

Board Advisory Committee Handbook of Guidelines and Responsibilities



TABLE OF CONTENTS

A. ORGANIZATION

• Santa Clara Valley Water District	6
Purpose	6
District Mission	6
District Act	6
• Board of Directors	6
About	6
Board District Boundaries	8
• Board Committees	9
Role of Board Committees	9
Membership	9
Purpose and Structure	9
▪ Agricultural Water Advisory Committee	9
▪ Environmental and Water Resources Committee	10
▪ Santa Clara Valley Water Commission	10
▪ Santa Clara Valley Water District Youth Commission	10
Role of Oversight Manager	11
Role of Office of the Clerk of the Board	11

B. RESPONSIBILITIES AND OBLIGATIONS

• Responsibilities and Obligations	14
Attendance Requirements	14
Resignation Process	14
Rescinding Appointment Process	14
Committee Officers	14
• Board/Committee Relationships	15
Interaction with the Public	15
Relationship with the Board of Directors	15
Subcommittees	15

C. GOVERNANCE POLICIES OF THE BOARD OF DIRECTORS

Overview	18
Ends Policies	18
Governance Process Policies	
▪ Governance Process Policy (GP) 8 – Board Committee Principles	19-20
▪ Governance Process Policy (GP) 9 – Board Committee Structure	20

D. BROWN ACT REQUIREMENTS

• Open and Public Meetings	22
Meeting Definition	22
Meetings Shall Be Open and Public	22-23
All Persons Shall Be Permitted	23
Quorums and Actions	23
Penalties and Remedies for Violation	24
• Committee Meetings	24

Meeting Schedule	24
Preparing for Meetings.....	24-25
Adding Items to the Committee Agenda	25
Meeting Handouts.....	26

E. ETHICS AND BUSINESS CONDUCT.....	28
--	-----------

A.

ORGANIZATION

SANTA CLARA VALLEY WATER DISTRICT (VALLEY WATER)

Purpose

The Santa Clara Valley Water District (Valley Water) is a California special district formed and operating under special sections of California law, referred to as the District Act.

Valley Water manages an integrated water resources system that includes the supply of safe, clean water, flood protection and stewardship of streams on behalf of Santa Clara County's 2 million residents.

Valley Water effectively manages 10 dams and surface water reservoirs, three water treatment plants, a state-of-the-art water quality laboratory, **approximately 285** acres of groundwater recharge ponds, and more than 275 miles of streams. We also operate the award-winning Silicon Valley Advanced Water Purification Center, the largest plant of its kind in Northern California and the focal point of our efforts to expand Santa Clara County's local drinking water supply.

Valley Water provides wholesale water and groundwater management services to local municipalities and private water retailers who deliver drinking water directly to homes and businesses in Santa Clara County.

Valley Water's stream stewardship responsibilities include creek restoration, wildlife habitat protection, stream water pollution prevention, and natural flood protection.

District Mission

The mission of Valley Water is to provide Silicon Valley safe, clean water for a healthy life, environment and economy.

District Act

The District Act is the California Law that charges Valley Water with providing comprehensive water management for beneficial uses, protecting the County from flooding, and enhancing, protecting and restoring streams, riparian corridors, and natural resources within Santa Clara County. The intent of the District Act is for Valley Water to work collaboratively with other appropriate entities in Santa Clara County to carry out these functions.

District Act Section 12.5 provides for the creation of Board Committees (Committees) to serve the best interest of Valley Water. The District Act specifically states that there will be an advisory committee consisting of farmers to represent users of agricultural water.

BOARD OF DIRECTORS

About

Valley Water Board of Directors (Board) is comprised of seven elected members each elected from equally-divided districts who serve overlapping, four-year terms.

The purpose of the Board, on behalf of the people of Santa Clara County, is to see to it that Valley Water provides Silicon Valley safe, clean water for a healthy life, environment and economy.

In pursuit of this purpose, consistent with the District Act, the Valley Water Board adopts policies to govern its own processes; delegates its power; communicates Valley Water's mission, general principles, and ends; and provides constraints on executive authority.

The Board governs with an emphasis on (a) outward vision, (b) encouragement of diversity in viewpoints, (c) strategic leadership more than administrative detail, (d) clear distinction of Board and chief executive roles, (e) collective rather than individual decisions, (f) future rather than past or present, and (g) pro-activity rather than reactivity.

Annually, as part of the strategic planning process, the Board identifies specific areas that they monitor closely and engage regularly. These areas are identified in the yearly Board Work Plan

<https://s3.us-west-2.amazonaws.com/valleywater.org.if-us-west-2/f2-live/FY2022-2023%20VW%20BOD%20FINAL.pdf>

The Board elects both the Chair and Vice Chair, who each serve 1-year terms beginning at the first Board meeting in January of each year.

Individual Board members serve as representatives of the Board to the Committees. Board representatives report out to the Committees on current Valley Water and Board-related activities and communicate back to the full Board the Committees' policy recommendations, comments, or other requests for consideration.

Board District Boundaries

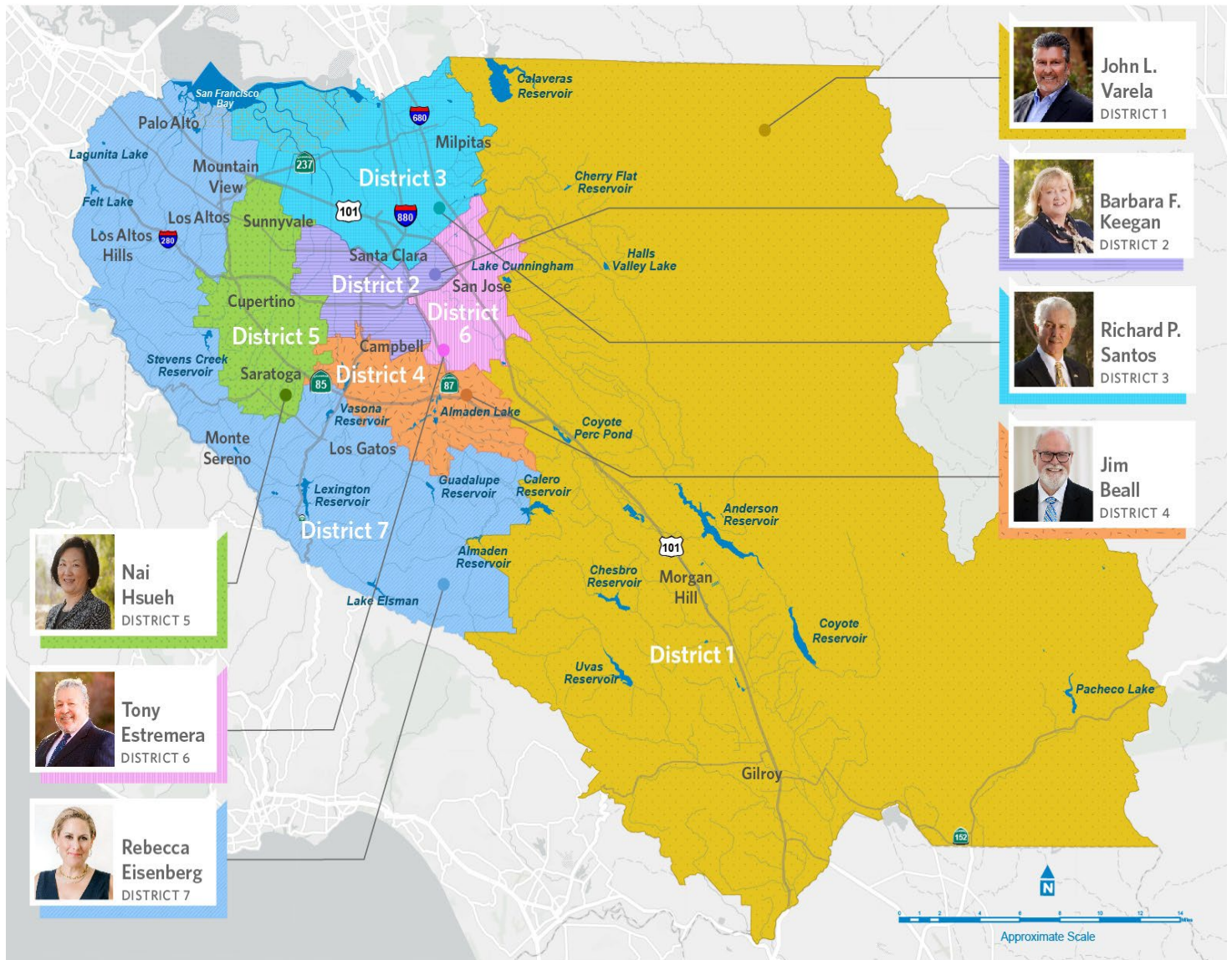
The Valley Water Board of Directors each represents individual equal electoral districts. Included here are a list of the individual Directors, their specific districts, and a district boundary map.

BOARD MEMBERS

District 1	John L. Varela
District 2	Barbara F. Keegan
District 3	Richard P. Santos
District 4	Jim Beall
District 5	Nai Hsueh
District 6	Tony Estremera
District 7	Rebecca Eisenberg

2023 Board Chair– John L. Varela
2023 Board Vice Chair – Barbara F. Keegan

Valley Water Board of Directors District Boundaries Map



BOARD COMMITTEES

Role of Board Committees

The Committees help the Board do its job as the policy setting body. Committees do this by assisting the Board with:

- Reviewing, developing and providing policy alternatives.
- Providing comments on activities in the implementation of Valley Water's mission for Board consideration; and,
- Helping produce the link between Valley Water and the community.

In carrying out these duties, Committee members bring to Valley Water their respective expertise and the interests of the communities they represent.

Membership

Committee members and alternates serve two-year renewable terms that begin upon appointment, or January 1st if a renewed appointment, and expire on December 31st of the year following appointment. Term of office for Committee members and alternates who are appointed mid-year will begin upon appointment and run through December 31st of the year following appointment.

Municipal appointed Committee members will be held over until they are reappointed, or successors are appointed by the County of Santa Clara and each City and Town therein.

Board member nominee appointments to Committees will be subject to approval of the Board.

Board Committee Purpose and Structure

The Board has established four Committees to assist with policy review and development, provide comment on activities in the implementation of Valley Water's mission for Board consideration, and to identify Board-related issues pertaining to the following:

Agricultural Water Advisory Committee

Purpose:

Agricultural water supply and use and groundwater production charges.

Structure:

The Agricultural Water Advisory Committee is comprised of sixteen members who are farmers and reside or do business, as determined by the Board, within Santa Clara County, and one member who owns a private well (non-retail) within Santa Clara County. The Agricultural Water Advisory Committee does not have alternate members.

Each Director may nominate up to two farmers who reside and/or farm within the nominating Director's district. In the event that a Director is unable to nominate a farmer from his/her district, the Director may nominate a farmer from anywhere within Santa Clara County.

The Loma Prieta Resource Conservation District and the Santa Clara County Farm Bureau may each nominate one representative for appointment as long as the nominee is a farmer who resides or does business, as determined by the Board, within Santa Clara County.

Environmental and Water Resources Committee

Purpose:

Water supply, flood protection and environmental stewardship.

Structure:

The Environmental and Water Resources Committee is comprised of 21 members. Each Director may nominate up to 3 members to serve on the committee.

Santa Clara Valley Water Commission

Purpose:

Water supply, flood protection and environmental stewardship.

Structure:

The Santa Clara Valley Water Commission is comprised of 18 elected representatives: one from each City and Town in Santa Clara County, the County of Santa Clara, the Santa Clara County Open Space Authority, and the Midpeninsula Regional Open Space District. Each elected representative may have at least one alternate who may be another elected official or staff person from the same jurisdiction.

All municipal representatives and alternates to the Santa Clara Valley Water Commission shall be appointed by their perspective agency.

Santa Clara Valley Water District Youth Commission

Purpose:

To assist the board with public policy, education, outreach, and all matters impacting the Santa Clara County youth and the water district. Foster greater involvement of youth in local government to inspire and develop future public policy leaders and professionals with an awareness of issues and activities relating to water supply, conservation, flood protection, and stream stewardship.

Structure:

Each Board Member will appoint 3 commissioners per district for a total of 21 youth commissioners.

Role of Oversight Manager

Each Committee has a Valley Water Oversight Manager. The Oversight Manager is responsible for implementing the Board's direction for the overall purpose for Board Committees, including proposing subject matter for the yearly work plans. Oversight Managers and their staff serve as technical advisors to the Board Committees by:

- Developing staff analysis of Committee requests/recommendations for inclusion in the Board Agenda item conveying such requests to the Board;
- Presenting Board agenda item containing Committee requests/recommendations at appropriate Board meeting;
- Developing Committee Agenda items from Committee work plans; and
- Attending Committee meetings to make presentations, respond to questions, and participate in discussion.

Role of the Office of the Clerk of the Board

The Office of the Clerk of the Board is responsible for:

- Coordinating information between the Board Committees and the Board, and Committee Oversight Manager;
- Providing administrative and logistical support to the Board Committees;
- Managing Board Committee membership;
- Ensuring Agenda and Meetings are in compliance with the Ralph M. Brown Act;
- Coordinating, Posting and Distributing Board Committee and Board Agenda Items;
- Supporting and Assisting Board Committee Chairs during meetings;
- Managing Board Committee Work Plans;
- Tracking and managing Board Committee Attendance;
- Managing historical records of the Board Committee; and
- Managing Board Committee web pages

B.

RESPONSIBILITIES AND OBLIGATIONS

RESPONSIBILITIES AND OBLIGATIONS

Attendance Requirements

While time commitments will vary depending upon schedules and workload, Board Committee members are expected to attend all scheduled meetings. Following two or more unexcused absences, the Board may choose to rescind a Board Committee member's appointment. An unexcused absence is defined as failure to notify the Office of the Clerk of the Board at least 48 hours in advance that the member will not attend the meeting.

Resignation Process

It is fully expected that appointed Board Committee members will serve their term of office. However, it is understood that personal and professional circumstances might prompt an unexpected resignation. If a Board Committee member must resign, a letter of resignation stating the effective date of the resignation must be forwarded to the Office of the Clerk of the Board. The Clerk's office will process and notify the Board and the Committee.

Rescinding Appointment Process

Upon confirmation of a Board Committee member's two or more consecutive unexcused absences, the nominating Director or the Committee Board Representative is notified of the committee member's absences. Generally, the nominating Director or the Clerk's office will contact the committee member to determine continued interest in serving. If the committee member is no longer interested in serving, an email of resignation will be requested.

Committee Officers

The officers of each Committee consist of a Chair and a Vice Chair, and members of the Committee. The Chair and Vice Chair are elected by a vote of the Committee, each for a term of one-year commencing on the first meeting of the calendar year and ending on December 31, and for no more than two consecutive terms.

Chair

The Chair has the following authority and duties:

- (a) Preside at all meetings of the Committee;
- (b) Facilitate productive meetings in accordance with posted Agenda and the Ralph M. Brown Act (open meeting law);
- (c) Add items to the Committee agenda with Board approval;
- (d) Invite speakers for any agenda item with Board approval;
- (e) Manage speaker time limits;
- (f) Facilitate communication of committee comments, requests, and recommendations to the Board;
- (g) Report to the committee on decisions of the Board which impact the committee's activities; and
- (h) Perform other such duties as the Committee may prescribe consistent with the purpose of the Committee.

Vice Chair,

The Vice Chair will perform the duties of the Chair in the absence or incapacity of the Chair.

In case of the unexpected vacancy of the Chair, the Vice Chair, will perform such duties as are imposed upon the Chair until such time as a new Chair is elected by the Committee.

Should the office of Chair, or Vice Chair, become vacant during the term of such office, the Committee will elect a successor from its membership at the earliest meeting at which such election would be practicable, and such election will be for the unexpired term of such office.

Should the Chair and Vice Chair, know in advance that they will both be absent from a meeting, the Chair, may appoint a Chair, Pro-tempore to preside over that meeting. In the event of an unanticipated absence of both the Chair, and Vice Chair, the Committee may elect a Chair, Pro-tempore to preside over the meeting in their absence.

BOARD/BOARD COMMITTEE RELATIONSHIPS

Interaction with the Public

Since Committees are ran in accordance with the Ralph M. Brown Act (Brown Act), all meetings are open, public meetings and must allow for public comment on any subject within the subject matter jurisdiction of the committee (Public Comment Period). Also, the public may provide comments on items listed on the committee agenda.

The Board Committee Chair controls the public comment period and speaker time limit. Committees are encouraged to hear and consider public comments on issues prior to taking any formal action.

Relationship with the Board of Directors

Board Committees are created to assist the Board in policy setting and producing the link between Valley Water and the public through information sharing with the communities they represent. This does not mean that individual members cannot have opinions or positions divergent from those the Board has taken. The board committees' recommendations are advisory to the Board. The Board values the comments from the board committees when doing their final deliberation; however, there may be times when the Board may choose to take a position different from that recommended.

Subcommittees (Working Groups)

Subcommittees (working groups) of Board Committees may be formed by the Committee, however with Board approval to receive staff assistance/support. Also, less than a quorum of Committee members may meet informally outside of regularly scheduled meetings in accordance with Brown Act requirements.

C.

**GOVERNANCE
POLICIES OF THE
BOARD OF
DIRECTORS**

Overview

The Board has adopted written governing policies which, at the broadest levels, address each category of organizational decision. There are four categories of policies:

1. **Governance Process** addresses how the Board itself will operate and monitors its own tasks and responsibilities (How the Board conducts its business);
2. **Board Appointed Officer (BAO) Linkage** addresses how power is delegated and its proper use monitored (Board's delegation to the Board Appointed Officers - CEO, District Counsel, Clerk of the Board);
3. **Ends** specify the results, recipients, and costs of results intended (What the Board has directed the BAO to accomplish);
4. **Executive Limitations** limit the executive authority and establish the boundaries that all executive activity and decisions must take place (Boundaries set by the Board stating what the BAOs cannot do to accomplish the Board's Ends policies)

In addition to the Board's policies, the BAO/CEO has implemented reasonable **BAO/CEO Interpretations** regarding accomplishing the Board's policies without exceeding set boundaries – Executive Limits

Ends Policies

The Board's Ends policies state what the Board has directed the BAOs to accomplish. Since the Board is a policy setting body, the Board Committees are advisory to the Board.

The Ends policies provide directions to the BAOs as to the intended results, organization products, impacts, benefits, outcomes, recipients, and their relative work (what good for which recipients at what costs). In implementing Board directions, staff will be guided by the following general principles:

- An integrated and balanced approach in managing a sustainable water supply, effective natural flood protection and healthy watersheds is essential to prepare for the future.
- Effective public engagement in accomplishing Valley Water mission is achieved through communication that involves the community and key stakeholder groups in a transparent and open manner.
- A net positive impact on the environment is important in support of Valley Water mission and is reflected in all that we do.

The Ends policy categories are Water Supply Services, Natural Flood Protection, Water Resources Stewardship, Climate Change Mitigation and Adaptation. Each category has identified goals and stated objectives to reach and maintain the goals.

Governance Process Policies

There are two Governance Process policies that are relevant to the Board Committees. They are:

Governance Process Policy No. 8 – Board Committee Principles

The District Act provides for the creation of advisory boards, committees or commissions by resolution to assist the Board in performing its job, as defined.

Accordingly, the Board may establish the following type of Board Committees to assist it with policy advice, District Mission implementation, respective expertise, and, very importantly, to help produce the link between the District and the community:

Board Standing Committee – A Committee created by ordinance, resolution, or formal action of the Board comprised of less than a quorum of the Board and/or external members having continuing subject matter jurisdiction or a meeting schedule fixed by ordinance, resolution, or formal action. Annually, the purpose of an established Standing Committee will be reviewed to determine its relevance.

Board Ad Hoc Committee – A Committee comprised of less than a quorum of the Board and/or external members having a limited term, to accomplish a specific task, is established in accordance with the Board Ad Hoc Committee procedure (Procedure No. W723S01). Annually, the purpose of an established Ad Hoc Committee will be reviewed to determine its relevance.

In keeping with the Board's broader focus, Board Committees will not direct the implementation of District programs and projects, other than to receive information and provide advice and comment.

Accordingly:

- 8.1. When used, Board Standing Committees and Board Ad Hoc Committees will be established so as to reinforce the wholeness of the Board's job and so as to never interfere with delegation from the Board to the BAOs.
 - 8.1.1. Board Standing Committees and Board Ad Hoc Committees are established for a specific purpose as defined by the Board. The committees' purpose may also include a definition in authority and limitation in duration. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the BAOs.
 - 8.1.2. Board Standing Committees and Board Ad Hoc Committees will communicate directly with the Board and will not exercise authority over staff. Therefore, because the BAOs work for the full Board, they will not be required to obtain approval of a Board Standing Committees or Board Ad Hoc Committee before an executive action.
- 8.2. This policy applies to any group which is formed by Board action, whether or not it is called a committee and regardless of whether the group includes Board members. It does not apply to committees formed under the authority of the BAOs.
- 8.3. Board Committees will conduct their meetings in accordance with the provisions of the Brown Act (Open Meetings Law), even when the Brown Act would not otherwise apply to the committee due to its nature, function, or duration. If an exception of this policy is deemed to be in the best interest of the District, the reason for the exception will be identified at the time the Board or Chair creates the committee.
- 8.4. On an annual basis, the Board will review the structures, functions, and purposes of the Board Committees to ensure that the Board's needs are being met.

Governance Process Policy No. 9 – Board Committee Structure

Nominations of Board members to committees shall be made by the Chair subject to approval by the Board, subject to annual review.

9.1. Board Committees:

- 9.1.1. A committee is a Board committee only if its existence and charge come from the Board, regardless whether Board members sit on the committee. Unless otherwise stated, a committee ceases to exist as soon as its task is complete.

9.2. Board Members Representation on Board Standing and Ad Hoc Committees:

- 9.2.1. Board members who are not the appointed representatives to Board Standing or Ad Hoc Committees shall be permitted to attend open noticed meetings of such committees only as observers to watch and listen, and not participate in discussion, ask questions or make statements. The non-appointed Board member(s) must observe the meeting from the area designated for members of the public. During the course of the meeting, appointed representatives of Board Standing or Ad Hoc Committees shall not speak to or otherwise engage with non-appointed Board members attending the meeting as observers.

9.3. Board Members Representation on External Committees:

- 9.3.1. Board members serving on external committees or other governing bodies shall serve in the best interest of the District unless otherwise required by statute, ordinance, resolution or other legislative action.
- 9.3.2. Board members shall serve on appointed committees to maintain effective relationships.

D.

BROWN ACT REQUIREMENTS

OPEN AND PUBLIC MEETINGS

The Brown Act is California's "open meeting" law for local government, and its purpose is to ensure that the deliberations of local government entities are conducted publicly and their actions are taken openly. The requirements of the Brown Act apply to governing bodies of local governmental agencies, including the District, and any commission, committee, board, or other body of the local agency, whether permanent or temporary, decision-making, or advisory that is created by formal action of the Board.

Committee meetings are conducted in accordance with the Brown Act. While the Brown Act has many provisions, the key provisions affecting Committees are summarized here. All Committees are required to have regular meeting schedules; must post meeting agendas at least 72 hours in advance of regular meetings; are not permitted to take action or discuss any items or subjects not listed on the posted agenda; must provide opportunity for public comment on any item of interest that is within the subject matter jurisdiction of the Committee; and generally must hold meetings within Santa Clara County.

Meeting Definition

Under the Brown Act a "meeting" is defined as a gathering of a majority of members of the legislative body to hear, discuss or deliberate upon any item that is within the subject matter of the legislative body. Therefore, all gatherings of a majority of Committee members to consider Committee business must adhere to the Brown Act requirements. There are limited exceptions to the meeting rule, which allow a majority of the Committee to be present at the following, so long as Committee business is not discussed among the members:

- Conference or seminar open to the public
- Other organization or community group's open and publicized meeting
- Other legislative body's meeting (e.g., District Board of Directors meeting)
- Purely social or ceremonial occasion

The Brown Act does allow individual contacts or conversations between Committee members or between a Committee member and staff or another party about Committee business; however it does not allow individual contacts that result in a "serial meeting." A "serial meeting" is a series of meetings or communications about Committee business among a majority of Committee members through either one or more persons acting as intermediaries or through use of a technological device (i.e., telephone answering machine, e-mail, or voice mail).

Meetings Shall Be Open and Public

There are two essentials for an open and public meeting. One is **effective notice**; the other is **an agenda** which adequately describes the items to be considered. Every Committee meeting must have public notice and a binding Agenda.

The Brown Act requires an agenda to be posted at least 72 hours before a regular meeting. However, Board Governance Policy Executive Limitations Policy No. 7.10 states that "BAO shall make available to the public agendas and staff reports, if available, containing recommendations about any item on the agenda of a regular public meeting of the Board, or of a public hearing conducted by the Board, or of a Board Ad Hoc Committee or Board Committee, no later than 10 days prior to the date of such meeting."

The agenda should contain a brief general description of each item of business to be transacted or discussed at the meeting. No action or discussion can take place on an item not on the posted agenda. However, there can be brief responses to questions and other limited, routine comments.

The meeting packets prepare committee members in advance of meetings and help facilitate discussion by explaining and describing the subject matter and any recommendations for committee discussion and/or action on the item.

All Persons Shall Be Permitted

A number of Brown Act provisions protect the public's right to attend and participate at meetings.

Members of the public cannot be required to register their names, provide other information, complete a questionnaire, or otherwise "fulfill any condition precedent" to attending a meeting. **Any attendance list, questionnaire or other document circulated at a meeting must clearly state that its completion is voluntary, and that the person may attend whether or not they fill it out.** It is a good practice to indicate the purpose of the list (i.e., "Please sign this list if you wish to receive notice of future meetings").

No meeting or any other function can be held in a facility that prohibits attendance based on race, religious creed, color, national origin, ancestry or sex, or which is inaccessible to handicap, nor can a meeting be held where the public cannot be present without making a payment or a purchase. If a lunch meeting is held at a restaurant or banquet facility, seating must be made available for the press and public at no charge.

No action may be taken by secret ballot, whether preliminary or final. The legislative body may remove persons from a meeting who willfully interrupt proceedings. They may also have the room cleared; however, members of the news media who have not participated in the disturbance must be allowed to stay.

Records and Recording

The public has a right to review agendas and other writings distributed to a majority of the legislative body. Except for privileged documents, those materials are public records and must be made available.

The public is also specifically allowed to use audio or videotape recordings or still or motion picture cameras at a meeting, absent a reasonable finding by the legislative body that they would disrupt proceedings. Disruption could be found to exist if they set up a camera in an aisle that would block a fire exit or path to a fire exit.

Quorums and Actions

Quorums

A majority of the appointed members of the Committee or their alternates is required to constitute a quorum for the purposes of conducting its business and exercising its powers and for all other purposes.

If the Office of the Clerk of the Board has been notified at least two business days in advance of a scheduled meeting that a quorum will not be present, the Committee Clerk will cancel the meeting and notice the membership and interested members of the public of the cancellation.

In the event that a Committee meeting is cancelled due to the lack of a quorum, upon concurrence of the Committee Chair and the Board Representative, the Committee meeting may be re-scheduled to a specified date, time, and place.

In the event a quorum of the Committee is not present at the scheduled start time of the meeting, or is lost during the meeting, at the discretion of the Chair of each Board Committee, individual Committee members present in the room may proceed to hear informational agenda items, including any staff reports. No action shall be taken on any agenda item when a quorum does not exist. No official record of statements made by individual Committee members, staff, or members of the public will be created. However, if a quorum is achieved at any time, action items may be heard, discussed and voted upon.

Vote/Actions

Except for such actions to adjourn, action of the Committee may be taken only upon the affirmative vote of not less than a majority of the present appointed members or their alternates present. The voting on all matters shall be by voice vote unless a roll call vote is called for by any member of the committee. Only appointee Committee members or appointed alternates (who are sitting in an appointed member's stead) may vote on a matter.

Penalties and Remedies for Violation

Penalties

The Brown Act provides criminal misdemeanor penalties for certain violations. Specifically, the Brown Act punishes attendance by a member of the body at a meeting where action is taken in violation of the Brown Act, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled. The term "action taken" includes a collective decision, commitment or promise by a majority of the member of a body. The fact that the decision is tentative rather than final does not shield participants from criminal liability.

Remedies

The district attorney or any interest person may seek injunctive, mandatory or declaratory relief in a superior court. Either interested persons or the district attorney may seek to have actions taken in violation of the Brown Act declared null and void by a court.

COMMITTEE MEETINGS

Meeting Schedule

Committees shall convene up to four times per year or more often, as authorized by the Board, except for the Agricultural Water Advisory Committee, which shall convene at least once a year, or more often, as authorized by the Board.

Preparing for Meetings

The Clerk of the Board's Committee Liaison sets the Committee's annual work plan to align with the Board's approved annual strategies and priorities. Staff, Committee or members of the public's recommended modifications or requests that were approved by the Board can be added to Committee's work plan. The Board may also initiate modifications to work plans at any time.

Notices of each meeting, together with an agenda, the draft minutes of the preceding meeting, and supporting meeting materials, shall be provided to the Committee members no less than 7 business days in advance.

Committee Meeting Agendas, Packet and Handouts

Committee meeting agendas are developed in accordance with the Brown Act and specifically, from the Board-approved Committee work plan.

Committee Agendas and agenda items are developed up to eight weeks prior to the scheduled meeting and are posted and distributed 7-days before the meeting. Agendas, meeting packets and handouts are available to the public on-line on the committee webpage and at the public table during the meeting.

Committee Agenda generally consist of the following categories:

- Call to Order/Roll Call
- Time Open for the Public Committee on Any Item Not on Agenda (*Brown Act Requirement*)
- Approval of Minutes (*Action Item*)
- Action Items (*Items presented for Committee discussion and action*)
- Standing Items Report
- Information Only Items (*Informational items only – not for discussion or presentation; clarifying questions may be asked*)
- Clerk Review and Clarification of Committee Action to the Board (*Clerk review of approved motions of the Committee*)
- Reports (*Brief Reports and/or announcements on activities; information only no extensive discussion*)
 - ✓ Director's Report (*Report by Board Representatives*)
 - ✓ Manager's Report (*Report by Committee Oversight Manager/staff*)
 - ✓ Committee Member Reports (*Reports from Committee members*)
 - ✓ Link to Informational Reports
- Adjourn

Adding Items to the Committee Agenda

Committee meeting agendas are developed in accordance with the Brown Act, Board-driven Committee work plan and distribution deadlines (regulatory and policy).

The process to request that items be added to Committee meeting agendas is as follows:

- The Board, during meeting, may initiate and direct items be added to a Committee work plan. If so, an agenda item is developed by subject matter expert staff for presentation to the Committee.
- A Committee may request an item is placed on its work plan for a future meeting. The request must be considered by the Committee and voted upon. If the motion carries, the meeting agenda item request is brought to the Board for consideration and approval. Upon approval by the Board, a meeting agenda item is developed by subject matter expert staff for presentation to the Committee.
- The Committee Chair may add items to the Committee agenda in accordance with the Brown Act and Clerk distribution schedule with Board approval. Board approved agenda items will take priority. Committee Chair must coordinate any addition with the Office of the Clerk of the Board. The Clerk will notify the Board Chair, and Oversight Manager of any additional items.
- The public may approach a Committee requesting that an item be placed on their work plan. The request may be considered by the Committee and voted upon. If the motion carries, the agenda item request is brought to the Board for consideration and approval. Upon approval by the Board, an agenda item is developed by subject matter expert staff for presentation to the Committee.
- The public may approach the Board during Board meetings to request an item be agendized on a committee work plan. The Board may consider the request and determine whether to have the item agendized. If so, a meeting agenda item will be developed by subject matter expert staff for presentation to the Committee.
- The public may correspond, e.g. letter, e-mail, to the Board requesting an item be placed on a Committee work plan. The Board may agendize a discussion at a future Board meeting to consider the request and direct whether to have the

item agendaized on a future Committee work plan. If so, a meeting agenda item is developed by subject matter expert staff for presentation to the Committee.

Meeting Handouts

Handouts relevant to specific Committee Agenda items may be forwarded to the Office of the Clerk of the Board by deadlines below. The Clerk's office will copy and distribute accordingly:

- Handouts received prior to the 7-day posting schedule will be included in the agenda packet and posted to the Committee web page;
- Handouts received after 7-day posting schedule will be distributed at the Committee meeting and posted to the Committee web page the next business day after the meeting; and
- If handouts are distributed at the meeting, Committee members **must provide 40 copies** to distribute to the Committee members, staff and the public. Handouts will be posted to the Committee web page the next business day after the meeting.

E. ETHICS AND BUSINESS CONDUCT

ETHICS AND BUSINESS CONDUCT

The Board of Directors of Santa Clara Valley Water District commits itself and its members to ethical, business-like, and lawful conduct, as outlined in Board Governance Process Policy GP-6 – Board Members' Code of Conduct.

Given that Board Committees serve as advisory bodies to the Board, it is essential to also commit to ethical, business-like and lawful conduct.

Board Committees, therefore, are conducted in accordance with the Brown Act.

In addition, Board Committee members are encouraged to:

- Carry out advisory function transparently, and with honesty and commitment; and
- Avoid decisions where private, personal interest may conflict with advisory function

To help promote public confidence in all Board Committee deliberations, the following process should be followed:

- Consider all facts and recommendations before making a decision;
- Listen carefully to the interest of stakeholders;
- Properly prepare for deliberation by reading meeting Agenda material;
- When possible, develop options for action and share your rationale for those choices during deliberations; and
- Chose the action that best advances the District's mission.

Contact Information

For additional information regarding the Board's Committees and/or to download a membership application, please visit <https://www.valleywater.org/how-we-operate/committees/board-advisory-committees>.

For additional information regarding the Board's Committees, please contact:
Glenna Brambill, Committee Liaison, at 1-408-630-2408, or gbrambill@valleywater.org.



Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118-3686
Phone: (408) 265-2600
Fax: (408) 266-0271
www.valleywater.org