



Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom

Join Zoom Meeting: <https://valleywater.zoom.us/j/86129961178>

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

Tuesday, June 14, 2022
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

John L. Varela, Chair Pro Tem -
District 1
Barbara Keegan - District 2
Richard P. Santos - District 3
Linda J. LeZotte - District 4
Nai Hsueh - District 5
Tony Estremera - District 6
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 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. 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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*****IMPORTANT NOTICES AND PARTICIPATION INSTRUCTIONS*****

Santa Clara Valley Water District (Valley Water) Board of Directors/Board Committee meetings are held as a “hybrid” meetings, conducted in-person as well as by telecommunication, and is compliant with the provisions of the Ralph M. Brown Act.

To maximize public safety while still maintaining transparency and public access, members of the public have an option to participate by teleconference/video conference or attend in-person. To observe and participate in the meeting by teleconference/video conference, please see the meeting link located at the top of the agenda. If attending in-person, you are required to wear a mask.

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.

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

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/86129961178>
Meeting ID: 86129961178
Join by Phone:
1 (669) 900-9128, 86129961178#

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

[22-0631](#)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957(b)(1)

Titles: CEO, District Counsel and Clerk of the Board

1:00 PM

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" 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.

*2.6. Monthly Drought Emergency Response and Water Supply Update.

[22-0766](#)

Recommendation: Receive an update on water supply conditions in Santa Clara County and staff's drought response efforts and provide direction to staff, as necessary.

Manager: Aaron Baker, 408-630-2135

Attachments: [*Supplemental Agenda Memo](#)
[*Supplemental Attachment 1: PowerPoint](#)
[*Supplemental Attachment 2: Drought Response Report](#)
[*Supplemental Attachment 3: June 2022 Water Tracker](#)

Est. Staff Time: 15 Minutes

3. CONSENT CALENDAR: (3.1 - *3.8) (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 a Resolution Expressing Appreciation to National River Cleanup Day Volunteers in Santa Clara County.

[22-0629](#)

Recommendation: Adopt the Resolution EXPRESSING APPRECIATION TO NATIONAL RIVER CLEANUP DAY VOLUNTEERS IN SANTA CLARA COUNTY.

Manager: Marta Lugo, 408-630-2237

Attachments: [Attachment 1: Resolution](#)

3.2. Adopt a Resolution Requesting and Consenting to Consolidation of Elections for November 8, 2022.

[22-0694](#)

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](#)

- 3.3. Adopt the Resolutions Expressing Appreciation to Water 101 Academy Graduates. [22-0705](#)

Recommendation: Adopt the Resolutions EXPRESSING APPRECIATION TO 18 Water 101 Academy Graduates.

Manager: Marta Lugo, 408-630-2237

Attachments: [Attachment 1: Resolutions](#)

- 3.4. Approve Amendments No. 1 (3) to Agreement Nos. A4273A with Balance Hydrologics, Inc., A4274A with Wood Rodgers, Inc, and A4275A with Environmental Science Associates, for On-Call Hydraulics, Hydrology, and Geomorphology Services, Increasing Each Not-to-Exceed Amount by \$450,000 and Extending Each Term By Two Additional Years. [22-0659](#)

Recommendation:

- A. Approve Amendment No. 1 to Agreement A4273A with Balance Hydrologics, Inc. for On-Call Hydraulics, Hydrology, and Geomorphology Services, to increase the not-to-exceed fee by \$450,000, resulting in a revised not-to-exceed total of \$950,000 and extending the term by two years (from three years to five years); and
- B. Approve Amendment No. 1 to Agreement A4274A with Wood Rodgers, Inc. for On-Call Hydraulics, Hydrology, and Geomorphology Services, to increase the not-to-exceed fee by \$450,000, resulting in a revised not-to-exceed total of \$950,000 and extending the term by two years (from three years to five years); and
- C. Approve Amendment No. 1 to Agreement A4275A with Environmental Science Associates for On-Call Hydraulics, Hydrology, and Geomorphology Services, to increase the not-to-exceed fee by \$450,000, resulting in a revised not-to-exceed total of \$950,000 and extending the term by two years (from three years to five years).

Manager: John Bourgeois, 408-630-2990

Attachments: [Attachment 1: Amendment No. 1 A4273A](#)
[Attachment 2: Amendment No. 1 A4274A](#)
[Attachment 3: Amendment No. 1 A4275A](#)

- 3.5. Approve Amendment No. 1 to Agreement No. A4382G, with PMA Consultants, LLC., for On-Call Third Party Internal Auditor Services, CAS File No. 5095, Increasing the Fee by \$175,000, for a Total Revised Fee of \$400,000. [22-0747](#)

Recommendation: Approve Amendment No. 1 to Agreement No. A4382G, with PMA Consultants, LLC., for On-Call Third Party Internal Auditor Services, to increase the not-to-exceed fee by \$175,000, resulting in a total not-to-exceed fee of \$400,000 and extend the term to July 27, 2023.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Agreement](#)

- 3.6. Approve the Board of Directors' Quarterly Expense Report for the Quarter Ending March 31, 2022. [22-0693](#)

Recommendation: A. Review the Board of Directors' Quarterly Expense Report for the Quarter Ending March 31, 2022; and
B. Approve the report, if the reimbursements comply with Board Policy.

Manager: Darin Taylor, 408-630-3068

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

- *3.7. Accept the CEO Bulletin for the Weeks of May 20 - June 9, 2022. [22-0697](#)

Recommendation: Accept the CEO Bulletin.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: 060922 CEO Bulletin](#)

- *3.8. Approval of Minutes. [22-0674](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 031622 CS and Special Meeting Minutes](#)
[Attachment 2: 032222 CS and Regular Meeting](#)
[Attachment 3: 041222 CS and Regular Meeting Minutes](#)
[Attachment 4: 041422 Special Meeting Minutes](#)
[Attachment 5: 042622 Special Meeting Minutes](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

- 4.1. Elect Board Vice Chairperson Pro Tem. [22-0760](#)
- Recommendation: Nominate and elect Vice Chairperson Pro Tem.
- Manager: Michele King, 408-630-2711
- Est. Staff Time: 5 Minutes
- 4.2. Consider the May 11, 2022, Recommendation from the Board Policy and Planning Committee to Adopt an Ordinance of Santa Clara Valley Water District Specifying Rules of Decorum in the Participation of Board and Committee Meetings. (Continued from May 24, 2022) [22-0739](#)
- Recommendation: Adopt the Ordinance, AN ORDINANCE OF SANTA CLARA VALLEY WATER DISTRICT SPECIFYING RULES OF DECORUM IN THE PARTICIPATION OF BOARD AND COMMITTEE MEETINGS.
- Manager: Alexander Gordon, 408-630-2637
- Attachments: [Attachment 1: Ordinance](#)
[Attachment 2: Ordinance Red-Lined Version](#)
[*Handout 4.3-A: Muirhead](#)
[*Handout 4.2-A: Muirhead](#)
- Est. Staff Time: 5 Minutes
- 4.3. Receive the Board Audit Committee 2022 Self-Evaluation Report. [22-0718](#)
- Recommendation: Receive the Board Audit Committee 2022 Self-Evaluation Report.
- Manager: Darin Taylor, 408-630-3068
- Est. Staff Time: 5 Minutes
- *4.4. Board Committee Reports. [22-0785](#)
- Attachments: [*Handout 4.4-A: 051622 CIP Summary](#)
[*Handout 4.4-B: 051922 WCaDM Summary](#)

5. WATER UTILITY ENTERPRISE:

- 5.1. Approve the Consultant Agreement with CDM Smith, Inc. for the Purified Water Project, Project No. 91304001, for Project Management Services, PlanetBids File No. VW0074, for a Not-to-Exceed amount of \$25,435,610. [22-0725](#)

Recommendation: Approve the Consultant Agreement with CDM Smith, Inc. for the Purified Water Project, for Project Management Services, PlanetBids File No. VW0074, for a Not-to-Exceed amount of \$25,435,610.

Manager: Vincent Gin, 408-630-2633

Attachments: [Attachment 1: Agreement](#)

Est. Staff Time: 5 Minutes

6. WATERSHEDS:

7. ASSISTANT CHIEF EXECUTIVE OFFICER:

8. EXTERNAL AFFAIRS:

9. CHIEF EXECUTIVE OFFICER:

- *9.1. CEO and Chiefs' Report. [22-0784](#)

Attachments: [*Handout 9.1-A: REDI Summary](#)
[*Handout 9.1-B: Office of Communications](#)

10. ADMINISTRATION:

11. DISTRICT COUNSEL:

- 11.1. Approve Transferring Funds from the Property Self-Insurance/Catastrophic Reserve to the 2017 Presidents Day Flood Project, Project No.65052001. [22-0661](#)

Recommendation: Approve transferring \$3,175,000 from the Property Self-Insurance/Catastrophic Reserve to the 2017 Presidents Day Flood Project, Project No.65052001.

Manager: Brian Hopper, 408-630-2765

Est. Staff Time: 5 Minutes

12. ADJOURN:

- 12.1. Board Member Reports/Announcements.
- 12.2. Proposed Future Board Member Agenda Items.
- 12.3. Clerk Review and Clarification of Board Requests.
- 12.4. Adjourn to Regular Meeting at 1:00 p.m., on June 28, 2022.

