



# Santa Clara Valley Water District Board of Directors Meeting

Teleconference Zoom Meeting

**\*AMENDED/APPENDED**  
**AMENDED 4:00 PM CLOSED SESSION AND 6:00 PM**  
**REGULAR MEETING**  
**AGENDA**

**Tuesday, January 25, 2022**  
**4:00 PM**

**\*ITEMS AMENDED AND/OR APPENDED SINCE THE ORIGINAL PUBLICATION OF THIS AGENDA  
ARE IDENTIFIED BY AN ASTERISK (\*) HEREIN**

**District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.**

**DISTRICT BOARD OF DIRECTORS**

Gary Kremen, Chair - District 7  
John Varela, Vice Chair - District 1  
Barbara Keegan - District 2  
Richard P. Santos - District 3  
Linda J. LeZotte - District 4  
Nai Hsueh - District 5  
Tony Estremera - District 6

During the COVID-19 restrictions, all public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body, will be available to the public through the legislative body agenda web page at the same time that the public records are distributed or made available to the legislative body, or through a link in the Zoom Chat Section during the respective meeting. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to participate in the legislative body's meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

RICK L. CALLENDER, ESQ.  
Chief Executive Officer

MICHELE L KING, CMC  
Clerk of the Board  
(408) 265-2600  
Fax (408) 266-0271  
www.valleywater.org

**Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.**

**Santa Clara Valley Water District  
Board of Directors**

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**Tuesday, January 25, 2022**

**4:00 PM**

**Teleconference Zoom Meeting**

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\*\*\*BY VIRTUAL TELECONFERENCE ONLY\*\*\*

Pursuant to California Government Code section 54953(e), this meeting will be held by teleconference only. No physical location will be available for this meeting; however, members of the public will be able to participate in the meeting as noted below.

In accordance with the requirements of Gov. Code Section 54954.3(a), members of the public wishing to address the Board/Committee at a video conferenced meeting, during public comment or on any item listed on the agenda, should use the "Raise Hand" tool located in the Zoom meeting link listed on the agenda, at the time the item is called. Speakers will be acknowledged by the Board Chair in the order requests are received and granted speaking access to address the Board.

Santa Clara Valley Water District (District), in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in District Board meetings to please contact the Clerk of the Board's office at (408) 630-2711, at least 3 business days before the scheduled District Board meeting to ensure that the District may assist you.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Sections 54950 et. seq. and has not been prepared with a view to informing an investment decision in any of Valley Water's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water's bonds, notes or other obligations and investors and potential investors should rely only on information filed by the District on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and Valley Water's Investor Relations website, maintained on the World Wide Web at <http://emmasrb.org> and <https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Under the Brown Act, members of the public are not required to provide identifying information in order to attend public meetings. Through the link below, the Zoom webinar program requests entry of a name and email address, and Valley Water is unable to modify this requirement. Members of the public not wishing to provide such identifying information are encouraged to enter "Anonymous" or some other reference under name and to enter a fictional email address (e.g., attendee@valleywater.org) in lieu of their actual address. Inputting such values will not impact your ability to access the meeting through Zoom.

**Join Zoom Meeting:**  
**<https://valleywater.zoom.us/j/82200120341>**  
**Meeting ID: 822 001 20341**  
**Join by Phone:**  
**1 (669) 900-9128, 82200120341#**

**1. CALL TO ORDER:**

1.1. Roll Call.

**2. TIME CERTAIN:**

**4:00 PM**

*Notice to the Public: The Board of Directors meets in Closed Session in accordance with the Ralph M. Brown Act. Following the conclusion of Closed Session discussion, the Board will return for the remaining items on the regular meeting agenda.*

2.1. CLOSED SESSION [22-0121](#)  
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Government Code Sections 54956.9(d)(2)  
(One potential case)

2.2. CLOSED SESSION [22-0157](#)  
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Government Code Section 54956.9(d)(2)  
(One potential case)

**Rejoin Zoom Meeting:**  
**<https://valleywater.zoom.us/j/82200120341>**  
**Meeting ID: 822 001 20341**  
**Join by Phone:**  
**1 (669) 900-9128, 82200120341#**

**6:00 PM**

2.3. District Counsel Report on Closed Session.

2.4. Pledge of Allegiance/National Anthem.

2.5. Orders of the Day.

- A. *Approximate Discussion Time (Board); and*
- B. *Adjustments to the Order of Agenda Items.*

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

*Notice to the public: Members of the public who wish to address the Board on any item not listed on the agenda should access the "Raise Hand" tool located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Board Chair in order requests are received and granted speaking access to address the Board. Speakers comments should be limited to three minutes or as set by the Chair. The law does not permit Board action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Board may take action on any item of business appearing on the posted agenda.*

2.7. Receive Santa Clara Valley Water District Government Relations Program Update and 2022 Legislative Outlook. [21-1090](#)

- Recommendation:
- A. Receive information on the 2021 Santa Clara Valley Water District (Valley Water) government relations advocacy and stakeholder engagement program;
  - B. Receive update from federal and state consultants on 2021 efforts supporting direction from Valley Water and 2022 legislative outlook; and
  - C. Provide input on current and future challenges, goals, and accomplishments since the last presentation to the Board of Directors.

Manager: Don Rocha, 408-630-2338

Attachments: [Attachment 1: 2022 Legislative Proposals/Guiding Policies](#)  
[Attachment 2: Key Legislation in 2021](#)  
[Attachment 3: Community Events and Sponsorships](#)

Est. Staff Time: 15 Minutes

2.8. Drought Response Efforts of San Jose Water Company, Great Oaks Water Company, and California Water Service. [22-0120](#)

Recommendation: Receive information on drought response efforts of San Jose Water Company, Great Oaks Water Company, and California Water Service.

Manager: Aaron Baker, 408-630-2135

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 20 Minutes

- 2.9. Potential Reconsideration of Item 3.4 from the January 11, 2022 Board Agenda - Claim of Alie Hussein Saad; Claim of David and Annette Batey; Claim of Roga Gabucan; and Claim of Nan Li. [22-0162](#)

Recommendation: That the Board discuss and act on whether to reconsider Item 3.4 from the January 11, 2022 Board Agenda - Claim of Alie Hussein Saad; Claim of David and Annette Batey; Claim of Roga Gabucan; and Claim of Nan Li.

If the Board votes to reconsider the claims, it is recommended that the Board:

- A. Receive a report on CEQA considerations and other relevant information, and allow for further public comments; and
- B. Consider staff's recommendation to deny the claims or provide other direction as appropriate.

Attachments: [Attachment 1: 011122 SCVWD Board Agenda Item 3.4](#)

**3. CONSENT CALENDAR: (3.1 - \*3.7) (Est. Time: 5 Minutes)**

*Notice to the public: There is no separate discussion of individual consent calendar items. Recommended actions are voted on in one motion. If an item is approved on the consent vote, the specific action recommended by staff is adopted. Items listed in this section of the agenda are considered to be routine by the Board, or delegated to the Board Appointed Officers (BAOs) yet required by law or contract to be Board approved (EL-7.10). Any item may be removed for separate consideration at the request of a Board member. Whenever a resolution is on the consent calendar, a roll call vote will be taken on the entire calendar. Members of the public wishing to address the Board on any consent items should submit a request to speak to the Clerk of the Board.*

- 3.1. Adopt Resolution Setting Time and Date of Public Hearing on the Engineer's Report and Final Mitigated Negative Declaration for the Pacheco/Santa Clara Conduit Right-of-Way Acquisition Project, Project No. 92144001 (Merced County, Gilroy, Morgan Hill) (District 1). [21-1232](#)

Recommendation: Adopt the Resolution SETTING TIME AND PLACE OF PUBLIC HEARING ON THE ENGINEER'S REPORT AND FINAL MITIGATED NEGATIVE DECLARATION (MND) FOR THE PACHECO/SANTA CLARA CONDUIT RIGHT-OF-WAY ACQUISITION PROJECT, to occur on February 8, 2022 at 1:00 p.m. by teleconference Zoom meeting.

Manager: Heath McMahon, 408-630-3126

Attachments: [Attachment 1: Resolution](#)  
[Attachment 2: Engineer's Report](#)  
[Attachment 3: Notice of Public Hearing](#)

- 3.2. Adopt Resolution Setting Time and Date of Public Hearing on the Engineer's Report and CEQA Exemption Determination for the Water Treatment Plants Electrical Improvement Project, Project No. 93084004 (San Jose) (Districts 3 and 7). [22-0002](#)

Recommendation: Adopt the Resolution SETTING TIME AND DATE OF PUBLIC HEARING ON THE ENGINEER'S REPORT AND CEQA EXEMPTION DETERMINATION FOR THE WATER TREATMENT PLANTS ELECTRICAL IMPROVEMENT PROJECT, to occur on February 8, 2022, at 1:00 p.m. by teleconference Zoom meeting.

Manager: Heath McMahon, 408-630-3126

Attachments: [Attachment 1: Resolution](#)  
[Attachment 2: Engineer's Report](#)  
[Attachment 3: Notice of Public Hearing](#)

- 3.3. Adopt Resolution Declaring February 2022 as National Black History Month. [22-0021](#)

Recommendation: Adopt the Resolution DECLARING FEBRUARY 1 TO FEBRUARY 28, 2022 AS NATIONAL BLACK HISTORY MONTH.

Manager: Marta Lugo, 408-630-2237

Attachments: [Attachment 1: Resolution](#)

- 3.4. Notice of Completion of Contract and Acceptance of Work for the Permanente Creek Flood Protection Project - Rancho San Antonio Detention Basin (Construction Stage 1 - Milestones 1-3), Granite Construction Company, Project No. 26244001, Contract No. C0617 (Cupertino) (Districts 5 and 7). [21-1268](#)

Recommendation:     A. Accept the work on the Permanente Creek Flood Protection Project - Rancho San Antonio Detention Basin (Construction Stage 1 - Milestones 1-3), Project No. 26244001, Contract No. C0617 as complete; and

                              B. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the County of Santa Clara Office of the Clerk-Recorder.

Manager:                Rechelle Blank, 408-630-2615

Attachments:           [Attachment 1: NOC and Acceptance of Work](#)  
[Attachment 2: Construction Contract Acceptance](#)  
[Attachment 3: Project Completion Letter](#)  
[Attachment 4: Construction Summary](#)  
[Attachment 5: Project Delivery Process Chart](#)

- 3.5. Approve Amendment No. 1 to Agreement No. A4320G with WBCP, Inc. for On-call Recruitment Services to be Provided for Recruitment and Examination, Project No. 60291001, CAS File No. 5079, Increasing the Fee by \$225,000 for a Revised Not-to-exceed Fee of \$450,000 and Extending the Term of the Agreement to January 27, 2024. [22-0065](#)

Recommendation:     Approve Amendment No. 1 to Agreement No. A4320G with WBCP, Inc. for on-call recruitment services for Recruitment and Examination, Project No. 60291001, increasing the fee by \$225,000 for revised not-to-exceed fee of \$450,000 and extending the term of the agreement to January 27, 2024.

Manager:                Ingrid Bella, 408-630-3171

Attachments:           [Attachment 1: Amendment No. 1](#)

- \*3.6. Valley Water Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2021 and other Independent Auditor's Reports. [22-0194](#)  
(PREVIOUSLY LISTED AS ITEM 9.2)

Recommendation: Accept the Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2021, and other Independent Auditor's Reports.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: FY 2020-21 ACFR](#)  
[Attachment 2: Memorandum of Internal Controls](#)  
[Attachment 3: Investment Policy Compliance](#)  
[Attachment 4: Article XIII-B Appropriations Procedure](#)  
[Attachment 5: Compensation and Benefits Compliance](#)  
[Attachment 6: Debt Issuance Compliance](#)  
[\\*Supplemental Board Agenda Memo](#)  
[\\*Supplemental Attachment 1: Revised FY 2020-21 ACFR](#)

- \*3.7. Accept the CEO Bulletin for the Weeks of January 7-20, 2022. [22-0059](#)

Recommendation: Accept the CEO Bulletin.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: 012022 CEO Bulletin](#)

#### **REGULAR AGENDA:**

#### **4. BOARD OF DIRECTORS:**

- 4.1. Consider Proposed Adjusted Electoral District Boundaries Recommended by Redistricting Advisory Committee and Adopt Final New Electoral District Boundaries. [22-0119](#)

Recommendation: A. Consider proposed adjusted electoral district boundaries recommended by the Redistricting Advisory Committee (Map Plan 2); and  
B. Adopt final revised electoral district map showing new electoral district boundaries.

Manager: Don Rocha, 408-630-2338

Attachments: [Attachment 1: Map Plan 2 Single Map Overview](#)  
[Attachment 2: Map Plan 2 with Census Data](#)  
[Attachment 3: Map Plan 2 Existing District Lines Overlay](#)  
[Attachment 4: Map Plan 2 with Cities Overlay](#)  
[Attachment 5: PowerPoint](#)

Est. Staff Time: 15 Minutes

- 4.2. Review Fiscal Year 2022 Board Policy Planning Calendar. [21-0133](#)

Recommendation: Review, discuss and revise the Fiscal Year 2022 Board Policy Planning Calendar.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: FY22 Board Calendar](#)

Est. Staff Time: 5 Minutes

- \*4.3. Board Committee Reports. [22-0085](#)

Attachments: [\\*Handout 4.3-A: 010322 AWAC Summary](#)  
[\\*Handout 4.3-B: 010422 BPPC Meeting Summary](#)  
[\\*Handout 4.3-C: 010522 JWRC Summary](#)  
[\\*Handout 4.3-D: 011222 RAC Summary](#)  
[\\*Handout 4.3-E: 012422 EWRC Agenda](#)  
[\\*Handout 4.3-F: 012422 WCaDM Agenda](#)  
[\\*Handout 4.3-G: 012622 IMC Agenda](#)  
[\\*Handout 4.3-H: 012622 Water Commission Agenda](#)  
[\\*Handout 4.3-I: 012722 WSEC Agenda](#)

- 4.4. Proposed Future Board Member Agenda Items.

**5. WATER UTILITY ENTERPRISE:**

**6. WATERSHEDS:**

- 6.1. Adopt the One Water - Santa Clara Countywide Framework and the One Water - Coyote Creek Watershed Plan, and Direct Staff to Provide a One Water Monitoring Update in 2027. [21-1188](#)

Recommendation: A. Adopt the One Water - Santa Clara Countywide Framework;  
B. Adopt the One Water - Coyote Creek Watershed Plan;  
and  
C. Direct staff to provide a One Water monitoring update in 2027.

Manager: Lisa Bankosh, 408-630-2618

Attachments: [Attachment 1: PowerPoint](#)  
[Attachment 2: One Water - Countywide Framework Exec Summar](#)  
[Attachment 3: One Water - Countywide Framework](#)  
[Attachment 4: One Water - Coyote Watershed Exec Summary](#)  
[Attachment 5: One Water - Coyote Watershed Plan](#)  
[Attachment 6: One Water - Coyote Watershed Priority Actions](#)

Est. Staff Time: 15 Minutes

**7. ASSISTANT CHIEF EXECUTIVE OFFICER:**

**8. EXTERNAL AFFAIRS:**

**9. CHIEF EXECUTIVE OFFICER:**

- \*9.1. Receive and Discuss the Overview of the Santa Clara Valley Water District's Fiscal Year 2022-23 First Pass Biennial Budget Development Process. [22-0184](#)

Recommendation: Receive and discuss the overview of the Santa Clara Valley Water District's Fiscal Year 2022-23 First Pass Biennial Budget Development Process.

Manager: Darin Taylor, 408-630-3068

Attachments: [\\*Supplemental Board Agenda Memo](#)  
[\\*Supplemental Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

- \*9.2. MOVED TO ITEM 3.6.

\*9.3. CEO and Chiefs' Report.

[22-0165](#)

Attachments: [\\*Handout 9.3-A: Office of Civic Engagement Update](#)  
[\\*Handout 9.3-B: Office of Government Relations Update](#)

Est. Staff Time: 10 Minutes

**10. ADMINISTRATION:**

**11. DISTRICT COUNSEL:**

**12. ADJOURN:**

12.1. Board Member Reports/Announcements.

12.2. Clerk Review and Clarification of Board Requests.

\*12.3. Adjourn to 11:00 a.m. Closed Session and 1:00 p.m. Regular Meeting on February 8, 2021.