



Santa Clara Valley Water District

File No.: 20-1078

Agenda Date: 11/24/2020

Item No.: *4.3.

BOARD AGENDA MEMORANDUM

SUBJECT:

Consider the Board Ethics and Conduct Ad Hoc Committee Recommendations to Approve Amendments to Board of Directors Governance Policies GP-6.11.1 and GP-6.11.2, Complaints by Board Members Against Board Members, and GP-6.19.1 and GP-6.19.2, Complaints from Non-Board Members.

RECOMMENDATION:

- A. Discuss Proposed Amendments to Board of Directors Governance Policies GP 6.11.1 and GP-6.11.2, Complaints by Board Members Against Board Members, and GP-6.19.1 and GP-6.19.2, Complaints from Non-Board Members; and
- B. Approve the proposed amendments to GP-6.11.1 and GP-6.11.2, and GP-6.19.1 and GP-6.19.2.

SUMMARY:

The Board Governance Policies, Governance Process sections 6.11.1, 6.11.2, 6.19.1 and 6.19.2 address part of the process to be followed whenever a complaint is made against board members. Section 6.11 deals with investigations arising out of complaints brought by fellow board members, and section 6.19 deals with investigations arising out of third-party complaints. As the filing of such complaints occurs infrequently, review of that process was recently undertaken by the Board's Ethics and Conduct Ad Hoc Committee. The focus of that discussion was on whether the process is sufficiently independent.

After discussion, the Committee recommends that the Board amend the above-described policies that will provide that the Committee:

- Retain an independent investigator and a third-party project manager to manage any investigation and be able to terminate any investigation (G.P. 6.11.1, 6.11.2);
- Retain a third-party project manager to manage any investigation and be able to terminate any investigation (G.P. 6.19.1, 6.19.2)

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

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

ATTACHMENTS:

Attachment 1: GP-6.11.1, 6.11.2, 6.19.1, 6.19.2

UNCLASSIFIED MANAGER:

Stan T. Yamamoto, 408-630-2755