

Board Advisory Committee Handbook

of Guidelines and Responsibilities



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PURPOSE

The Santa Clara Valley Water District's (District) Board of Directors' (Board) Advisory Committees (Committees) help the Board do its job. Committees do this by preparing policy alternatives and providing comment on activities in the implementation of the District's mission for the Board's consideration. This Handbook of Committee Guidelines and Responsibilities (Handbook) was developed to assist new and current members in the functioning of the Board's Committees. The Handbook includes information about the District's purpose, the Board of Directors and its governance structure, an overview of the Board's Committees and the Brown Act, and how to participate as a member.

I. Introduction – Santa Clara Valley Water District

Mission

The mission of the District is to provide for a healthy, safe, and enhanced quality of living in Santa Clara County through watershed stewardship and comprehensive management of water resources in a practical, cost-effective, and environmentally-sensitive manner.

About the Santa Clara Valley Water District

The District is a California special district formed and operating under special sections of California law, referred to as the District Act.

The District provides comprehensive water resources management for Santa Clara County (County). The District acts not only as the County's water supply and groundwater manager, but also as its flood protection agency and is the steward for many of its streams and creeks, underground aquifers, and District-built reservoirs.

As the County's water supply manager, the District makes sure there is a clean, safe, reliable water supply for homes and businesses. As the agency responsible for local flood protection, the District works with municipalities to protect Santa Clara Valley residents and businesses from the devastating effects of flooding.

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

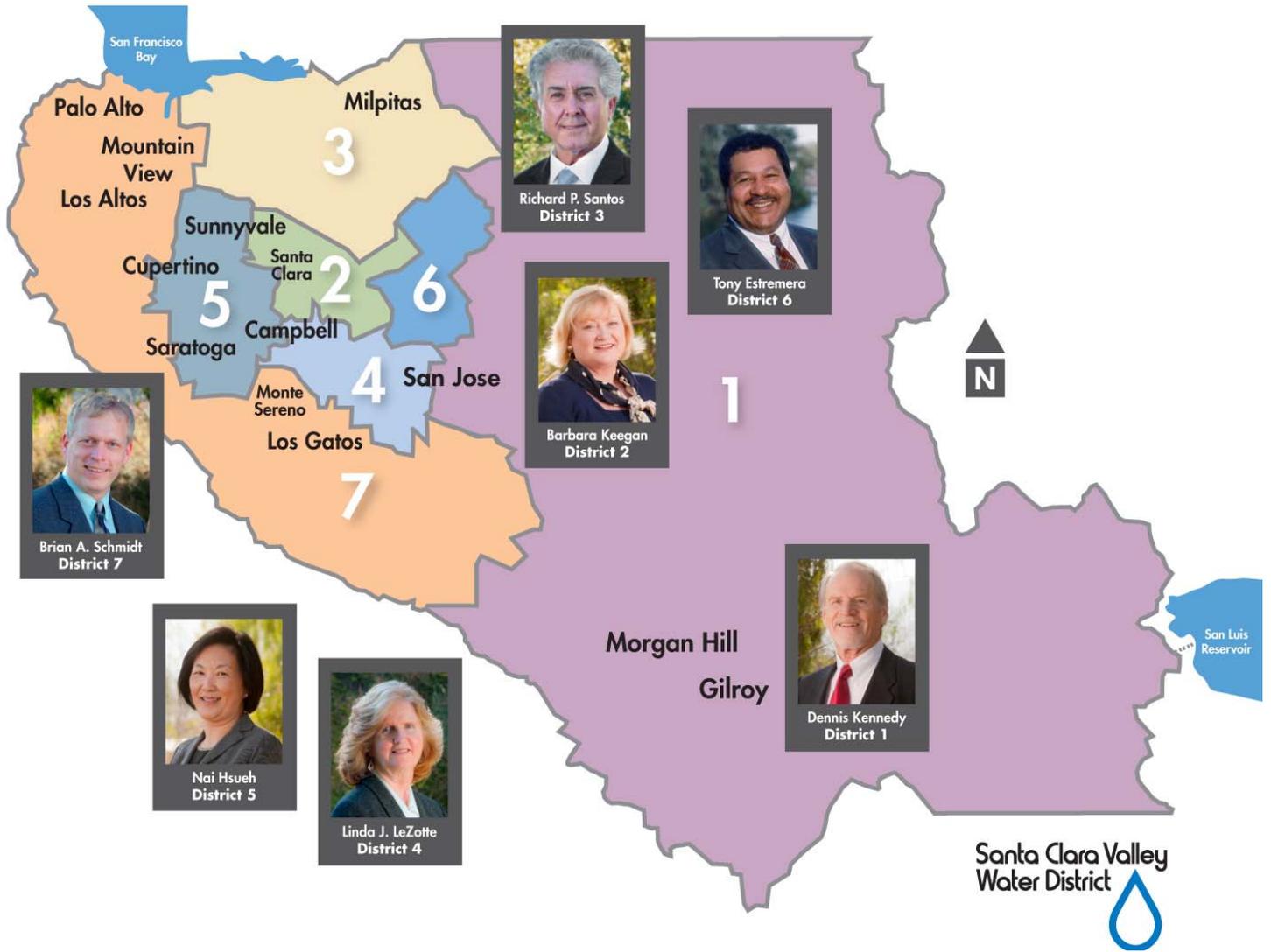
Board of Directors' District Boundaries

The Board is comprised of seven members who serve overlapping, four-year terms. This structure was created pursuant to the adoption of the District Act. The Board elects a Chair and Vice-Chair at the first meeting of the calendar year to serve a one year term.

BOARD MEMBERS

District 1	Dennis Kennedy
District 2	Barbara Keegan
District 3	Richard P. Santos
District 4	Linda J. LeZotte
District 5	Nai Hsueh
District 6	Tony Estremera
District 7	Brian A. Schmidt

Santa Clara Valley Water District Board of Directors



II. Board Governance Policy Relating to Board Advisory Committees

The District Act provides for the creation of Board Committees to serve at the pleasure of the Board and adopted Board policy defines their purpose and relationship to the Board.

Accordingly, the Board's Governance Process Policy (GP-8) states:

The District Act provides for the creation of advisory boards, committees, or commissions by resolution to serve at the pleasure of the Board.

Accordingly, the Board has established Advisory Committees, which bring respective expertise and community interest, to advise the Board, when requested, in a capacity as defined: prepare Board policy alternatives and provide comment on activities in the implementation of the District's mission for Board consideration. In keeping with the Board's broader focus, Advisory Committees will not direct the implementation of District programs and projects, other than to receive information and provide comment.

Further, in accordance with Governance Process Policy-3, when requested by the Board, the Advisory Committees may help the Board produce the link between the District and the public through information sharing to the communities they represent.

The Board may also establish Ad-hoc Committees to serve in a capacity as defined by the Board and will be used sparingly.

Accordingly:

- 8.1 When used, Board Advisory Committees and Board Ad-hoc Committees will be assigned 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 Advisory 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 Advisory 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 Advisory Committee 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. Committees composed of less than a quorum of the Board 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.

III. Board Advisory Committees and Their Purpose

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

1. Agricultural Water Advisory Committee

Agricultural water supply and use and groundwater production charges.

2. Environmental Advisory Committee

Environmental restoration and enhancement.

3. – 7. Flood Protection and Watershed Advisory Committees

Flood protection and stream stewardship.

- Guadalupe
- Lower Peninsula
- Coyote
- Uvas/Llagas
- West Valley

8. Landscape Advisory Committee

Providing a link between Santa Clara County's landscape industry and the Board through review of water conservation and groundwater production charges.

9. Santa Clara Valley Water Commission

Water supply and water quality issues that are of interest to Santa Clara County and the Towns and Cities therein. The Commission shall also assist the Board in the annual review of groundwater production charges.

IV. Overview of the Brown Act

The Ralph M. Brown Act (Brown Act) is California's "sunshine" 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 Santa Clara Valley Water District (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 a legislative body.

Committees 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 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.

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).

V. Guide to Participation on Board Advisory Committees

Board Representatives

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

Committee Administrative Support

The Committee Liaison helps facilitate the Committees' relationship with the Board in accordance with Board Policy, Governance Process Policy-8, and the Ralph M. Brown Act. Additionally, the Committee Liaison provides direct support to the Committee Chairs in preparation of and during meetings.

The Committee Clerk supports the administrative function of the Committees by ensuring that meetings are conducted according to the Ralph M. Brown Act, meeting logistics are in place, Committee minutes are created, Committee records are maintained, and Committee membership is managed.

Finally, Committee Oversight Managers and their staff serve as technical advisors to Committees by developing agenda items, providing Committee presentations, and responding to questions and comments to help facilitate discussion and action, as necessary.

Committee Purpose and Responsibilities

The Committees' main purpose is to:

- Prepare policy alternatives
- Provide comment on activities in the implementation of the District's mission
- Produce and present to the Board an Annual Accomplishments Report that provides a synopsis of the annual discussions and actions.

In carrying out these duties, Committee members bring to the District their respective expertise and the interests of the communities they represent. In addition, Committees may help the Board produce the link between the District and the public through information sharing to the communities they represent.

Responsibility of Officers

The officers of each Committee consist of a Chairperson and a Vice Chairperson, both of whom shall be members of the Committee. The Chairperson and Vice-Chairperson are elected by a vote of the Committee, each for a term of one-year commencing on January 1 and ending on December 31 and for no more than two consecutive terms. The Committee will elect its officers at the first meeting of the calendar year.

Chairperson

The Chairperson will preside at all meetings of the Committee and he or she will perform other such duties as the Committee may prescribe consistent with the purpose of the Committee.

Vice-Chairperson

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

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

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

Committee Meetings

Preparing for Meetings

Committees convene four times a year, or more often, as determined by the Board. Prior to each Committee meeting, Committee members receive meeting packets that include the meeting agenda, a draft of the previous meeting minutes, detailed agenda items, and applicable attachments.

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.

Attendance

Following two or more unexcused absences, the Board may choose to rescind a Committee member's appointment. An unexcused absence is defined as failure to notify the District at least 48 hours in advance that the member will not attend the meeting.

Quorum and Action

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 Committee Clerk 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 of the cancellation.

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 Advisory 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.

Voting

Except for actions to adjourn due to lack of quorum, action of the Committee may be taken only upon the affirmative vote of not less than a majority of the 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 appointed Committee members or appointed alternates, who are representing an absent Committee member, may vote on a matter.

Adding Items to the Committee Agenda

Committee meeting agendas are developed in accordance with the Brown Act.

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

- The Board, during a Board meeting, may initiate and direct items be agendized on a future Committee meeting agenda. If so, an agenda item would be developed for presentation to the Committee.
- A Committee may request an item is placed on its agenda for a future meeting. The request may 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 would be developed for presentation to the Committee.
- The public may approach a Committee requesting that an item be placed on a future meeting agenda. 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, a meeting agenda item would be developed for presentation to the Committee.
- The public may approach the Board during Board meetings to request an item be agendized on a future Committee meeting agenda. The Board may consider the request and determine whether to have the item agendized. If so, a meeting agenda item would be developed for presentation to the Committee.
- The public may correspond, e.g., letter, e-mail, to the Board, requesting an item be agendized. The Board may agendize a discussion at a future Board meeting to consider the request and direct whether to have the item agendized on a future Committee meeting agenda. If so, a meeting agenda item would be developed for presentation to the Committee.

Consistent with the Board's governance structure, the Board makes the final decision and sets the agendas for all Committee meetings.

Subcommittees

Subcommittees are formed with the specific purpose of meeting separately from the full Committee with District staff to discuss and deliberate an issue further. If there are resulting recommendations, these are presented to the full Committee for consideration and decision to transmit them to the Board.

To initiate the formation of a subcommittee, a Committee takes action to request that the Board appoint a subcommittee. Whenever the Board authorizes appointment of a subcommittee of a Committee or a committee composed of persons who are not members of a Committee, the members of such subcommittees or Committee shall serve at the pleasure of the Board. Subcommittee, when formed, comprise less than a quorum of the full Committee and function in an ad hoc capacity and are therefore, short term.

To facilitate each subcommittee's efforts, the Committee Liaison serves as the point of contact to schedule meetings, coordinate with District staff, and transmit documents from the subcommittee to the full Committee.

VI. Structure of Board Advisory Committees

Committee	Board Advisory Committee				
	Agricultural Water	Environmental	Flood Protection and Watershed	Landscape	Santa Clara Valley Water Commission
Committee Membership	Farmers and Private Well Owners (non-retail) who reside or do business, as determined by the Board, within Santa Clara County.	At-Large members who reside or do business, as determined by the Board, within Santa Clara County.	Representatives of each city and town in each watershed, Santa Clara County, and At-Large members who reside or do business, as determined by the Board, within Santa Clara County.	Representatives from the landscape industry who reside or do business, as determined by the Board, within Santa Clara County.	Elected representatives of each city, town, and Santa Clara County.
Nomination and Appointment Process	Each Director may nominate up to two (2) farmers who reside and/or farm within the nominating Director's district. All nominations are subject to appointment by the Board of Directors. In the event that a Director is unable to nominate a farmer from his/her district or geographic area, the Director may nominate a farmer who resides and/or farms within Santa Clara County.	Each Director may nominate up to two (2) At-Large members and the Board Chair may nominate up to three (3). All nominations are subject to approval by the Board of Directors.	Municipal members are appointed by the municipalities they represent. At-Large members are nominated by individual Directors and subject to appointment by the Board of Directors.	Nominations are solicited from specified membership categories. No more than two (2) representatives are nominated for each category. All nominations are subject to appointment by the Board of Directors.	Municipal members are appointed by the municipalities they represent.
Terms of Appointment	All Members: Committee members and alternates serve two-year renewable terms that begin upon appointment, or January 1 if a renewed appointment, and expire December 31 of the year following appointment. Committee members shall be held over until they are reappointed or successors are appointed.				

VII. Contact Information

For additional information regarding the Board's Advisory Committees and/or to download a membership application, please visit www.valleywater.org.

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



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