



BOARD POLICY AND MONITORING
COMMITTEE MEETING

MINUTES

REGULAR MEETING
MONDAY SEPTEMBER 30, 2024
12:00 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 12:00 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, and District 1 Director John Varela.

Staff members in attendance were: Roseryn Bhudsabourg, Mark Bilski, Rick Callender, Isela Chaparro, Theresa Chinte, Rita Chan, Jen Codianne, Rosie Cofre, Molly Culton, Chris Hakes, Brian Hopper, Michele King, Candice Kwok-Smith, Anna Lee, Courtney Letts, Marta Lugo, Sadie Lum, Patrice McElroy, Nicole Merritt, Linda Nguyen, Carlos Orellana, Max Overland, Maged Salib, Stephanie Simunic, Kirsten Struve, Tina Yoke, Beckie Zisser.

Public in attendance were: District 7 Director Rebecca Eisenberg, 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 August 30, 2024 Board Policy and Monitoring Committee (BPMC) Minutes.

Recommendation: Approve the minutes.

The BPMC considered the minutes of the August 30, 2024 BPMC Minutes.

Public Comments: None.

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

4. REGULAR AGENDA:

4.1 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.

Rick Callender reviewed the information on this item, per the attached Committee Agenda Memo and in the attachment and was available to answer questions. Mr. Callender stated that elections of the Chairperson and Vice Chairperson are done by a majority vote of the board.

Public Comments: None.

It was moved by Director Varela, seconded by Vice Chairperson Estremera, and unanimously carried, to recommend amending Board Governance Policy 5.3 to add language to elect the Board of Directors Chairperson and Vice Chairperson in December, and bring the amended language to the Board at the first meeting in December for consideration.

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.

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

Discussion ensued relating to form of complaints, violations of agency policy vs. violations of the law, format of final document, complaint procedure, investigation tasks, the point in which the accused can respond to the complaint, staff feeling comfortable filing complaints, special rules relating to censure, final board action, and structure and function of Ethics and Conduct Ad Hoc Committee.

Public Comment: Arthur Keller inquired relating to what happens if the two board members on the Committee do not agree on their findings, and when the accused Board Member can respond to complaints. Vice Chairperson Estremera stated that that if disagreement of findings occur between the two members of the Ad Hoc Committee, both members separately submit their findings to the Board. Carlos Orellana further stated that the charges can be addressed by the accused before the Board consideration of Committee findings.

The BPMC continued the item and requested staff incorporate the discussed input and return with an updated document to the next BPMC meeting.

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

The Committee reviewed Work Plan items and timeline. Chairperson Hsueh requested that policy issues related to Safe Clean Water Program commitment on San Francisquito Creek including the roles and responsibilities of Board Appointed Joint Powers Authority (JPA) representatives is added to "Other Assignments Requested by Board" section.

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 4.1, relating to GP-5.3, was approved to add language relating to holding officer elections in December, Item 4.2, relating to GP-6: Board Members' Code of Conduct, that staff incorporate the discussed input and return with an updated document to the next BPMC meeting, and for Item 4.3, relating to the work plan, that policy issues related to Safe Clean Water Program commitment on San Francisquito Creek including the roles and responsibilities of Board Appointed JPA representatives is added.

6. Adjourn:

6.1. Adjourn to Special Meeting at 12:00 p.m. on Thursday, October 31, 2024.

Chairperson Hsueh adjourned the meeting at 1:14 p.m.

Date Approved: October 31, 2024

Stephanie Simunic
Assistant Deputy Clerk II