



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, November 24, 2020
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	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 for public inspection at the Office of the Clerk of the Board at the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, CA 95118, at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to attend Board of Directors' 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
Nai Hsueh, Chair, District 5		
Tony Estremera, Vice Chair, District 6		MICHELE L KING, CMC
John L Varela, District 1		Clerk of the Board
Barbara Keegan, District 2		(408) 265-2600
Richard P. Santos, District 3		Fax (408) 266-0271
Linda J. LeZotte, District 4		www.valleywater.org
Gary Kremen, District 7		

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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4:00 PM

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IMPORTANT NOTICES

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on March 17, 2020 that allows attendance by members of the Board of Directors, District staff, and the public to participate and conduct the meeting by teleconference, videoconference, or both.

Members of the public wishing to address the Board during a video conferenced meeting on an item not listed on the agenda, or any item listed on the agenda, should use the "Raise Hand" or "Chat" tools located in Zoom meeting link listed on the agenda. 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://emmas.msrbo.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/94551991986>

Meeting ID: 945 5199 1986

Join by Phone:

1 (669) 900-9128, 94551991986#

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. (ITEM REMOVED FROM AGENDA) [20-1102](#)
CLOSED SESSION (Continued from November 10, 2020)
CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Government Code Section 54956.9(d)(4) - Six Potential
Cases
- 2.2. CLOSED SESSION [20-1076](#)
CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6(a)
Agency Designated Representatives: Rick Callender, Laura Harbert, Tina
Yoke, Ingrid Bella
Employee Organizations: Employees Association, Engineers Society,
Professional Managers Association
- 2.3. CLOSED SESSION [20-1069](#)
CONFERENCE WITH LEGAL COUNSEL
Pursuant to Government Code Section 54957(a)
THREAT TO PUBLIC SERVICES OR FACILITIES - Consultation with Alex
Gordon, Assistant Officer

- 2.4. CLOSED SESSION
PUBLIC EMPLOYEE EMPLOYMENT
Pursuant to Government Code Section 54957(b)(1)
Title: District Counsel

[20-1077](#)

6:00 PM

Rejoin Zoom Meeting:
<https://valleywater.zoom.us/j/94551991986>
Meeting ID: 945 5199 1986
Join by Phone:
1 (669) 900-9128, 94551991986#

- 2.5. District Counsel Report on Closed Session.
- 2.6. Pledge of Allegiance/National Anthem.
- 2.7. Orders of the Day.
A. *Approximate Discussion Time (Board); and*
B. *Adjustments to the Order of Agenda Items.*
- 2.8. 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" or "Chat" tools 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.

- 2.9. Receive Winter Preparedness Briefing.

[20-0982](#)

Recommendation: Receive information on the Santa Clara Valley Water District's preparedness for winter operations.

Manager: Alexander Gordon, 408-630-2637

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 15 Minutes

3. CONSENT CALENDAR: (3.1 - 3.3) (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 complete a Speaker Card and present it to the Clerk of the Board.

- 3.1. Consider Membership Nominations for Committee Appointments to the Environmental and Water Resources Committee, and the Safe, Clean Water Independent Monitoring Committee. [20-1066](#)

Recommendation: Consider Committee Membership Appointment Nominations to the Environmental and Water Resources Committee (EWRC), and the Safe, Clean Water Independent Monitoring Committee (SCW IMC).

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: SCVWD Resolution No. 17-75](#)
[Attachment 2: Membership Application \(Mora Tejada\)](#)
[Attachment 3: SCVWD Resolution 13-61](#)
[Attachment 4: Membership Application \(Santos\)](#)
[Attachment 5: Membership Application \(Tran\)](#)

- 3.2. Amendment to Employment Agreement Between Santa Clara Valley Water District and Stanly Yamamoto. [20-0971](#)

Recommendation: A. Adopt the RESOLUTION APPROVING AND ADOPTING NOVEMBER 24, 2020 AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN SANTA CLARA VALLEY WATER DISTRICT AND STANLY YAMAMOTO; and
B. Authorize the Chair of the Board to execute November 24, 2020 Amendment to Employment Agreement Between Santa Clara Valley Water District and Stanly Yamamoto.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: Amendment to Employment Agreement](#)

*3.3. Accept the CEO Bulletin for the Weeks of November 6-19, 2020.

[20-1062](#)

Recommendation: Accept the CEO Bulletin.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: 111920 CEO Bulletin](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

4.1. Discuss Establishment of a Board Budget Committee.

[20-1067](#)

Recommendation: Support 2020 Board Chair Hsueh's Recommendation to Not Establish a Board Budget Committee.

Manager: Michele King, 408-630-2711

Est. Staff Time: 5 Minutes

4.2. Discuss Board of Directors Governance Policy Governance Process GP-5.3, Election of Board Chair and Board Vice Chair.

[20-1070](#)

Recommendation: A. Discuss Board of Directors Governance Policy Governance Process GP-5.3, Election Board Chair and Board Vice Chair; and
B. If necessary, make changes as identified.

Manager: Michele King, 408-630-2711

Est. Staff Time: 5 Minutes

- *4.3. Consider the Board Ethics and Conduct Ad Hoc Committee [20-1078](#)
Recommendations to Approve Amendments to Board of Directors
Governance Policies GP-6.11.1 and GP-6.11.2, Complaints by Board
Members Against Board Members, and GP-6.19.1 and GP-6.19.2,
Complaints from Non-Board Members.

Recommendation:

- A. Discuss Proposed Amendments to Board of Directors
Governance Policies GP 6.11.1 and GP-6.11.2,
Complaints by Board Members Against Board Members,
and GP-6.19.1 and GP-6.19.2, Complaints from
Non-Board Members; and
- B. Approve the proposed amendments to GP-6.11.1 and
GP-6.11.2, and GP-6.19.1 and GP-6.19.2.

Manager: Stan T. Yamamoto, 408-630-2755

Attachments: [Attachment 1: GP-6.11.1, 6.11.2, 6.19.1, 6.19.2](#)
[*Handout 4.3-A: T. Mulvey email](#)

Est. Staff Time: 5 Minutes

- *4.4. Planning for the Year 2021-22 Board Strategic Planning Meeting [20-1034](#)
(PREVIOUSLY LISTED AS ITEM 4.3).

Recommendation: Discuss and provide input to shape the agenda and process for
the Board Strategic Planning Meeting for Fiscal Year 2021-22
(FY22).

Manager: Rick Callender, 408-630-2017

Est. Staff Time: 5 Minutes

- *4.5. Review Fiscal Year 2021 Board Policy Planning Calendar (PREVIOUSLY [20-1074](#)
LISTED AS ITEM 4.4).

Recommendation: Review, discuss and revise the Fiscal Year 2021 Board Policy
Planning Calendar.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: FY21 Board Calendar](#)

Est. Staff Time: 5 Minutes

*4.6. Board Committee Reports (PREVIOUSLY LISTED AS ITEM 4.5).

[20-1075](#)

Attachments: [*Handout 4.6-A: 102120 BAC Summary](#)
[*Handout 4.6-B: 110920 WSEC Summary](#)
[*Handout 4.6-C: 110920 CIP Summary](#)
[*Handout 4.6-D: 112020 RWC Agenda](#)
[*Handout 4.6-E: 112320 BPPC Agenda](#)
[*Handout 4.6-F: 120220 IMC Agenda](#)
[*Handout 4.6-G: 111920 DCA Summary](#)

*4.7. Proposed Future Board Member Agenda Items (PREVIOUSLY LISTED AS ITEM 4.6).

5. WATER UTILITY ENTERPRISE:

5.1. Overview of the FY 2021-22 Groundwater Production Charge Setting Process and Review of 10-Year Water Rate Projection Assumptions.

[20-1020](#)

Recommendation: A. Receive an overview of the Fiscal Year 2021-22 Groundwater Production Charge setting process; and
B. Review and provide feedback on the 10-year Water Rate Projection Assumptions.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: PowerPoint](#)
[Attachment 2: SCVWD Resolution 99-21](#)
[Attachment 3: SCVWD Resolution 12-10](#)
[Attachment 4: April 2019 Memo From Vice Chair Hsueh](#)
[Attachment 5: Research of Feasible Revenue Alternatives](#)

Est. Staff Time: 15 Minutes

6. WATERSHEDS:

7. ASSISTANT CHIEF EXECUTIVE OFFICER:

8. EXTERNAL AFFAIRS:

8.1. Office of Civic Engagement Annual Board Update 2020.

[20-0935](#)

Recommendation: Receive information and updates on the programs and activities in the Office of Civic Engagement.

Manager: Marta Lugo, 408-630-2237

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

9. CHIEF EXECUTIVE OFFICER:

*9.1. CEO and Chiefs' Report.

[20-1096](#)

Attachments: [*Handout 9.1-A: Office of Government Relations Update](#)
[*Handout 9.1-B: Election Results](#)
[*Handout 9.1-C: Stream Maintenance Report](#)
[*Handout 9.1-D: Storm Report](#)

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 Regular Meeting at 1:00 p.m., on December 8, 2020, to be called to order in compliance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20.