



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, February 9, 2021
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
Tony Estremera, Chair - District 6
Gary Kremen, Vice Chair - District 7
John Varela - District 1
Barbara Keegan - District 2
Richard P. Santos - District 3
Linda J. LeZotte - District 4
Nai Hsueh - District 5

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

***AMENDED/APPEDED AGENDA**

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Tuesday, February 9, 2021

11:00 AM

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.

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 <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/94145443248>
Meeting ID: 941 4544 3248
Join by Phone:
1 (669) 900-9128, 94145443248#

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME CERTAIN:

11:00 AM

2.1. CLOSED SESSION
PUBLIC EMPLOYEE RECRUITMENT
Pursuant to Government Code Section 54957(b)(1)
Title: District Counsel

[21-0139](#)

1:00 PM

Rejoin Zoom Meeting:
<https://valleywater.zoom.us/j/94145443248>
Meeting ID: 941 4544 3248
Join by Phone:
1 (669) 900-9128, 94145443248#

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.

*2.6. Public Hearing on the Engineer's Report and CEQA Exemption Determination for the Pacheco Pumping Plant Electrical Current Limiting Fuse & Hydraulic Valve Operation System Upgrades Project, Small Capital Improvements, San Felipe Reach 1, Project No. 91214010 (Merced County, District 1). [20-1160](#)

- Recommendation:
- A. Conduct a Public Hearing on the Engineer's Report and the CEQA Exemption Determination for the Pacheco Pumping Plant Electrical Current Limiting Fuse & Hydraulic Valve Operation System Upgrades Project (Project);
 - B. Close the Public Hearing;
 - C. Approve the CEQA Exemption Determination for the Project;
 - D. Adopt the Resolution APPROVING THE ENGINEER'S REPORT FOR THE PACHECO PUMPING PLANT ELECTRICAL CURRENT LIMITING FUSE & HYDRAULIC VALVE OPERATION SYSTEM UPGRADES PROJECT; and
 - E. Approve the Project.

Manager: Heath McMahon, 408-630-3126

Attachments: [Attachment 1: Draft Notice of Exemption](#)
[Attachment 2: Engineer's Report](#)
[Attachment 3: Public Hearing Notice](#)
[Attachment 4: Resolution](#)
[Attachment 5: Project Delivery Process Chart](#)
[Attachment 6: PowerPoint](#)
[*Handout 2.6-A: Revised Slide replacing Attachment 6, Page 2](#)

Est. Staff Time: 15 Minutes

- 2.7. Public Hearing - Determine the Necessity for the Board of Directors to be [21-0008](#)
Compensated for up to 15 Days Per Calendar Month, and to Consider
Meeting Compensation Amount for Calendar Year 2021.

- Recommendation:
- A. Conduct a Public Hearing to allow members of the public to provide comments on the need to compensate Directors for up to 15 days per calendar month, and Director meeting compensation amount for calendar year 2021;
 - B. Close the Public Hearing; and
 - C. Discuss, make a finding, and adopt the Ordinance PROVIDING FOR COMPENSATION OF DIRECTORS OF SANTA CLARA VALLEY WATER DISTRICT PURSUANT TO CHAPTER 2, DIVISION 10, CALIFORNIA WATER CODE, reflecting the number of meetings per calendar month Directors should be compensated and the Director meeting compensation amount for calendar year 2021; or
 - D. Provide direction to the Clerk of the Board relevant to the authorized number of compensated meetings per month and meeting compensation amount for calendar year 2021.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Notice of Public Hearing](#)
[Attachment 2: 2020 Board Committee Appointments](#)
[Attachment 3: 2020 Board Meeting Days Analysis](#)
[Attachment 4: Draft Ordinance](#)

Est. Staff Time: 5 Minutes

3. CONSENT CALENDAR: (3.1 - *3.4) (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. Resolution Setting Time and Place of Public Hearing on the Report on [21-0106](#)
Activities in Protection and Augmentation of Water Supplies of the District,
Fiscal Year 2021-2022 to begin starting on April 13, 2021 at 1:00 p.m.

Recommendation: A. Adopt Resolution CALLING A PUBLIC HEARING TO
CONSIDER COMMENTS FROM MEMBERS OF THE
PUBLIC ON THE REPORT ON THE ACTIVITIES IN THE
PROTECTION AND AUGMENTATION OF THE WATER
SUPPLIES OF THE SANTA CLARA VALLEY WATER
DISTRICT, FY 2021-2022; and

 B. Set time and place for public hearing to begin starting on
April 13, 2021 at 1:00 p.m. and continuing on April 15,
2021 at 7:00 p.m. and concluding on April 27, 2021,
starting at 6:00 p.m. via Zoom at:
<https://valleywater.zoom.us/j/95060012118>.

Manager: Aaron Baker, 408-630-2135

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: Notice of Public Hearing](#)

- 3.2. Semi-Annual Lobbyist Report of Individuals Engaged in Compensated [21-0075](#)
Lobbying Activities Aimed at Influencing District Decisions, in Accordance
with District Ordinance 10-01.

Recommendation: Receive the Semi-Annual Lobbyist Report of Individuals
Engaged in Compensated Lobbying Activities for the period
July 1, 2020 through December 31, 2020.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Lobbyist Report](#)

- *3.3 Accept the CEO Bulletin for the Weeks of January 22, 2021 - February 4, [21-0089](#)
2021.

Recommendation: Accept the CEO Bulletin.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: 020421 CEO Bulletin](#)

*3.4 Approval of Minutes.

[21-0134](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 011221 Regular Meeting Minutes](#)
[Attachment 2: 011921 Special Meeting Minutes](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

- 4.1. Consider the January 13, 2021 Recommendation from the Board Audit Committee, that the Board Refer a Policy Discussion Related to Financial Auditor Responsibility to the Board Policy and Planning Committee, for Further Discussion and Refinement.

[21-0099](#)

Recommendation: Consider the recommendation resulting from the Board Audit Committee's January 13, 2021 meeting, that the Board refer a policy discussion related to financial auditor responsibility to the Board Policy and Planning Committee for further discussion and refinement.

Manager: Darin Taylor, 408-630-3068

Est. Staff Time: 15 Minutes

Standing Reports (Summary or Verbal Report):

1. Delta Conveyance Design and Construction Authority (DCA) Update
2. Delta Conveyance Finance Authority (Finance Authority) Update

Board Committees (Summary or Meeting Agenda):

3. Board Audit Committee (BAC)
4. Board Policy and Planning Committee (BPPC)
5. Capital Improvement Program (CIP) Committee
6. Diversity and Inclusion (D&I) Ad Hoc Committee
7. Stream Planning and Operations Committee (SPOC)
8. Homeless Encampment Ad Hoc Committee (HEAHC)
9. Recycled Water Committee (RWC)
10. Water Conservation and Demand Management (WCDM) Committee
11. Water Storage Exploratory Committee (WSEC)

Board Advisory Committees (Summary or Meeting Agenda):

12. Agricultural Water Advisory Committee (AWAC)
13. Environmental and Water Resources Committee (EWRC)
14. Santa Clara Valley Water Commission (Water Commission)
15. Youth Commission

Board Joint Committees (Summary or Meeting Agenda):

16. Joint Recycled Water Advisory Committee (JRWAC) (Sunnyvale)
17. Joint Recycled Water Advisory Committee (JRWAC) (East PA/PA/MV)
18. Joint Recycled Water Policy Advisory Committee (JRWPAC) (SJ/SC/TPAC)
19. Joint Water Resources Committee (JWRC) (Gilroy/Morgan Hill)
20. San Felipe Division Reach One

External Committees/Agencies (Verbal Reports):

21. ACWA and ACWA Joint Powers Insurance Authority
22. Joint Venture Silicon Valley Board of Directors
23. Landscape Committee
24. Local Agency Formation Commission (LAFCO)
25. Northern California Latino Water Coalition
26. Pajaro River Watershed Flood Protection Authority
27. Redevelopment Dissolution Countywide Oversight Board of Santa Clara County
28. Safe, Clean Water Independent Monitoring Committee (IMC)
29. San Francisquito Creek JPA
30. Santa Clara County Water Retailers
31. Santa Clara Valley Habitat Conservation Plan JPA
32. San Luis and Delta-Mendota Water Authority Board
33. Santa Clara County Emergency Operations Area Council
34. Santa Clara County Recycling and Waste Reduction Commission

- 35. Santa Clara County Special Districts Association
- 36. South County Regional Wastewater Authority (SCRWA)
- 37. Zone 7, EBRPD, ACWD, SCVWD, LARPD and Tri-Valley Conservancy Liaison Committee

- Attachments:
- [*Handout 4.2.4-A: 012521 BPPC Summary](#)
 - [*Handout 4.2.5-A: 121420 CIP Summary](#)
 - [*Handout 4.2.5-B: 010621 CIP Summary](#)
 - [*Handout 4.2.5-C: 020821 CIP Agenda](#)
 - [*Handout 4.2.13-A: 012521 EWRC Summary](#)
 - [*Handout 4.2.14-A: 012721 Water Commission Summary](#)
 - [*Handout 4.2.28-A: 012721 IMC Summary](#)
 - [*Handout 4.2.28-B: 021021 IMC Agenda](#)
 - [*REVISED Handout 4.2.28-A: 012721 IMC Summary](#)

4.3. Proposed Future Board Member Agenda Items.

5. WATER UTILITY ENTERPRISE:

6. WATERSHEDS:

7. ASSISTANT CHIEF EXECUTIVE OFFICER:

8. EXTERNAL AFFAIRS:

8.1. Adopt Recommended Sponsorship of State Legislation: Santa Clara Valley Water District Act: Financing for Capital Projects; and Adopt Recommended Positions on Other Legislation Which May Require Urgent Consideration for a Position by the Board. [21-0084](#)

- Recommendation:
- A. Adopt a Position of "Sponsor" on: Santa Clara Valley Water District Act: Financing for Capital Projects; and
 - B. Direct staff to develop bill and seek a state legislator to author.

Manager: Donald Rocha, 408-630-2338

Est. Staff Time: 5 Minutes

9. CHIEF EXECUTIVE OFFICER:

- 9.1. Receive and Discuss the Overview of the Santa Clara Valley Water District's Fiscal Year 2021-22 First Pass Budget Development Process. [21-0047](#)

Recommendation: Receive and discuss the overview of Santa Clara Valley Water District's Fiscal Year 2021-22 First Pass Budget Development Process.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

- *9.2. CEO and Chiefs' Report. [21-0190](#)

Attachments: [*Handout 9.2-A: Office of Communications Update](#)

[*Handout 9.2-B: Office of Civic Engagement Update](#)

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 6:00 p.m., on February 23, 2021, 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.