



Santa Clara Valley Water District

File No.: 20-0617

Agenda Date: 7/28/2020

Item No.: 4.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Amendment of Board Governance Policy GP-6.19.1 Board Members' Code of Conduct.

RECOMMENDATION:

- A. Determine whether to amend Board Governance Policy GP-6.19.1. as outlined below;
- B. If the Board desires said amendment to be effective retroactively, establish a date for such amendment to have become effective; and
- C. Should the Board wish for the changes to apply to the pending Rev. Jethroe Moore complaint, the changes should be retroactive to the date of June 23, 2020, the date the Chair determined an investigation was warranted, or earlier.

SUMMARY:

Section 6.19.1 of the Board Members' Code of Conduct provides, 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. District Counsel may select and manage an independent investigator to assist in conducting the investigation.

In order to ensure clarity and Board confidence as to any investigation conducted pursuant to Board Governance Policy GP-6.19.1, the Board may desire to utilize the services of the Board Ethics and Conduct Ad Hoc Committee (see Board Governance Policy GP-6.9.2.1) in the selection of an independent investigator. If that is the Board's desire, Board Governance Policy GP-6.19.1. should be amended in its entirety to read as follows:

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 Board Governance Policy GP-6.9.2) shall select an independent investigator to conduct the investigation.

If the Board determines that an immediate amendment to Board Governance Policy GP-6.19.1 is

in the public's interest, said amendment may be given retroactive effect. The Board should determine any such date for effectiveness.

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have the potential for resulting in direct or reasonable foreseeable indirect physical change in the environment.

ATTACHMENTS:

Attachment 1: Board Governance Policy GP-6.19.1

UNCLASSIFIED MANAGER:

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