



BOARD OF DIRECTORS MEETING

MINUTES

**SPECIAL MEETING
TUESDAY, DECEMBER 17, 2019
10:00 AM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER:

1.1 Roll Call.

Board members in attendance were Tony Estremera, Nai Hsueh, Barbara Keegan, Linda J. LeZotte, Richard Santos, and John L. Varela, constituting a quorum of the Board.

Director Gary Kremen arrived as noted below.

Staff members in attendance were S. Yamamoto, District Counsel, M. King, Clerk, Board of Directors, M. Baratz, T. Bramer, M. Cook, V. Gin, C. Hakes, B. Hopper, L. Infante, M. Lugo, N. Nguyen, A. Noriega, D. Taylor, T. Yoke, and B. Yerrapotu.

Chief Operating Officer M. Richardson represented Chief Executive Officer N. Camacho, Deputy Operating Officer S. Tippetts represented Chief Operating Officer M. Richardson, Deputy Operating Officer G. Hall represented Chief Operating Officer N. Hawk, and Deputy Administrative Officer R. Gibson represented Chief of External Affairs R. Callender.

1.2 Pledge of Allegiance/National Anthem.

Chairperson LeZotte led all present in reciting the Pledge of Allegiance.

1.3 Time Open for Public Comment on any Item not on the Agenda.

Chairperson LeZotte declared time open for any item not on the agenda. There was no one present who wished to speak.

2. TIME CERTAIN:

10:00 AM

- 2.1 Adopt Resolution of Intention to Amend the Contract With CalPERS to Include Partial Service Retirement Benefit.

Recommendation: Adopt Resolution of INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM AND THE BOARD OF DIRECTORS SANTA CLARA VALLEY WATER DISTRICT, to Include Section 21118 Partial Service Retirement.

Ms. Anna Noriega, Chief People Officer, reviewed the information on this item, per the attached Board Agenda Memo.

Motion: Adopt Resolution No. 19-75, INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM AND THE BOARD OF DIRECTORS SANTA CLARA VALLEY WATER DISTRICT, to Include Section 21118 Partial Service Retirement, by roll call vote.

Move to Adopt: Tony Estremera
Second: Nai Hsueh
Yeas: Tony Estremera, Nai Hsueh, Barbara Keegan, Linda J. LeZotte, Richard Santos, John L. Varela
Nays: None
Abstains: None
Recuses: None
Absent: Gary Kremen
Summary: 6 Yeas; 0 Nays; 0 Abstains; 1 Absent

- 2.2 Receive Watersheds Operations and Maintenance Program Overview and Review Draft 5-Year Plan.

Recommendation: A. Receive a Watersheds Operations and Maintenance Program Overview; and
B. Review the Draft 5-Year Operations and Maintenance Plan.

Ms. Melanie Richardson, acting Chief Executive Officer, reviewed the information on this item, per the attached Board Agenda Memo; distributed and reviewed the attached Watersheds Workshop Overview, identified as Handout 2.2-A herein; and introduced Ms. Sue Tippetts, Acting Chief Operating Officer, Watersheds, who distributed and reviewed the attached maps of Capital Improvement Projects in North and South County, identified as Handout 2.2-B herein. Copies of the Handouts were distributed to the Board and made available to the public.

The additional materials contained in Attachments 1 and 2 were reviewed by Ms. Tippetts, Ms. Jennifer Codianne, Integrated Vegetation Manager, Mr. Scott Akin, Environmental Services Manager, Mr. Devin Mody, Operations and Maintenance Engineering Support Manager, and Mr. Jeff Ham, Program Administrator.

Director Keegan requested that staff come back with information on how many of the comments received through Access Valley Water pertain to stream maintenance, with information grouped into the categories of maintained vs. non-maintained channels (Board Member Request No. 19-0017).

The Board noted the information, without formal action.

2.3 19-1142 Receive Updates on Safe, Clean Water and Natural Flood Protection Program Flood Protection Projects and Funding Scenarios.

- Recommendation:
- A. Receive project updates on the following Safe, Clean Water and Natural Flood Protection Program (Safe, Clean Water Program) Flood Protection Projects:
 - i. Coyote Creek
 - ii. Upper Penitencia Creek
 - iii. Upper Llagas Creek
 - iv. Upper Guadalupe River;
 - B. Review potential funding scenarios:
 - i. Consider the Capital Improvement Program (CIP) Committee's Recommendation to proceed with Scenario 2, and approve moving forward with Scenario 2 and set the time and place for the public hearing for January 14, 2020, to modify the Upper Guadalupe River and Upper Llagas Creek Flood Protection Projects; or
 - ii. Based upon the Board's recent decision to explore the opportunity for a renewed Safe, Clean Water Program for voter consideration during the November 2020 election, direct staff to:
 - a. Move forward with the required public hearing for the Upper Llagas Creek Flood Protection Project and set the time and place for the public hearing for January 14, 2020; and
 - b. Return to the Board in one year to review the potential funding scenarios for the remaining Safe, Clean Water Program Flood Protection Projects; and
 - C. Provide feedback and direction to staff, as necessary.

Ms. Jessica Collins, Watersheds Business Plan and Analysis Manager, reviewed the information on this item, per the attached Board Agenda Memo.

The additional materials contained in Attachments 1 through 7, and Handouts 2.3-A and 2.3-B, were reviewed by Ms. Collins, Mr. Afshin Rouhani,

Water Policy and Planning Manager, Mr. Stephen Ferranti, Capital Engineering Manager, and Mr. Karl Neuman, Engineering Unit Manager.

Director Kremen Arrived.

Motion: In regard to the Capital Improvement Program (CIP) Committee's recommendation to the Board, contained in the attached Board Agenda Memorandum, Page 1, Recommendation B.i., approve delaying consideration of Funding Scenario 2; delay consideration of a public hearing to modify the Upper Guadalupe River Flood Protection Project; direct staff to come back in approximately one year with updated funding scenarios; and approve setting the time and place for a public hearing to modify the Upper Llagas Creek Flood Protection Project on January 14, 2020.

Move to Approve: Tony Estremera
Second: John L. Varela

Director Hsueh requested, and Directors Estremera and Varela accepted, an amendment to the motion as follows:

Motion: In regard to the Capital Improvement Program (CIP) Committee's recommendation to the Board, contained in the attached Board Agenda Memorandum, Page 1, Recommendation B.i., authorize staff to transfer funds from the Upper Penitencia Creek Flood Protection Project, to the Coyote Creek Flood Protection Project, and approve moving forward the Coyote Creek Flood Protection Project; approve delaying consideration of the remaining portions of Funding Scenario 2 not related to the Coyote Creek Flood Protection Project; delay consideration of a public hearing to modify the Upper Guadalupe River Flood Protection Project; direct staff to come back in approximately one year with updated funding scenarios, including shortfalls to the Coyote and Upper Llagas Creek Flood Protection Projects; and approve setting the time and place for a public hearing to modify the Upper Llagas Creek Flood Protection Project on January 14, 2020.

Move to Approve: Tony Estremera
Second: John L. Varela
Yeas: Tony Estremera, Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, John L. Varela
Nays: None
Abstains: None
Recuses: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstains; 0 Absent

- 2.4 Review the Draft Preliminary Fiscal Years 2021-2025 Capital Improvement Program for the Watersheds Stream Stewardship Fund and the Safe, Clean Water and Natural Flood Protection Program Fund.

- Recommendation: A. Review and discuss the Draft Preliminary Fiscal Years 2021-2025 Capital Improvement Program for the Watersheds Stream Stewardship Fund and the Safe, Clean Water and Natural Flood Protection Program Fund; and
B. Provide direction to staff, as needed.

Ms. Collins reviewed the information on this item, per the attached Board Agenda Memo, and the additional materials contained in Attachments 1 and 2 were reviewed by Ms. Collins and Mr. Darin Taylor, Chief Financial Officer.

The Board noted the information without formal action.

3. ADJOURN:

- 3.1 Clerk Review and Clarification of Board Requests.

Ms. Michele King, Clerk, Board of Directors, read the new Board Member Request into the record.

- 3.2 Adjourn to 11:00 a.m. Closed Session and 1:00 p.m. Regular Meeting on January 14, 2020, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

Chairperson LeZotte adjourned the meeting at 1:05 p.m., to the 11:00 a.m. Closed Session and 1:00 p.m. Regular Meeting on January 14, 2020, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

Michele L. King, CMC
Clerk, Board of Directors

Approved:

Date:

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