



## **Santa Clara Valley Water District Board Policy and Monitoring Committee Meeting**

HQ. Bldg. Boardroom, 5700 Almaden Expressway, San Jose, California  
Join Zoom Meeting: <https://valleywater.zoom.us/j/81170871803#>

### **REGULAR MEETING AGENDA**

**Monday, September 30, 2024  
12:00 PM**

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

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**BOARD COMMITTEE MEMBERS:**

Nai Hsueh, Chairperson  
Director District 5  
Tony Estremera, Vice Chairperson  
Director District 6  
John Varela, Member  
Director District 1

All public records relating to an open session 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 to the public through the legislative body agenda web page 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 participate in the legislative body's meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

**COMMITTEE LIAISONS:**

Rick Calendar  
Michele King  
Theresa Chinte  
Stephanie Simunic  
COB Liaison  
1-408-630 -2408  
ssimunic@valleywater.org

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

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

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Monday, September 30, 2024

12:00 PM

HQ. Bldg. Boardroom, 5700 Almaden  
Expressway, San Jose, California

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

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**\*\*\*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/Committee 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: 811 708 71803#**

**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.*

**3. APPROVAL OF MINUTES:**

3.1. Approval of August 30, 2024 Board Policy and Monitoring Committee (BPMC) Minutes.

24-0879

Recommendation: Approve the minutes.  
Manager: Candice Kwok-Smith, 408-630-3193  
Attachments: [Attachment 1: 083024 Draft BPMC Minutes](#)  
Est. Staff Time: 5 Minutes

#### **4. REGULAR AGENDA:**

4.1. Discuss Timing of the Election of the Board Chairperson and Vice Chairperson for the Calendar Year 2025. [24-0866](#)

Recommendation: A. Discuss Timing of the Election of the Board Chairperson and Vice Chairperson for the Calendar Year 2025 and make a recommendation to amend Board Governance Policy 5 (GP-5): Chairperson's Role, if needed.

Manager: Michele King, 408-630-2015  
Attachments: [Attachment 1: Governance Policy 5 \(GP-5\)](#)  
Est. Staff Time: 10 Minutes

4.2. Review and Discuss Proposed Updates to Board Governance Policy Governance Process-6 (GP-6): Board Members' Code of Conduct and Provide Direction to Staff on Next Steps. [24-0877](#)

Recommendation: A. Review Proposed Updates to Board Governance Policy Governance Process-6 (GP-6): Board Members' Code of Conduct; and  
B. Provide Direction to Staff Regarding Next Steps.

Manager: Rick Callender, 408-630-2017  
Attachments: [Attachment 1: Current Version GP-6](#)  
[Attachment 2: Proposed Updates to GP-6](#)  
[Attachment 3: Flowchart of Proposed Updates to GP-6](#)  
Est. Staff Time: 40 Minutes

4.3. Discuss Board Policy and Monitoring Committee (BPMC) Work Plan Agenda Items. [24-0880](#)

Recommendation: Discuss BPMC Work Plan.

Manager: Candice Kwok-Smith, 408-630-3193  
Attachments: [Attachment 1: 2024 BPMC 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 Meeting at 12:00 p.m., on Thursday, October 31, 2024.



# Santa Clara Valley Water District

File No.: 24-0879

Agenda Date: 9/30/2024

Item No.: 3.1.

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## 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 August 30, 2024 Board Policy and Monitoring Committee (BPMC) Minutes.

### **RECOMMENDATION:**

Approve the minutes.

### **SUMMARY:**

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: 083024 Draft BPMC Minutes

### **UNCLASSIFIED MANAGER:**

Candice Kwok-Smith, 408-630-3193

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BOARD POLICY AND MONITORING  
COMMITTEE MEETING

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# DRAFT MINUTES

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REGULAR MEETING  
FRIDAY AUGUST 30, 2024  
1:00 PM

(Paragraph numbers coincide with agenda item numbers)

**1. CALL TO ORDER:**

A regular meeting of the Santa Clara Valley Water District (Valley Water) Board Policy and Monitoring Committee (Committee) was called to order by Chairperson Hsueh in the Valley Water Headquarters Building Boardroom at 5700 Almaden Expressway, San Jose, California, and by Zoom teleconference, at 1:01 p.m.

**1.1. Roll Call.**

Committee members in attendance were District 5 Director Nai Hsueh, Chairperson presiding, and District 6 Director Tony Estremera, Vice Chairperson presiding, constituting a quorum of the Committee. District 1 Director John L. Varela was absent and arrived as noted below.

Staff members in attendance were: Emmanuel Aryee, Mera Burton, Rick Callender, Isela Chaparro, Theresa Chinte, Rita Chan, Rosie Cofre, Linh Hoang, Brian Hopper, Diahann Hudson, Michele King, Courtney Letts, Patrice McElroy, Janet Middleton, Carmen Narayanan, Linda Nguyen, Richard Nguyen, Carlos Orellana, Robert Scott, Stephanie Simunic, Darin Taylor, and Tina Yoke.

Public in attendance were: Katja Irvin and Arthur Keller.

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

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

**3. APPROVAL OF MINUTES:**

**3.1 Approval of June 24, 2024 Board Policy and Monitoring Committee (BPMC) Minutes.**

Recommendation: Approve the minutes.

The BPMC considered the minutes of the June 24, 2024 BPMC Minutes.

Public Comments: None.

It was moved by Director Estremera, seconded by Chairperson Hsueh, and unanimously carried that the minutes be approved as presented.

**4. REGULAR AGENDA:**

**4.1 Receive information about the implementation of DEI Strategic Initiatives.**

Rosie Cofre reviewed the information on this item, per the attached Committee Agenda Memo and in the attachment and was available to answer questions.

Director Varela arrived at 1:09 p.m.

Public Comments: None.

The Committee received the information, provided positive feedback and took no formal action.

**4.2 Receive Valley Water's Next Generation (Next Gen) Career Pathways Program Update.**

Mera Burton reviewed the information on this item, per the attached Committee Agenda Memo and in the attachment and was available to answer questions.

Public Comments: None.

Director Varela stated he met with Steve Blumenshine, a water expert who works in the California State University (CSU) system and invited him to meet with Valley Water staff to discuss the possibility of expanding the program in CSU's. Director Estremera noted the importance of staff involvement for the internship program.

The Committee received the information, provided positive feedback and took no formal action.

**4.3 Receive an update on Valley Water's new Instrument & Control Technician Apprenticeship.**

Robert Scott reviewed the information on this item, per the attached Committee Agenda Memo and in the attachment and was available to answer questions.

Public Comments: None.

Patrice McElroy thanked executive Valley Water staff and Aaron Baker for their support of the program, and staff stated there is discussion about expanding this apprenticeship program.

The Committee received the information, provided positive feedback and took no formal action.

**4.4 Review Proposed Changes to Board Governance Policies – Executive Limitations 1 (EL-1): General Principles, Executive Limitations 2 (EL-2): Customer Relations, Executive Limitations 3 (EL-3): Human Resources, and Related BAO Interpretations.**

**Recommendation:** **A. Review and provide input on the proposed changes to Board Governance Policies - Executive Limitations 1 (EL-1): General Principles, Executive Limitations 2 (EL-2): Customer Relations, Executive Limitations 3 (EL-3): Human Resources; and Related BAO Interpretations; and**  
**B. Recommend that the revisions be presented to the full Board for approval.**

Rick Callender, Darin Taylor and Patrice McElroy reviewed the information on this item, per the attached Committee Agenda Memo and in the attachments and were available to answer questions.

Public Comments: None.

Discussion ensued relating to Board and Board Appointed Officer roles and responsibilities in the appointment of Chief-level positions.

Chairperson Hsueh referenced Handout 4.5-A, public comment from Doug Muirhead, and stated that she thinks apprenticeships and internship programs will aid in staff succession planning. She further requested that staff respond directly to Mr. Muirhead relating to his public comment.

It was moved by Vice Chairperson Estremera, seconded by Director Varela, and unanimously carried, to recommend that the proposed changes to Board Governance Policies be presented to the full Board for approval consideration.

**4.5 Discuss Board Policy and Monitoring Committee (BPMC) Work Plan and Agenda Items.**

The Committee reviewed the Work Plan items and Agenda Items, and Handout 4.5-A with updated information.

Public Comments: None.

The Committee received the information and took no formal action.

**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.*

Stephanie Simunic confirmed that Item 4.4 relating to Board Governance Policies, did pass with the noted revisions and will be presented to the full board for approval consideration, that Director Hsueh requested staff respond to Doug Muirhead directly relating to his public comments, and Item 4.5, the updated work plan will be distributed via email and online.

**6. Adjourn:**

**6.1. Adjourn to Regular Meeting on Wednesday, September 18, 2024, at 11:00 a.m.**

Chairperson Hsueh adjourned the meeting at 2:02 p.m. She stated that the Wednesday September 18, 2024 11:00 a.m. meeting is cancelled and rescheduled to Monday, September 30, 2024 at 12:00 p.m.

Date Approved:

Stephanie Simunic  
Assistant Deputy Clerk II



# Santa Clara Valley Water District

File No.: 24-0866

Agenda Date: 9/30/2024

Item No.: 4.1.

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## COMMITTEE AGENDA MEMORANDUM Board Policy and Monitoring Committee

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

### **SUBJECT:**

Discuss Timing of the Election of the Board Chairperson and Vice Chairperson for the Calendar Year 2025.

### **RECOMMENDATION:**

A. Discuss Timing of the Election of the Board Chairperson and Vice Chairperson for the Calendar Year 2025 and make a recommendation to amend Board Governance Policy 5 (GP-5): Chairperson's Role, if needed.

### **SUMMARY:**

The purpose of this item is for the Board Policy and Monitoring Committee (BPMC) to discuss the proposed timing to elect a Board Chairperson (Chair) and Vice Chairperson (Vice Chair).

Currently, the practice has been to elect the Chair and Vice Chair at the first Board meeting in January of each calendar year. At the August 22, 2023 Board Meeting, the Board revised Board Governance Policy 5 (GP-5) so that the Board of Directors elects both the Chair and Vice Chair of the Board by a majority vote. Previously, the positions of Chair and Vice Chair were determined by a sequential rotation by District, and the roles of Chair and Vice Chair were, for the most part, pre-determined before the start of the calendar year.

Staff recommends the Chair and Vice Chair be elected at the last Board meeting in December as the last business item on the agenda. This would allow time for an incoming Chair to transition into the role before the start of the new year. A December election would also provide an incoming Chair time to make decisions on any potential changes to Board Committee membership. This would allow Committees to continue their work in the new year with minimal delay. In addition, earlier coordination with an incoming Chair would enable staff to more strategically plan for the new year.

The BPMC may want to consider making a recommendation to revise GP-5 to re-include timing of the election of the Chair and Vice Chair, which was removed at the August 22, 2023 Board Meeting.

**ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:**

There are no environmental justice and equity impacts associated with the recommended change to the process in selecting a Board Chair. This action is unlikely to or will not result in human health or environmental effects and is not associated with an equity opportunity.

**ATTACHMENTS:**

Attachment 1: Governance Policy 5 (GP-5)

**UNCLASSIFIED MANAGER:**

Michele King, 408-630-2015

# Governance Policies of the Board

<b>Title:</b> Chairperson's Role	<b>Category:</b> Governance Process	
<b>Policy No. GP-5</b>	Adopted: September 7, 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 Chairperson assures the integrity of the Board's process and represents the Board to outside parties.

Accordingly:

- 5.1. The job result of the Chairperson is that the Board behaves consistently with its own policies and those legitimately imposed upon it from outside the organization.
- 5.2. The authority of the Chairperson consists in making decisions that fall within topics covered by Board policies on Governance Process and Board Appointed Officer Linkage, with the exception of (a) employment or termination of a BAO and (b) where the Board specifically delegates portions of this authority to others. The Chairperson is authorized to use any reasonable interpretation of the provisions in these policies.
  - 5.2.1. The Chairperson is empowered to chair Board meetings with all the commonly accepted power of that position (e.g., ruling, recognizing).
  - 5.2.2. The Chairperson is empowered to modify previously approved Board Standing Committee work plans and agendas in the event returning to the Board would delay distribution of Standing Committee meeting materials.
  - 5.2.3. The Chairperson has no authority to make decisions about policies created by the Board within Ends and Executive Limitations policy areas. Therefore, the Chairperson has no authority to supervise or direct the BAOs.
  - 5.2.4. The Chairperson may represent the Board to outside parties in announcing Board-stated positions and in stating Chair decisions and interpretations within the area delegated to her or him.
  - 5.2.5. The Chairperson may delegate this authority but remains accountable for its use.
  - 5.2.6. The Chairperson will determine, in concert with the CEO as necessary, whether to place on an agenda consideration of documents of support or recognition (e.g., resolutions, commendations, certificates of appreciation, etc.) for individuals, organizations or efforts in the

# Governance Policies of the Board

community by evaluating whether the individual, organization or effort has a clear nexus to issues relevant to the District.

- 5.2.6.1. A Board member may, at his or her discretion, request the CEO to prepare for the Board member's signature a Certificate of Appreciation for an individual, organization, or effort. The Chair may also sign the certificate.
- 5.2.6.2. No more than three Board members may sign one of the above-mentioned documents, unless the action was approved by the Board at a Board meeting.
- 5.2.6.3. Should there be disagreement between the Chair and a Board member over a request for placement of any of the above-mentioned documents on an agenda, the Board member may request that the matter be placed on the next available Board agenda for consideration.

- 5.2.7. The Chair may add agenda items to agendas.
- 5.2.8. The Chair may execute documents on behalf of the Board using electronic and/or digital signatures (such as DocuSign) as allowed by law in lieu of handwritten signatures, including the following Board-approved documents:

Agreements  
Agreement Amendments  
Contracts  
Resolutions (excluding Resolutions of Appreciation) Ordinances  
Board Meeting Minutes  
Letters

- 5.3. The Board of Directors elects both the Chairperson (Chair) and Vice Chairperson (Vice Chair) of the Board by a majority vote.
  - 5.3.1. The Clerk of the Board shall maintain the list of Board member service as Chair or Vice Chair.



# Santa Clara Valley Water District

File No.: 24-0877

Agenda Date: 9/30/2024

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:**

Review and Discuss Proposed Updates to Board Governance Policy Governance Process-6 (GP-6): Board Members' Code of Conduct and Provide Direction to Staff on Next Steps.

### **RECOMMENDATION:**

- A. Review Proposed Updates to Board Governance Policy Governance Process-6 (GP-6): Board Members' Code of Conduct; and
- B. Provide Direction to Staff Regarding Next Steps.

### **SUMMARY:**

At its June 24, 2024, and May 15, 2024, regular meetings, the Board Policy and Monitoring Committee (BPMC) Reviewed Board Governance Policy Governance Process-6 (GP-6) (Board Members Code of Conduct) and provided input to staff regarding potential changes to the policy.

Prior Committee input included the following:

1. The existing policy is difficult to read and interpret;
2. The multiple complaint processes in the existing policy are confusing;
3. Clarity is needed regarding the respective roles of the Board Chair and Ethics and Conduct Ad Hoc Committee;
4. Clarity is needed regarding what complaint and investigation details should be made public;
5. A two member Ethics and Conduct Ad Hoc Committee is preferable to a three-member Committee for Brown Act compliance;
6. The Board Chair should have a stronger role in the initial review of complaints (no initial screening by the CEO and District Counsel);
7. The Board Chair should remain free to enlist the assistance of District Counsel;
8. Complaints should come to the Clerk of the Board;
9. The CEO and District Counsel should be made aware of complaints to ensure necessary steps are taken to protect employee complainants with respect to discrimination, harassment, and/or retaliation;
10. There should be a process to help ensure investigations are completed in a timely manner;

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11. There should be clarity regarding what complaints may be based upon; and
12. Having a more streamlined and straightforward policy would be easier to understand and apply.

For reference, a copy of the existing GP-6 is included as Attachment 1.

Based upon this input, staff has prepared a proposed update to the GP-6 process (Attachment 2). A flowchart for this proposed update is included as Attachment 3. Once final input is received from the Committee, this will be prepared in the standard policy format for future consideration by the full Board.

The major changes are summarized as follows:

1. There is a single complaint process regardless of whether the complainant is a Board member or Non-Board member;
2. Complaints must be in writing and must be submitted to the Clerk of the Board who will submit them to the Chair (or Vice Chair where the Chair is the subject of the complaint or is the complainant) with informational copies to the CEO and District Counsel;
3. Complaints can be made for violations of the Board of Directors Code of Ethics and Conduct, Governance Policies, and local, state and/or federal law;
4. The Chair has discretion on whether consult with the District Counsel unless the complaint involves allegations of EEO violations or violations of law in which case the Chair must consult with legal counsel;
5. The Chair evaluates complaints to evaluate whether there is a sufficient basis for further action;
6. The Chair may attempt informal resolution with the accused and/or complainant;
7. Where informal resolution is unsuccessful or not attempted, the Chair requests that the Board form an Ethics and Conduct Ad Hoc Committee and nominates one additional Board member to serve on the committee with the Chair;
8. The Ethics and Conduct Ad Hoc Committee has authority to retain an independent investigator;
9. Board members participating in investigations are barred from disclosing confidential information regarding the investigation including the identification of witnesses;
10. Once the investigation is completed, only the Ethics and Conduct Ad Hoc Committee may possess and review the full investigation report (executive summary with redactions to be made public);
11. Board member requests for admonition, sanction or censure follows Ethics and Conduct Ad Hoc Committee presentation of its findings and any recommendations;
12. For public censure hearings, the accused Board member shall be entitled to representation of counsel at their own expense, shall be given a reasonable amount of time to respond to the charges verbally and/or in writing and may present voluntary witnesses (no right to cross-examine witnesses);
13. In addition to or instead of admonition, sanction, or censure, the Board may prescribe other measures to address misconduct pursuant to a majority vote; and
14. Updated definitions for Admonition, Sanction, and Censure.

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The proposed updated GP-6 attempts to simplify and streamline the complaint process while adding clarity on areas of concern previously identified by the BPMC.

Note, while the updates do provide clarity on what complaints can be based upon, there is a negative associated with allowing complaints and investigations of complaints on alleged violations of the laws. Having the Board adopt findings of actual violations of law may make it difficult for Valley Water to assert any defenses in litigation associated with such legal violations. Limiting complaints to violations of Valley Water policy would help to avoid this problem, but it would also prevent complainants from raising important legal violations through Valley Water's formal process

BPMC input is requested on all elements of the proposed updated GP-6 so that a final version can be developed and presented to the full Board for approval.

**ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:**

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

**ATTACHMENTS:**

Attachment 1: Current Version GP-6

Attachment 2: Proposed Updates to GP-6

Attachment 3: Flowchart of Proposed Updates to GP-6

**UNCLASSIFIED MANAGER:**

Rick Callender, 408-630-2017

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# 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.

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## **Proposed Updates to Board Governance Policy GP-6**

### **A. Form of Complaint**

Complaints must be in writing and signed by complainant in the complainant's true legal name, and are limited to the following subjects:

1. Violations of BOD Code of Ethics and Conduct;
2. Violations of the BOD Governance Policies; and
3. Violations of local, state and/or federal law

### **B. Complaint Procedure**

- Written complaint submitted to COB.
- COB submits complaint to Chair ("Vice Chair" is substituted for "Chair" throughout this policy where the Chair is subject of the complaint or is the complainant).
  - COB copies complaint to DC and CEO for information.
- Chair *may* consult with legal counsel regarding complaints.
  - Where a written complaint involves allegations of an express or potential EEO violation or an alleged violation of law, the Chair *must* consult with legal counsel to receive advice regarding any legal implications of the complaint.
- Chair evaluates whether there is a sufficient basis for further action.
- If not, complainant and accused Board member are notified and the matter is closed.
- If so, the accused Board member must be given written notice of the complaint.
- The Chair *may*, but is not required to, attempt informal resolution with accused and/or complainant.
- If informal resolution is successful, the matter is closed.
- If informal resolution is unsuccessful *or if informal resolution is not attempted*, the Chair shall then:
  - (1) Request that the Board form an Ethics and Conduct Ad Hoc Committee to address the complaint; and
  - (2) Nominate an additional member for the committee which shall consist of the Chair and one other.

## Proposed Updates to Board Governance Policy GP-6

- At a public meeting, the Board shall consider the Chair's request and nomination and must approve it before the Committee can formally convene and take action.
  - To respect the rights of the complainant and witnesses, for the public meeting, information regarding the nature of the complaint must be kept to a minimum and the identity of any complainant and witnesses must not be disclosed (exception: where details have voluntarily been made public by the complainant).
  - The public agenda item and corresponding public discussion must be undertaken with the goal to avoid compromising integrity of the future investigation or bringing unnecessary/undue embarrassment to accuser, accused, or witnesses.
- If the Board does not approve Committee, the Chair alone must handle the complaint following the process below (substituting "Chair" for "Committee").
- If the Board does approve the Chair's request, the Committee is convened and may meet as necessary.
- Committee evaluates whether it has sufficient information whether the alleged conduct occurred and that it violated the related BOD Code of Ethics and Conduct, Governance Policies, or local, state, or federal law

### 1. **Sufficient Information Exists at Outset**

- If sufficient information exists, the Committee makes findings and recommendations to the Board at a public meeting.
- If both members of the Committee do not agree, the members will make separate findings regarding whether the alleged conduct occurred and violated the BOD Code of Ethics and Conduct, Governance Policies, or local, state, or federal law; the Committee members may also make recommendations to the Board. (Go to section 3)

## **Proposed Updates to Board Governance Policy GP-6**

### **2. Additional Information Needed at Outset - Investigation**

- If the Committee determines that it needs additional information to conclude whether the alleged conduct occurred and/or constituted a violation, then it may decide to have the matter investigated.

#### **a) Retention of Investigator**

- The Committee has authority to retain an independent investigator to conduct investigations within the scope of this policy.
- Committee selects independent investigator (may seek assistance from counsel).

#### **b) Commencement of Investigation**

- Committee advises Board of commencement of investigation within one month of start.
- No Board member who participates in an investigation in any way may disclose any confidential information regarding the investigation, including the identification of witnesses.
- Most investigations should be completed within six months; Committee to update Board of estimated completion date if six-month deadline will not be made.

#### **c) Completion of Investigation**

- Results of investigation will be presented to the Committee.
- Only the Committee may possess and review the full investigation report
- If the Committee is satisfied with completeness of investigation, it will present findings and any recommendations to the Board at a public meeting.
- An executive summary with redactions of names/identifying information/sensitive information will be made public, however, where any charges are sustained, this must be in sufficient detail to allow the accused Board member a reasonable opportunity to respond to the charges and allegations.

## **Proposed Updates to Board Governance Policy GP-6**

### **3. Board Consideration of Committee Findings**

- The Board will consider, by majority vote, whether to accept the Committee's findings.
  - If not accepted, then the matter is concluded.
  - If accepted, then the matter continues.

### **4. Board Consideration of Recommendations**

- At the meeting where the Board considers the Committee's findings, the Board may discuss any recommendations by the Committee, but will not take action on them at that meeting.
- At the meeting where the Board considers the Committee's findings, any Board member may request admonition, sanction, censure, or other measures in addition to any recommendations by the Committee.
  - The Committee will receive Board requests re admonition, sanction, or censure, and make recommendations to be considered at a future Board meeting.
  - If both members of the Committee do not agree, the members will make separate recommendations to the Board.
  - Valley Water will provide the accused Board member with separate written notice of any public meeting involving a Committee recommendation to admonish, sanction or censure him or her.
  - Where the Committee is recommending admonition or sanction, the accused Board member will be given a reasonable amount of time to respond (verbally and/or in writing) taking into account the number of charges, the complexity of the charges, and any issues or questions raised during Board discussion on the matter.

#### **a) Special Rules re Censure**

- Where the Committee is recommending censure:
  - A hearing will be scheduled at a public meeting and the public meeting must be scheduled to provide the

## **Proposed Updates to Board Governance Policy GP-6**

accused Board member adequate time to prepare a defense.

- The accused Board member will have the opportunity to respond to the Committee's recommendation(s) and the accusations against him or her verbally and/or in writing, before any Board vote on the matter.
- The accused Board member shall be given a reasonable amount of time to respond, taking into account the number of charges, the complexity of the charges, and any issues or questions raised during Board discussion on the matter.
- The accused Board member may present voluntary witnesses within the time prescribed but cannot compel the appearance or testimony of unwilling witnesses.
- The accused Board member will be entitled to representation of counsel at their own expense.
- The Chair will preside at the public hearing.
- The rules of evidence will not apply to the hearing of the matter, which is not a formal adversarial proceeding.

### **b) Board Action**

- Majority of Board required to approve final action (2/3 for censure)
- Referral to Law Enforcement/Civil Grand Jury - At any point during the processes described herein, the Board may refer a matter to Law Enforcement and/or the Santa Clara County Civil Grand Jury for investigation or other action. Prior to or following such referral, the Board may proceed with any of the actions described in this policy.
- Other measures: Other measures to address the misconduct (in addition to or instead of admonition, sanction, or censure) may be prescribed by the Board pursuant to a majority vote.

## Proposed Updates to Board Governance Policy GP-6

### Definitions

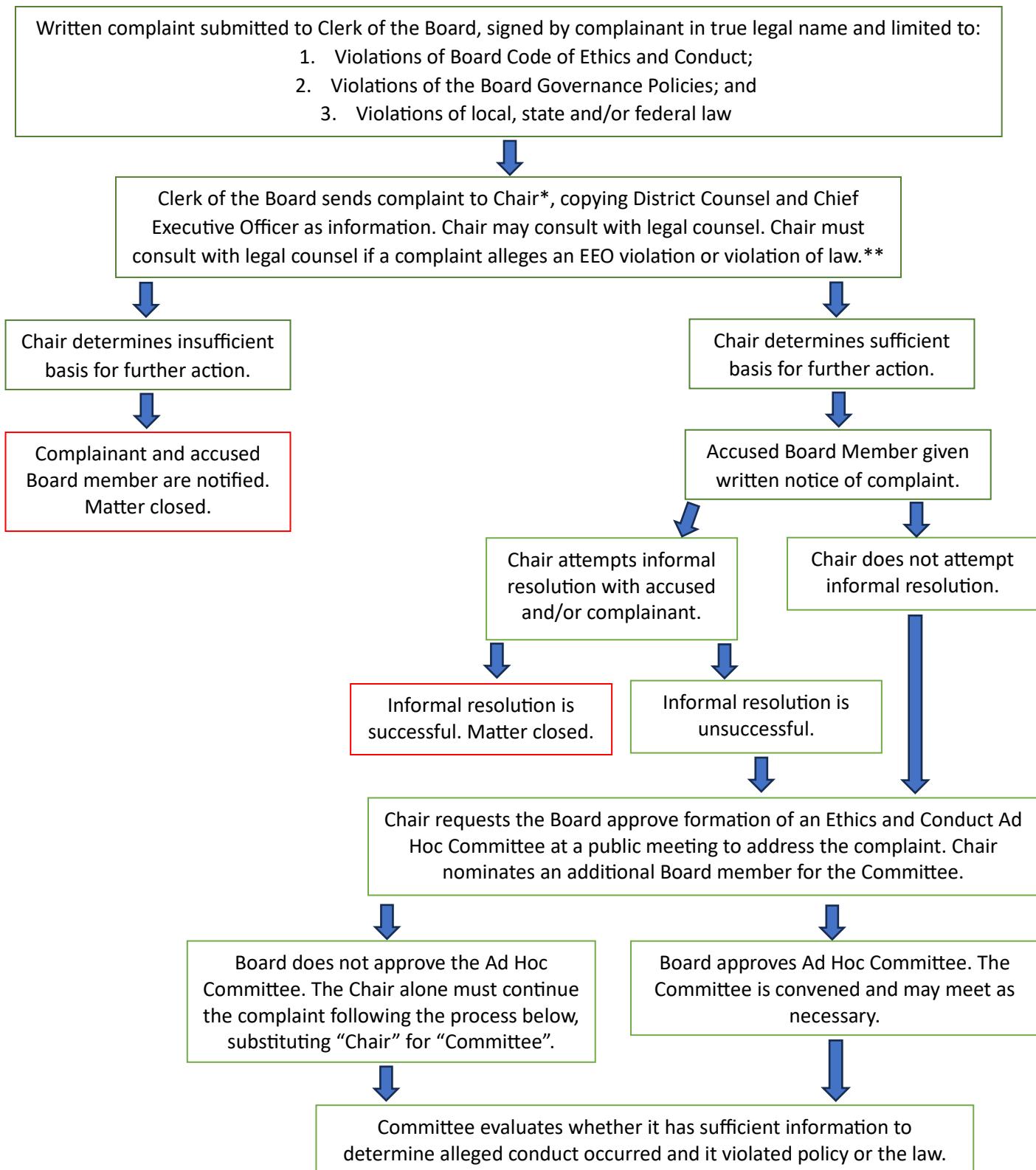
**Admonition:** Admonition is the least serious form of action. Admonition is a warning and a reminder that a particular type of behavior is not in the best interests of Valley Water and can involve minor violations of the BOD Code of Ethics and Conduct or the Board Governance Procedures (add to grounds for complaint). 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 to determine whether a complaint is true.

Note: Admonition authorized through this policy is separate and apart from, and is not intended to limit, the Chair's independent right to admonish Board members for their conduct as prescribed elsewhere in the Governance Process.

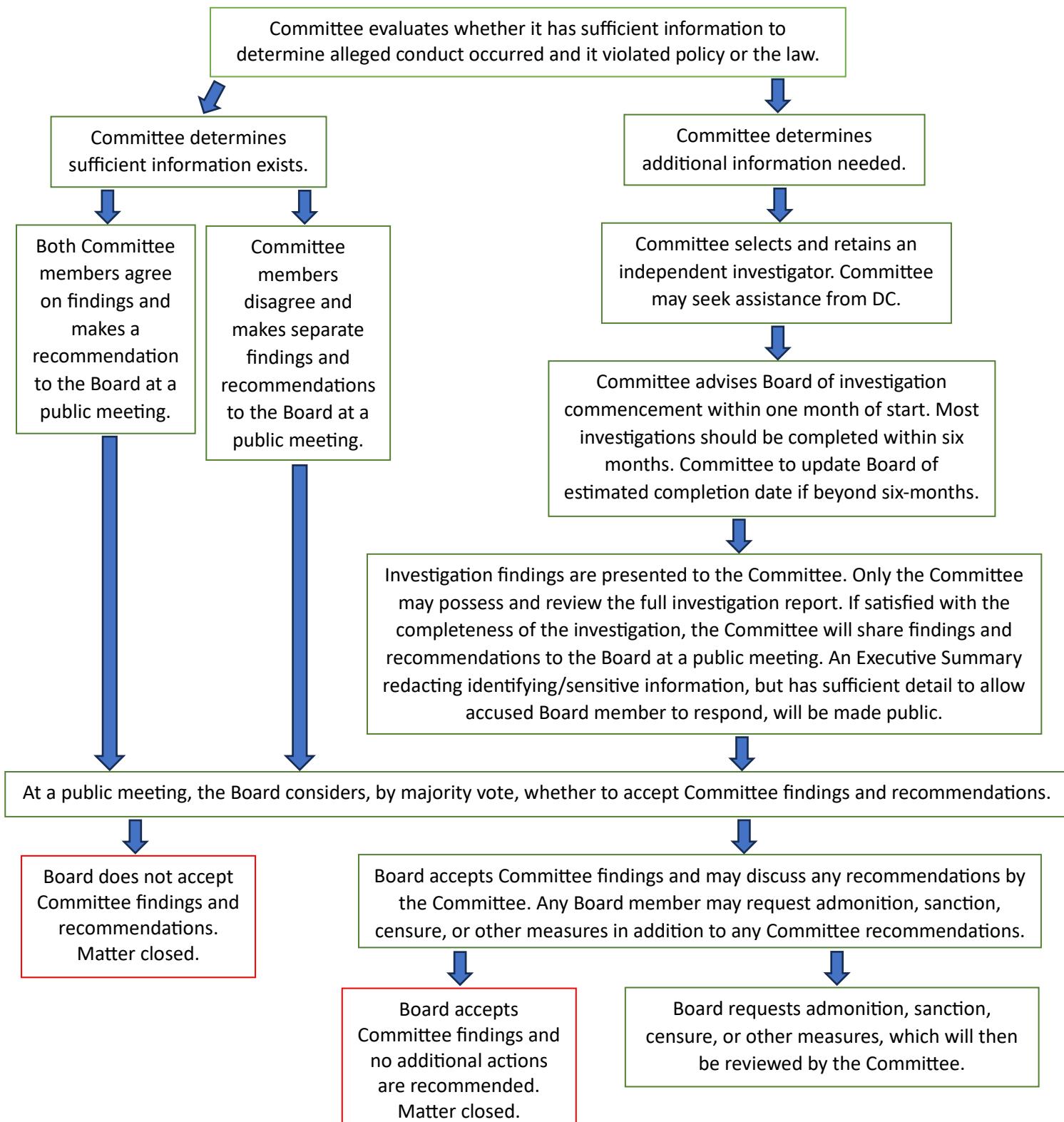
**Sanction:** Sanction is the second most severe form of action. Sanction should be directed to a member of the Board based upon an action or series of actions determined to be misconduct for violations of the BOD Code of Ethics and Conduct, (GP) or local, state, or federal law, but is not determined to be sufficiently serious to require censure. Sanction is distinguished from censure in that it does not constitute punishment.

**Censure:** Censure is the most severe form of action. Censure is a formal statement of the Board officially reprimanding one of its members. It is a punitive action which serves as a penalty for misconduct, but it carries no fine or suspension of the rights of the members as an elected official. (add language re other measures) Censure should be reserved for cases in which the Board determines that the misconduct is a serious offense. Censure does not limit the Board's ability to impose additional...

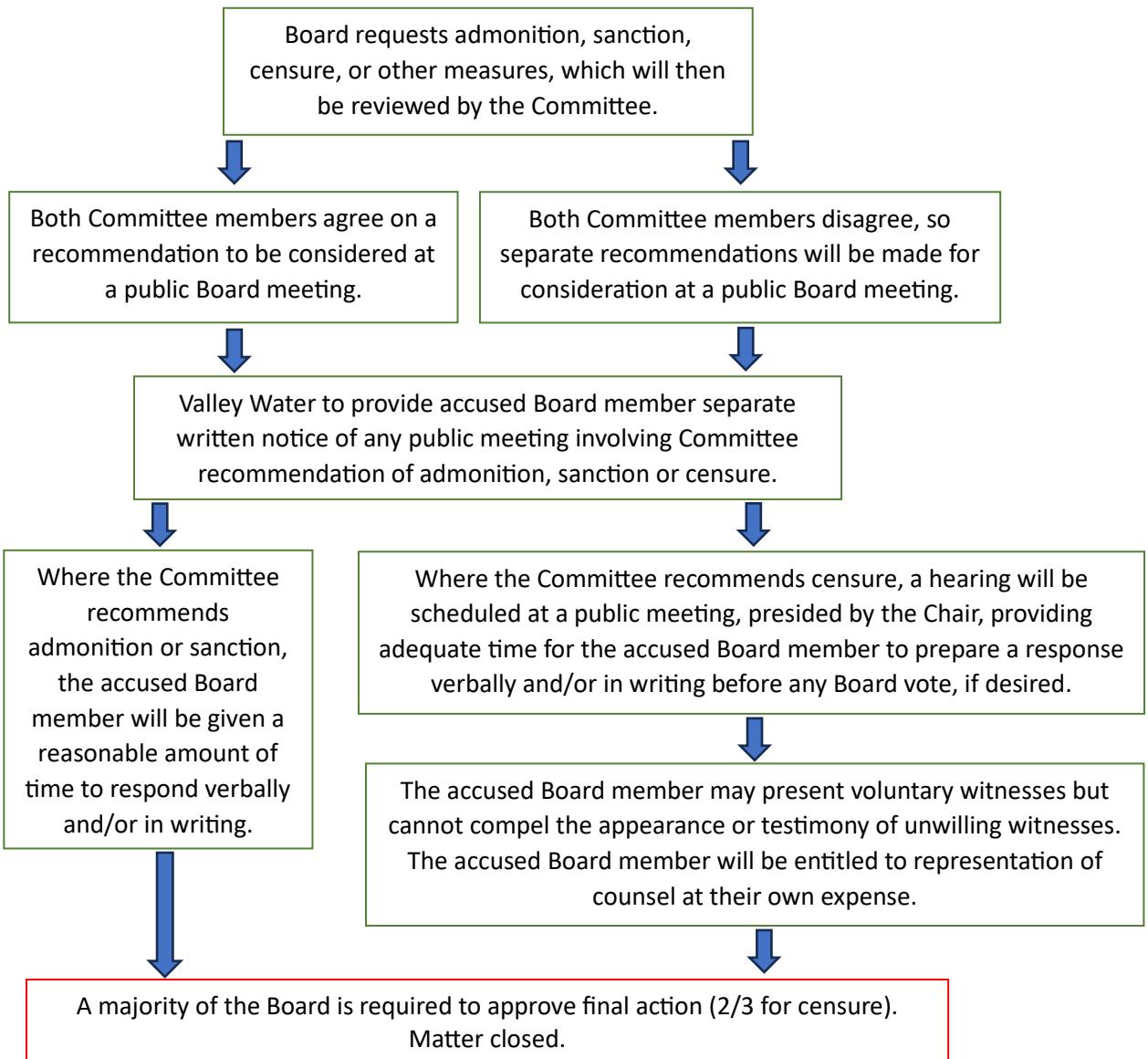
## Flowchart of Proposed Updates to GP-6



## Flowchart of Proposed Updates to GP-6



## Flowchart of Proposed Updates to GP-6



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# Santa Clara Valley Water District

File No.: 24-0880

Agenda Date: 9/30/2024

Item No.: 4.3.

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## 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 Policy and Monitoring Committee (BPMC) Work Plan Agenda Items.

### **RECOMMENDATION:**

Discuss BPMC Work Plan.

### **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 of the Committee's Work Plan is not subject to environmental justice analysis.

### **ATTACHMENTS:**

Attachment 1: 2024 BPMC Work Plan

### **UNCLASSIFIED MANAGER:**

Candice Kwok-Smith, 408-630-3193

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2024 Board Policy and Monitoring Committee Work Plan and Schedule									
Subject	Task		5/15/24	6/19/24	Canceled	8/30/24	9/30/24	10/31/24	TBD Dec
Board Planning Process	<b>A.</b> Provide Support for Board Planning Activities								
	1. Develop Draft FY24-25 Board Work Plan		X						
	2. Planning for Board's FY25-26 Strategic Planning Workshop								
	<b>B.</b> Provide Support for Board Policy Review								
	1. <a href="#">Update on Expansion of the Water Resources Protection Manual</a>								
	2. <a href="#">Fuel Management Policy and Wildfire Resilience Plan</a>								
	3. One Water Watershed Plans							X	
	4. Update on Climate Change Action Plan Implementation							X	
Board Committees	5. Review Governance Policies of the Board: Executive Limitations				X				
	6. Review Governance Policies of the Board: Governance Process-6 Board Members Code of Conduct	X	X			X	X		
Principles and Structures	<b>C.</b> Align Board Committees' Work Plans with Board Planning Calendar								
REDI Office	<b>D.</b> REDI Office					X			
	1. DEI Strategic Master Plan Implementation Update								
	2. <a href="#">Historical Key Decisions to Advance Environmental Justice</a>								
	3. Naming/Renaming of Valley Water Facilities								
	4. Tribal Land Acknowledgement								
Human Resources	<b>E.</b> Human Resources								
	1. Next Generation Career Pathway Update				X				
	2. <a href="#">Apprenticeship Program</a>				X				
	3. Employee Survey						X		
	4. Formerly Incarcerated and Disability Outreach/Veterans Outreach							X	
Other Assignments Requested by Board	<b>F.</b> Other Assignments as Requested by the Board								

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