

Governance

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Governance

Definition

- Governance is the action or manner of governing. *Oxford Dictionaries*



Governance

Constitutional foundation

- “...districts shall be governmental agencies and bodies politic and corporate with such powers of government and with the authority...as may be conferred by law.” *Tex. Const. Art. 16, § 59*



Governance

Statutory foundation

- “The governing body of a district is the board of directors.” *Tex. Water Code § 36.051*
- What principles guide the work of governing?



Governance

Principles

- Integrity
- Leadership
- Transparency
- Accountability
- Fairness



Governance

Principles

- Integrity
 - Being honest, fair and independent
 - Honoring the letter and spirit of the law
 - Recognizing, declaring and managing conflicts of interest
 - Doing the right thing



Governance

Principles

- Leadership
 - Establishing policies and strategic goals
 - Providing necessary resources to achieve goals
 - Monitoring and evaluating achievement of goals
 - Supporting staff and holding them to account *as a Board*



Governance

Principles

- Transparency
 - Conducting the public's business in public
 - Regular and effective communication with stakeholders
 - Responding to stakeholders' questions and concerns



Governance

Principles

- Accountability
 - Fair and clear disclosure of success and failure
 - Internal financial controls
 - Audit and financial reporting
 - Risk assessment and management



Governance

Principles

- Fairness
 - Impartial and unbiased treatment of stakeholders
 - Respect for due process of law



Governance

Practices

- Board is a collective entity and functions only as a collective entity
 - ***Importance cannot be overstated***
 - Exists to act together, not as individuals
 - Discusses business in public to maximum extent possible
 - Acts only in public through a vote



Governance

Practices

- An effective Board focuses on policy, strategic goals and results
- Governance and management are different
 - Governance is responsibility of Board
 - Management is responsibility of staff
 - Maintaining distinction requires judgment, respect and restraint



Governance

Practices

- Board supervises General Manager
- General Manager supervises staff
- Roles must be respected
 - Board should speak to GM with one agreed voice
 - GM must ensure that Board is fully informed
 - Board should not engage in administration
- Two-way communication essential



Governance

Practices

- Board meetings must be efficient and effective
 - Comfortable and accessible facility
 - Reasonable time
 - Manageable agenda
 - Board members
 - present
 - prepared
 - engaged



Governance

Practices

- Board meetings (cont.)
 - Respectful dialogue
 - between board members
 - between board and staff
 - Opportunity for public comment important, but limitations are essential
 - public can go home
 - board must remain until business is complete



Governance

Practices

- Board meetings (cont.)
 - Understand and utilize common rules of order
 - Opinions will vary
 - All votes need not be unanimous
 - ***Decision, once made, should be respected and supported by all***



Governance

Practices

- An effective Board will be educated in its role, legal duties and responsibilities
 - Take full advantage of training and educational opportunities
 - Engage, utilize and respect good legal counsel
 - An ounce of prevention is worth a pound of cure



Governance

Personal accountability

- to the district
- to your conscience
- to voters
- to stakeholders
- to the law
 - civil liability
 - criminal liability



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