



**ADVISORY COMMITTEE AD HOC COMMITTEE**

**Phase II Improvement Recommendation Report**

**January 2014**

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### **Phase II Improvement Recommendation Report**

#### **I. INTRODUCTION**

*See better, Lear; and let me still remain  
The true blank of thine eye.  
- King Lear, William Shakespeare*

For Santa Clara Valley Water District (District), avoiding outcomes like the tragedy that struck King Lear means avoiding his crucial mistake – a failure to seek out and listen to good advice. The District Board of Directors (Board) has a governance policy and process for using Board Advisory Committees (Advisory Committees) to seek meaningful policy-level advice from the community and to serve as a link to help the broader community learn about and participate in the District's goals. However, it has been clearly communicated to this Board Advisory Committee Ad Hoc Committee (Ad Hoc Committee) that the Advisory Committees have lacked opportunity to provide meaningful input on substantive issues up for consideration by the Board.

In February 2013, the Ad Hoc Committee was formed by the Board to address this issue. Working together with Advisory Committees, the Ad Hoc Committee identified key problems to “providing meaningful input” and documented the problems in its Phase I Report.

This Phase II Report recommends changes and/or improvements to strengthen the Advisory Committees' ability to provide meaningful policy-level advice to the Board and to serve as a link to the broad community, therefore addressing the feedback received from the Advisory Committees. Additionally, given the substantial costs of staff supporting the Advisory Committees, the total cost of the Advisory Committee system after changes should not increase.

#### **II. APPROACH**

The Ad Hoc Committee organized the problems identified in the Phase I Report into two categories: organizational problems and procedural problems (Table 1), and developed improvement recommendations for each category independently.

Identified organizational problems are categorized based on the concerns received relating to the committees' purpose, duties, and organization. The identified procedure problems are categorized based on meeting effectiveness, process, and staff support costs.

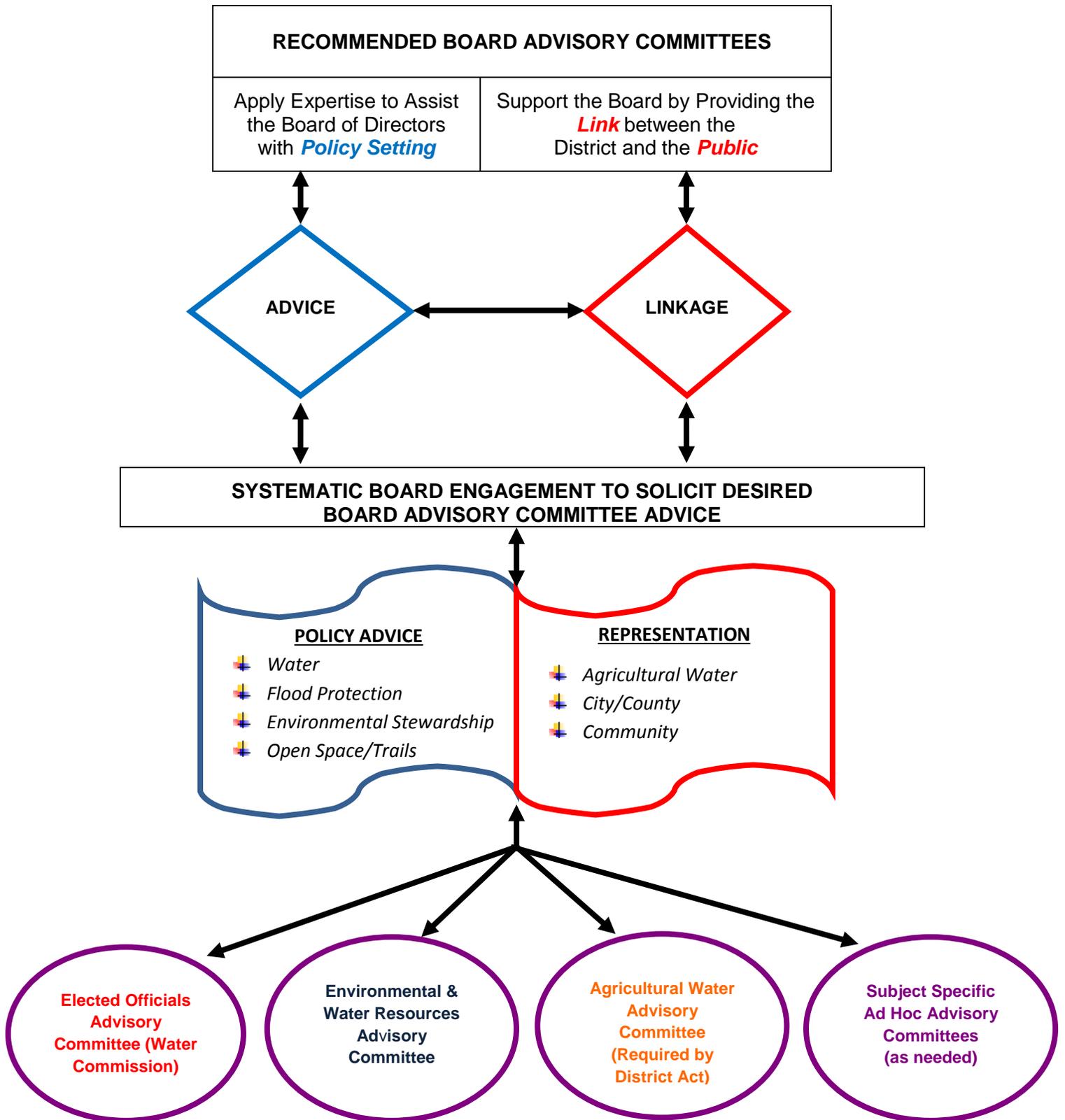
**TABLE 1**

**CATEGORIZATION OF PROBLEMS IDENTIFIED IN PHASE 1 REPORT**

Themes	Problems (see Phase 1 Report for Details)	ORGANIZATIONAL PROBLEM	Procedure Problem
Purpose of Committee	Not clearly communicated to committee members		✓
	Board is not clear about the purpose	✓	✓
	Changed over time	✓	
	No orientation		✓
Duties of Committee	Limited opportunity to provide meaningful advice	✓	
	One-way (receiving) communication	✓	
	Allowed to provide advice on Ends Policy only	✓	
	Expertise of committee members	✓	
	Unclear representation of committee members	✓	
Organization of Committee	Members appointed by city governments on multiple advisory committees	✓	
	No appointments from County to FPWACs for 2 years	✓	
	Roles of Committee Chair, supporting staff, and Board members attending Advisory Committee meetings		✓
	Communication with Board members		✓
	Inflexible and limited meeting schedules		✓
Effectiveness of Committee	Brown Act restrictions		✓
	Utilization of subcommittees		✓
	Extended lead time resulted from agenda process		✓
Costs of Committee	Value gained from annual investment of approximately \$562,000 to support committee operation		✓

### III. ORGANIZATIONAL IMPROVEMENTS

Summarized in the following chart are the organizational improvements recommended by the Ad Hoc Committee. This recommendation is based on analyses documented in Sections III.A, III.B, III.C, III.D and III.E.



(Figure 1)

## **A. Universal Recommendation--Purpose of Advisory Committees and Board Engagement**

This Ad Hoc Committee and Chairs of current Advisory Committees both recognized that the foundation for future successful advisory committees is clear purposes of Advisory Committees defined by the Board and the Board's active engagement in referring policies to the committees for advice.

## **B. Flood Protection and Watershed Advisory Committees and Water Commission**

### ***Alternatives C and D are the recommended alternatives***

The Ad Hoc Committee, in recommending improvements, evaluated the five Flood Protection and Watershed Advisory Committees (FPWAC) and the Water Commission together because: 1) Majority of the organizational problems shown in Table 1 were raised by these committees, and 2) Many members of these committees currently serve on multiple committees.

The FPWACs and Water Commission are standing committees with purposes that are either too wide (not focused on a particular well-defined topic that would benefit most from the committees' expertise) or too narrow (not encompassing the entire county or involving a subject matter that has insufficient new developments to require regular meetings). Advisory Committees that worked well in the past have become outdated. These Advisory Committees need to be evaluated and reconsidered for current needs of the District and its Board. Then, it will be the responsibility of the Board, with the assistance of the Advisory Committees, to ensure that the Advisory Committees are asked to provide advice relevant to their purposes and expertise and to serve as the link between the District and the community they represent.

Summarized in Table 2 are the four improvement alternatives developed and evaluated by the Ad Hoc Committee in consultation with District staff, Chairs and members of the committees.

**TABLE 2  
IMPROVEMENT ALTERNATIVES**

Alternative	Structure	Membership	Expertise And Representation	Committee Responsibility	Evaluation	
<b>A - One Standing Committee</b>	Elected Official Advisory Committee	Combine Water Commission and FPWACs (current elected official membership and their purposes), and expand membership to include other governmental entities, i.e. Open Space Authority	Representatives appointed by Cities/County and Other Governmental Entities, i.e. Open Space Authority	Local governments and their communities	Advises the Board on policies requiring intergovernmental efforts  Example: Land use near creek corridor, water charges, recycled water public education	Addresses most organizational problems in Table 1, however, loses the expertise of and connection with the current at-large members serving on FPWACs.
<b>B - Two Standing Committees</b>	B1. FPWAC	Combine the 5 FPWACs	Representatives appointed by Cities, County and at-large members appointed by board members	Local governments and their communities	Advises the Board on flood protection policies and creek issues that are of concerns to local governments and community at large.  Example: Land use near creek corridor	Not efficient; the same appointed members likely will be on both committees
	B2. Water Commission	Maintain the Water Commission	Representatives appointed by Cities/County	Local governments and their communities	Advises the Board on water supply policies requiring inter-governmental efforts.  Example: Water charges, recycled water public education	
<b>C - Two Standing Committees</b>	C1. Elected Official Advisory Committee— Water Commission	Combine Water Commission and FPWACs (current elected official membership and their purposes), and expand membership to include other governmental entities, i.e. Open Space Authority & Mid Pen Open Space	Representatives appointed by Cities/County and Other Governmental Entities, i.e. Open Space Authority	Local governments and their communities	Advises the Board on policies requiring intergovernmental efforts  Example: Land use near creek corridor, water charges, recycled water public education	Addresses most organizational problems in Table 1.  This option can retain the institutional memory of existing Flood Control Committees, and addresses the issue of turn-over rates of elected officials serving on Advisory Committees.
	C2. Environmental and Water Resources Advisory Committee	Expand current EAC to include at-large members with interests and expertise in water resource such as flood protection, water supply, & other issues surrounding creeks in Santa Clara County etc.	At Large members appointed by the Board	Environmental protection, restoration, and enhancement, flood protection, water supply, creeks in the County	Advise the Board on polices related to the environment and water resources	This option reflects the Board's direction of integrated water resources management.
<b>D - Ad Hoc Advisory Committees</b>	Create Ad Hoc Committees as needed	Per Procedures to be developed	Per Procedures to be developed, and generally at-large appointments.	Directly related to the specific policy	Advises the Board on specific policies as needed.  Examples: <ul style="list-style-type: none"> <li>• Homeless Encampments</li> <li>• Shoreline Protection/ Restoration</li> <li>• Bay Delta</li> <li>• Fish Barrier Removal</li> <li>• Water Conservation</li> </ul>	A flexible structure that is more equipped to work on specific and time sensitive issues and to complement standing committees

**C. Landscape Advisory Committee**

**Alternative A is the recommended alternative.**

The Landscape Advisory Committee is a standing committee with a purpose that is technical in nature. Committee members' expertise is more directly connected with staff's work. The Committee will be more effective if it is changed to become a staff-level advisory committee.

Summarized in Table 3 are the two improvement alternatives developed and evaluated by the Ad Hoc committee in consultation with Water district staff, Chairs and members of the Landscape Advisory committee.

**TABLE 3  
IMPROVEMENT ALTERNATIVES**

<i>Alternative</i>	<i>Structure</i>	<i>Membership</i>	<i>Expertise And Representation</i>	<i>Committee Responsibility</i>	<i>Evaluation</i>	
<b>A – One Staff Advisory Committee</b>	Staff Level Advisory Committee	Refer to staff and current committee	Refer to staff and current committee	Refer to staff and current committee	Refer to staff and current committee	Addresses problem of the existing structure and would fully utilize industry expertise
<b>B - One Standing Board Committee</b>	Water Conservation Advisory Committee	Expand the purpose of LAC to become a water conservation advisory committee				Does not address the identified problem, and may even worsen the problem. In the event when the Board needs advice on water conservation issues, either the Elected Official Advisory Committee or an Ad Hoc Advisory Committee (formed for the specific issue) will be a more effective body to perform the responsibility than a standing water conservation advisory committee.

## **D. Environmental Advisory Committee**

It is recommended that the Environmental Advisory Committee (EAC) be expanded to a new Environmental and Water Resources Advisory Committee (EWRAC). This recommendation is in response to concerns that were heard regarding the potential of losing the institutional memory that exists with many of the long-term at large members of the various flood protection advisory committees. Expanding the scope of the existing EAC would allow for the retention of certain current at large members and ensure that their valuable perspective can continue to be heard.

The new EWRAC would be a standing committee with a purpose of providing advice to the Board on policies related to environmental restoration and enhancements and general water resource issues, reflecting the Board's direction of integrated water resources management.

The existing EAC did raise a number of procedural issues during the problem definition phase and the proposed procedural changes should do much to address their concerns.

## **E. Agricultural Water Advisory Committee**

The Agricultural Water Advisory Committee is a standing committee and is mandated by the District Act. It is not included in the scope of this project. The Ad Hoc Committee noted that the membership of Agricultural Water Advisory Committee cannot be expanded to include urban agriculture representation, unless the District amends the District Act.

## **IV. PROCEDURAL IMPROVEMENTS**

A number of procedural issues also hinder the committee's effectiveness. Some issues may be resolvable; others may be inherent to the governmental advisory process. This is an ongoing process and will be subject to refinement and ongoing improvement.

The Ad Hoc Committee recommends the following procedural improvements to make the committees more effective.

- Orientation
  1. For committee members
  2. For chairs/vice chairs
- Meeting Process
  1. Committee chairs have authority to add items to the agenda, to invite speakers for any agenda item, and control time limits of speakers, subject to District and Brown Act restrictions and reasonable notification time for Clerk's office. Staff support may not be available for items and speakers added by the chairs.
  2. No formal subcommittees will be recognized, but committee members will be encouraged to work together informally outside of meetings, subject to Brown Act restrictions against serial meetings.
  3. Agendas will have a clearly delineated section for "Information Only Items" that are not for discussion or action other than clarifying questions. All other agenda items are subject to potential action by the committee.
  4. Any meeting, in which all items on agenda are informational only, other than approval of meeting minutes, will be cancelled.
  5. Include a "draft agenda for next meeting" standing item on the agenda for the committee to better determine whether it wants to make changes or get clearer direction from the Board as to what recommendations are needed.

6. All committee recommendations will be reported out as information item (not for action) at the Board meeting immediately following the committee meeting.

- Meeting Frequency
  1. For each committee, meeting frequency should be determined by the committee's purpose and Board requested advice (annual work plan) with a minimum of one meeting per year.
- Committee Member Attendance
  1. Orientation will include understanding of the need to attend scheduled meetings to ensure quorum is obtained to complete scheduled business.
- Support Committee Members to Link District Goals, Objectives and Activities to Their Represented communities
  1. Provide written summary of meetings material to committee members
  2. Encourage committee members to report on their own activities or the agency/organization they represent that pertain to the committee's purpose

## V. CONCLUSION

*Get thee glass eyes;  
And like a scurvy Politician, seem  
To see the things thou dost not.  
- King Lear*

Scurvy politicians may look for things that are not there, but good politicians ask for good advice on what they need to see and do. This Phase II Report seeks solutions to help us get that advice. We recognize that as with previous efforts, this will not solve all problems, but we hope these solutions will be a basis for good advice and link to the public that supports the happy, vibrant, and sustainable communities that are the goals of the Santa Clara Valley Water District.