



Santa Clara Valley Water District Board of Directors Meeting

Teleconference Zoom Meeting

***AMENDED/APPENDED**
AMENDED 11:00 AM CLOSED SESSION AND 1:00 PM
REGULAR MEETING
AGENDA

Tuesday, July 14, 2020
11:00 AM

***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.

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

***AMENDED/APPEDED AGENDA**

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Tuesday, July 14, 2020

11:00 AM

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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://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Join Zoom Meeting:
<https://valleywater.zoom.us/j/97084248931>
Meeting ID: 970 8424 8931
Join by Phone:
1 (669) 900-9128, 97084248931#

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME CERTAIN:

11:00 AM

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

[20-0559](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Santa Clara Valley Water District v. State Water Resources Control
Board,
Sac. Sup. Ct. Case No. JCCP 5013
(filed as Santa Clara Sup. Ct. Case No. 19-CV-342090).

Attachments: [*Handout 2.1-A, BAWSCA](#)

***2.2. CLOSED SESSION**

[20-0582](#)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
Title: *Chief Executive Officer, District Counsel and Clerk of the Board

1:00 PM

2.3. District Counsel Report on Closed Session.

2.4. Pledge of Allegiance/National Anthem.

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.

*2.6. Board Confirmation of the Assistant Chief Executive Officer, Operations.

[20-0572](#)

Recommendation: *Confirm the appointment of Melanie Richardson as the Assistant Chief Executive Officer, Operations, for Santa Clara Valley Water District.

Manager: Rick L. Callender, 408-630-2017

Attachments: [*Original Agenda Memo](#)
[*Original Attachment 1: Recruitment Posting](#)
[*Supplemental Agenda Memo](#)

Est. Staff Time: 5 Minutes

*2.7. Approval of Updated and Enhanced Safe, Clean Water and Natural Flood Protection Program for a Future Funding Measure (Continued from June 23, 2020).

[20-0576](#)

Recommendation:

- A. Receive additional information and clarification on questions from June 23, 2020 Board meeting, including program financing, structure, and implementation;
- B. Provide direction to staff on any final programmatic changes;
- C. Adopt the Resolution, PROVIDING FOR THE CONTINUATION AND LEVY OF A SPECIAL TAX TO PAY THE COST OF THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM IN THE COMBINED FLOOD CONTROL ZONES OF THE SANTA CLARA VALLEY WATER DISTRICT, SUBJECT, NEVERTHELESS, TO SPECIFIED LIMITS AND CONDITIONS; and
- D. Adopt the Resolution, CALLING A SPECIAL ELECTION TO BE HELD IN THE SANTA CLARA VALLEY WATER DISTRICT ON NOVEMBER 3, 2020, REQUESTING SERVICES OF REGISTRAR OF VOTERS, REQUESTING CONSOLIDATION OF ELECTION, AND SPECIFYING CERTAIN PROCEDURES FOR THE CONSOLIDATED ELECTION.

Manager: Marta Lugo, 408-630-2237

Attachments: [Handout 2.7-A, T. Wallace](#)
[Handout 2.7-B, City of Sunnyvale](#)
[*Supplemental Agenda Memo](#)
[*Supplemental Attachment 1: Final Draft Program Report](#)
[*Supplemental Attachment 2: Resolution, Program Renewal](#)
[*Supplemental Attachment 3: Resolution, Special Election](#)
[*Supplemental Attachment 4: Public Opinion Survey Memo](#)
[*Supplemental Attachment 5: Final Community Survey Report](#)
[*Supplemental Attachment 6: Community Stakeholder Outreach](#)
[*Supplemental Attachment 7: PowerPoint](#)
[*Handouts 2.7-C through 2.7-AAE](#)
[*Handout 2.7-AAF through 2.7-AAM](#)
[*Handout 2.7-AAN - Additional PowerPoint](#)
[*Handout 2.7-AAO - Revised Resolution, Replacing Supp. Att. 2](#)
[*Handout 2.7-AAP, G. Kremen](#)

Est. Staff Time: 30 Minutes

3. ADJOURN:

- 3.1. Clerk Review and Clarification of Board Requests.
- 3.2. Adjourn to 11:00 a.m. Closed Session and 1:00 p.m Regular Meeting on July 28, 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.