final Report: If You Only Read the Ballot, You're Being Duped, October 7, 2022, and Provide Recommendations to Full Board by March 31, 2023.		X									
	2. Review Candidate Statement Fee Associated with Filing for a Santa Clara Valley Water District Board of Director Seat								X			

2023 Board Policy and Planning Committee Accomplishments Report

Subject	Task	Action Taken
Board Planning Process	A. Provide ongoing support for Board Planning Activities	
	1. Discuss FY23-24 Board Budget Message & Board Work Plan	6/5/23 - Committee reviewed draft plan, provided input and recommended approval to the Board.
	2. Planning for Board's FY23-24 Strategic Planning Workshop	
	B. Provide Support for Board Policy Review	
	1. Expansion of the Water Resources Protection Manual	1/11/23 - Received an update and provided input on the WRPM and outreach efforts related to the guidelines and standards for land use near streams.
	2. Fuel Management Policy and Wildfire Resilience Plan	
	3. One Water Watershed Plans	
	4. Climate Change Action Plan Implementation Update.	1/11/23 - Received an update and provided input on high-priority climate change mitigation and adaption actions. 8/8/23 – This item was continued to the September Committee meeting. 09/07/23 – Received an update on implementation of Climate Change Adaptation actions.
	5. Develop a Board Ethics and Code of Conduct Policy for Board Approval.	3/6/23 - Committee requested the Chair work with staff to create a draft policy framework for review and input. 6/30/23 – Committee reviewed draft policy, provided input, made revisions and will recommend that the Board approve. 8/8/23 – Committee reviewed the updated draft policy, provided additional input and approved presenting to the full board for review and approval.

	6.	Review Board Governance Policies related to the Election of the Board Chairperson/Vice Chairperson and the Chairperson's role.	3/6/23 - Committee requested that staff return to the Board to clarify this assignment and probably outcome. 6/5/23 – Committee reviewed policy and recommended to the Board that it be revised to allow the Board Chairperson/Vice Chairperson be elected by a simple majority; and requested more direction on the policy related to the role of the Chairperson.
	7.	Unhoused Ends Policy	6/5/23 - Committee reviewed draft policy, provided input and requested that staff return in August with new draft. 8/8/23 – Committee requested that staff work with Chair Hsueh on the draft policy and schedule on future committee agenda. 9/7/23 – Committee recommend staff presenting the E-6 policy to full board for adoption consideration.
	8.	Review Governance Policies of the Board: Executive Limitations	
	9.	Discuss Board Meeting Rules and Procedures.	
Board Committees Principles and Structures	C.	Align Board Committees' Work Plans with Board Planning Calendar	
	1.	Review Effectiveness of Board Advisory Committees (External) - Meet with BPPC prior to presenting Accomplishment Reports to Board.	2/6/23 - Board Advisory Committee Chairs/Vice Chairs attended meeting and provided feedback. Information collected will be shared with the Committees and will return to the BPPC for possible recommendations to the Board. 9/7/23 – Committee approved recommending applying current EWRC staff support process to the Water Commission and Ag Water Committee to full board for consideration.
Other Assignments Requested by Board	D.	Assignments as Requested by the Board	
	1.	Analyze Santa Clara County Civil Grand Jury Final Report: If You Only Read the Ballot, You're Being Duped, October 7, 2022, and Provide Recommendations to Full Board by March 31, 2023.	2/5/23 - BPPC reviewed the report and made recommendations to the full board.
	2.	Review Candidate Statement Fee Associated with Filing for a Santa Clara Valley Water District Board of Director Seat	8/20/23 - Committee recommended to the Board to consider supporting each candidate with their statements fees by providing financial reimbursement of 50% or more, as the Board may determine.

THIS PAGE INTENTIONALLY LEFT BLANK

(PROPOSED) 2024 DIVERSITY & INCLUSION AD HOC COMMITTEE WORK PLAN												
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
REDI Office:												
DEI Strategic Master Plan Implementation Update	X						X					
Naming/Renaming of Valley Water Facilities	X											
Tribal Land Acknowledgement												
Human Resources:												
Next Generation Career Pathway				X								
Veterans Outreach												
Employee Survey	X											
Formerly Incarcerated & Disability Outreach	X											
Standing Items:												
Election of Committee Officers (Annually)	X											
Approval of Minutes (previous meeting)	X			X			X			X		
Review Committee Work Plan - Confirm items for next meeting	X			X			X			X		

*Work Plan posted on January 11, 2024 DIAHC Agenda.

THIS PAGE INTENTIONALLY LEFT BLANK