



Santa Clara Valley Water District Board of Directors Meeting

Teleconference Zoom Meeting

***AMENDED/APPENDED** **12:00 PM CLOSED SESSION AND** **1:00 PM REGULAR MEETING** **AGENDA**

Tuesday, June 9, 2020
12:00 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

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

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.

NORMA CAMACHO
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.

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

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Tuesday, June 9, 2020

12:00 PM

Teleconference Zoom Meeting

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.

1. CALL TO ORDER:

Join Zoom Meeting:

<https://valleywater.zoom.us/j/95492104034>

Webinar ID: 954 9210 4034

Join by Phone:

1 (669) 900-9128, 95492104034#

1.1. Roll Call.

2. TIME CERTAIN:

12:00 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
CONFERENCE WITH LEGAL COUNSEL
POTENTIAL INITIATION OF LITIGATION
Pursuant to Government Code Section 54956.9(D)(4)
Two Potential Cases

[20-0484](#)

1:00 PM

Join Zoom Meeting:

<https://valleywater.zoom.us/j/95492104034>

Webinar ID: 954 9210 4034

Join by Phone:

1 (669) 900-9128, 95492104034#

- 2.2. District Counsel Report on Closed Session.
- 2.3. Pledge of Allegiance/National Anthem.
- 2.4. Orders of the Day.
 - A. *Approximate Discussion Time (Board); and*
 - B. *Adjustments to the Order of Agenda Items.*
- 2.5. 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.

3. CONSENT CALENDAR: (3.1 - 3.6) (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. Adopt the Resolution Requesting and Consenting to Consolidation of Elections for November 3, 2020. [20-0405](#)
- Recommendation: Adopt the Resolution REQUESTING AND CONSENTING TO CONSOLIDATION OF ELECTION.
- Manager: Michele King, 408-630-2711
- Attachments: [Attachment 1: Resolution](#)
[Attachment 2: General Election Calendar](#)
- *3.2. Resolution to Set a Public Hearing on the Engineer's Report and CEQA Exemption Determination for the Anderson Dam Federal Energy Regulatory Commission Order Compliance Project, Project No. 91864005 (Morgan Hill) (District 1). [20-0501](#)
- Recommendation: Adopt the Resolution PROVIDING FOR THE NOTICE OF TIME AND PLACE OF PUBLIC HEARING ON THE ENGINEER'S REPORT AND CEQA EXEMPTION DETERMINATION FOR THE ANDERSON DAM FEDERAL ENERGY REGULATORY COMMISSION ORDER COMPLIANCE PROJECT to occur on June 23, 2020, at 6:00 PM by teleconference Zoom meeting.
- Manager: Christopher Hakes, 408-630-3796
- Attachments: [Attachment 1: Resolution](#)
[Attachment 2: Notice of Public Hearing](#)
[*Supplemental Board Agenda Memo](#)
[*Supplemental Attachment 1: FOCP Engineer's Report](#)
[*Handout 3.2-A, Sierra Club Comment](#)
- 3.3. Approve Amendment No. 1 to Agreement No. A4265G with Carpi and Clay, Inc., for Federal Representation Services, Project No. 60231003, CAS File No. 4942, Increasing the Not-to-Exceed Fee from \$112,800 by \$117,600, for a Total Revised Fee of \$230,400, and Extend the Agreement Term to June 30, 2021. [20-0481](#)
- Recommendation: Approve Amendment No. 1 to Agreement No. A4265G with Carpi and Clay, Inc., for Federal Representation Services, Project No. 60231003, CAS File No. 4942, increasing the not-to-exceed fee from \$112,800 by \$117,600, resulting in a total revised fee of \$230,400, and extend the Agreement term to June 30, 2021.
- Manager: Rachael Gibson, 408-630-2884
- Attachments: [Attachment 1: Amendment No. 1](#)

- 3.4. Approve the Board of Directors' Quarterly Expense Report for the Quarter Ending March 31, 2020. [20-0445](#)

Recommendation: A. Review the Board of Directors' Quarterly Expense Report for the Quarter Ending March 31, 2020; and
B. Approve the report, if the reimbursements comply with Board Policy.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Quarterly Expense Report](#)

- *3.5. Accept the CEO Bulletin for the Weeks of May 22 Through June 4, 2020. [20-0424](#)

Recommendation: Accept the CEO Bulletin.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 060420 CEO Bulletin](#)

- *3.6. Approval of Minutes. [20-0429](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 042820 Regular Meeting Minutes](#)
[Attachment 2: 042920 Special Meeting Minutes](#)
[Attachment 3: 050120 Special Meeting Minutes](#)
[Attachment 4: 050720 Special Meeting Minutes](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

- 4.1. Discuss Conducting Board and Committee Meetings in Consideration of the COVID-19 Pandemic and Current Shelter in Place Orders. [20-0471](#)

Recommendation: A. Discuss parameters for conducting Board and Committee meetings in consideration of the COVID-19 Pandemic and current Shelter in Place Orders; and
B. Provide direction to staff.

Manager: Michele King, 408-630-2711

Est. Staff Time: 5 Minutes

- *4.2. Formation of a Fiscal Year 2021 Budget Review Board Working Group and a Project Labor Agreement Board Working Group. [20-0498](#)

Recommendation: * Discuss and approve the formation of a Fiscal Year 2021 Budget Review Board Working Group and a Project Labor Agreement Board Working Group, and the purposes, scopes, outcomes, completion dates and appointments, as proposed by the Board Chair.

Manager: Michele King, 408-630-2711

Attachments: [*Original Board Agenda Memo](#)
[*Supplemental Board Agenda Memo](#)
[*Handout 4.2-A, D. Muirhead Comments](#)

- 4.3. Proposed Future Board Member Agenda Items.

5. WATER UTILITY ENTERPRISE:

- 5.1. Climate Change Mitigation - Update on Progress Towards Carbon Neutrality by 2020. [20-0379](#)

Recommendation: Receive and discuss information on Valley Water's progress towards carbon neutrality by 2020.

Attachments: [Attachment 1: EOMs to be Completed](#)

Est. Staff Time: 5 Minutes

6. WATERSHEDS:

7. EXTERNAL AFFAIRS:

8. CHIEF EXECUTIVE OFFICER:

- *8.1. Results of Solicitation of Bank Line(s) of Credit with Aggregate Stated Amount Not-To-Exceed \$200 Million. [20-0490](#)

Recommendation: A. Receive information regarding bank line(s) of credit solicitation;
 B. Provide staff with direction on the bank(s) with which to proceed with negotiations and execution of line(s) of credit; and
 C. *Reserve \$20 million of the \$200 million Line of Credit capacity for local financial institutions headquartered in the Bay Area each having total assets not to exceed One Billion Dollars.

Manager: Darin Taylor, 408-630-3068

Attachments: [*Original Board Agenda Memo](#)
 [*Original Attachment 1: Distribution List](#)
 [*Supplemental Board Agenda Memo](#)
 [*Supplemental Attachment 1: Bank Proposals Summary](#)
 [*Supplemental Attachment 2: Small Local Bank Contact Log](#)
 [*Supplemental Attachment 3: RFP for Bank Line of Credit](#)

Est. Staff Time: 10 Minutes

- *8.2. Discuss Potential Customer Assistance Alternatives During COVID-19 Pandemic. [20-0509](#)

Recommendation: Discuss potential customer assistance alternatives that could be undertaken in response to the COVID-19 Pandemic and provide direction to staff as necessary.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: PowerPoint](#)
 [*Handout 8.2-A: SCVWD Support to Cities during COVID-19](#)

8.3. Update on COVID-19 Response.

8.4. CEO and Chiefs' Report.

9. ADMINISTRATION:

- 9.1. Adopt the Resolution Adopting Employee Salary Schedule for Fiscal Year 2021. [20-0463](#)

Recommendation: Adopt the Resolution ADOPTING EMPLOYEE SALARY SCHEDULE - EFFECTIVE THE BEGINNING OF PAY PERIOD 14 FOR FISCAL YEAR 2021.

Manager: Anna Noriega, 408-630-3089

Attachments: [Attachment 1: Resolution](#)

Est. Staff Time: 5 Minutes

10. DISTRICT COUNSEL:

11. ADJOURN:

- 11.1. Board Member Reports/Announcements.
- 11.2. Clerk Review and Clarification of Board Requests.
- 11.3. Adjourn to Special Meeting at 10:00 a.m., on June 16, 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.

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